



Planning Committee

Date:	Wednesday, 21 July 2010
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Pat Phillips
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1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have 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.

2. REQUESTS FOR SITE VISITS

Members are asked to request all site visits before any application is considered.

3. APP/10/00445 - 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 (Pages 1 - 6)

4. APP/10/00537 - 18 MOCKBEGGAR DRIVE, WALLASEY VILLAGE, CH45 3NN - ERECTION OF FRONT, SIDE AND REAR EXTENSIONS (Pages 7 - 10)

5. APP/10/00545 - PANACHE, 43 MARKET STREET, HOYLAK, CH47 2BG - RETENTION OF CANOPY AT REAR FOR SEATING AND STORAGE (Pages 11 - 14)

6. DLS/10/00582 - MERSEYSIDE FIRE BRIGADE, EXMOUTH STREET, BIRKENHEAD, CH41 4AX - DEMOLITION OF EXISTING FIRE STATION AND CONSTRUCTION OF NEW COMMUNITY FIRE STATION - RESERVED MATTERS APPLICATION OF (OUT/2007/5835) FOR LAYOUT, SCALE, EXTERNAL APPEARANCE AND LANDSCAPING (Pages 15 - 18)

7. **APP/10/00583 - UNUSED LAND, VILLAGE ROAD, OXTON, CH43 5SR - PROPOSED DEMOLITION OF EXISTING BUILDING AND 2 BED RESIDENTIAL UNIT AND ERECTION OF 3/ 3.5 STOREY BUILDING COMPRISING OF 4NO. RETAIL UNITS, 8 OFFICES AND A SINGLE RESIDENTIAL UNIT (Pages 19 - 26)**
8. **APP/10/00657 - RAGE, 18 LISCARD VILLAGE, LISCARD, CH45 4ST - CHANGE OF USE TO RESTAURANT AND DRINKING ESTABLISHMENT (OPENING HOURS 0900 HOURS UNTIL 0230 HOURS) (Pages 27 - 30)**
9. **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 (Pages 31 - 36)**
10. **APP/10/00677 - GANNEYS MEADOW NURSERY SCH, GANNEYS MEADOW ROAD, WOODCHURCH, CH49 7NS - ERECTION OF 12 NO. DWELLINGS (AMENDMENT TO PLANNING PERMISSION APP/2008/5857) (Pages 37 - 40)**
11. **DEVELOPMENT CONTROL QUARTERLY PERFORMANCE REPORT (Pages 41 - 44)**
12. **PLANNING ENFORCEMENT SERVICE PERFORMANCE DURING 2008/09 AND 2009/10 (Pages 45 - 52)**
13. **WIRRAL BOROUGH COUNCIL TREE PRESERVATION ORDER NO. 342 - LAND AT SALEM VIEW TO THE REAR OF 26 BIRCH CLOSE, OXTON (Pages 53 - 64)**
14. **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 25/06/2010 AND 11/07/2010 (Pages 65 - 76)**
15. **ANY OTHER BUSINESS**

To consider any urgent business accepted by the Chair.

Planning Committee

21 July 2010

Reference:
APP/10/00445

Area Team:
South Team

Case Officer:
Mrs. S Day

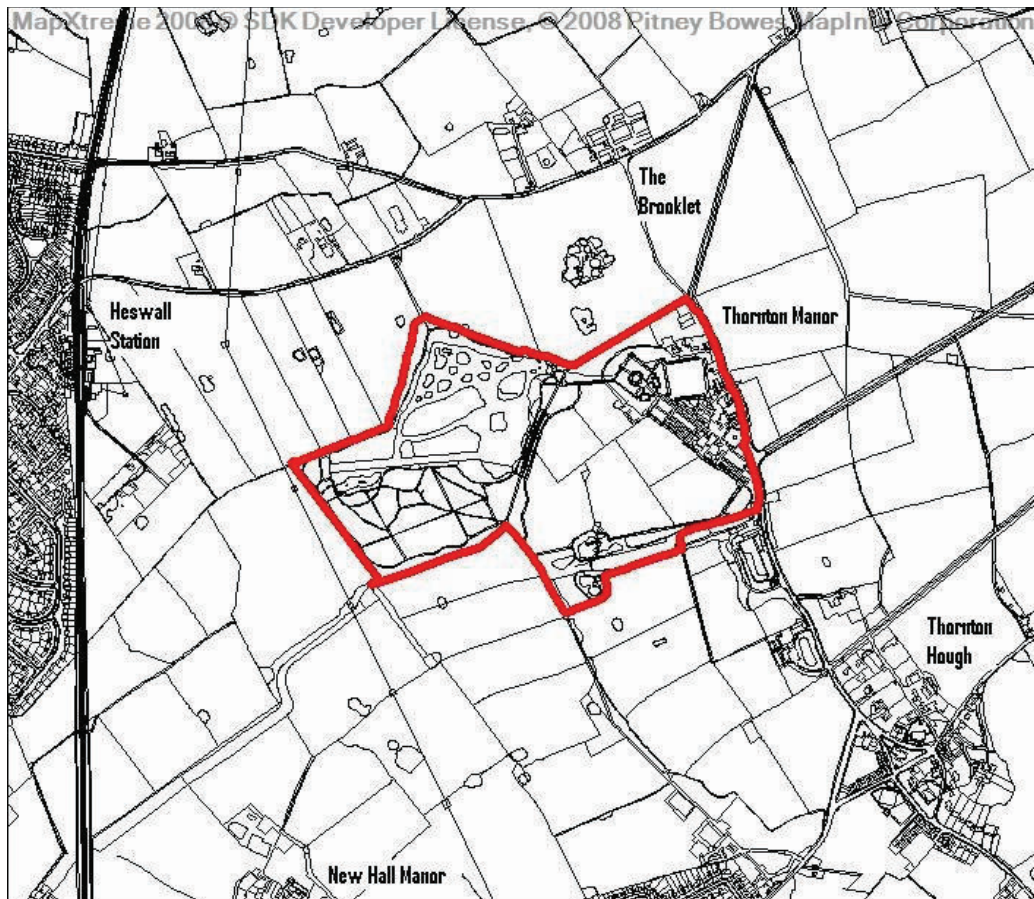
Ward:
Clatterbridge

Location: Thornton Holdings Ltd, Thornton Manor, MANOR ROAD, THORNTON HOUGH, CH63 1JB

Proposal: 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

Applicant: Thornton Manor Holdings
Agent : Edmund Kirby

Site Plan:



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Development Plan allocation and policies:

Site of Biological Importance
Green Belt
Historic Park or Garden
Area of Special Landscape Value

Planning History:

LBC/2001/7262 - Change of Use to hotel and spa – Approved 05.04.2002

APP/2001/7257 - Change of use to hotel and spa – Approved 28.07.2003

LBC/2003/7381- Change of use to form self contained apartments – Refused 20.08.2004

APP/2003/ 7373 – Change of use to form self contained apartments – Refused 20.08.2004

APP/2005/7610 – Change of use of part of dwelling for wedding ceremonies – Approved 01.03.2006

APP/2006/6015 – Change of use of part of gardens to be used for wedding ceremonies - Approved 18.07.2006

APP/2006/6424 – Erection of a marquee - Withdrawn

APP/2007/6599 - Erection of a marquee - Refused 06.07.2009

APP/2007/6642 - Erection of a marquee - Refused 06.07.2009

APP/2007/6600 - Erection of a marquee - Refused 06.07.2009

Summary Of Representations and Consultations Received:**CONSULTATIONS**

Director of Technical Services (Traffic Management) - No objection subject to conditions

Director of Law, HR and Asset Management (Environmental Protection) No objections subject to conditions relating to noise attenuation.

Wirral Green Belt Council - Object to the proposals which would result in a permanent intrusion in the green belt, creating noise and disturbance. Not justified by very special circumstances.

English Heritage - Cannot accept the proposal as Enabling Development as the whole estate is not taken into account. Support the erection of the marquees to generate income to restore gardens subject to the extinguishment of the extant hotel and spa consent.

Wirral Wildlife - Express concerns over the accuracy of the ecological survey but accept the proposal is an improvement on previous ones. Suggest the use of conditions to mitigate harm to wildlife from noise and lights from fireworks but express concern over their effectiveness given the sites history of unauthorised activity.

Cheshire Gardens Trust - support the restoration of the gardens.

REPRESENTATIONS

The application has been publicised with Site Notices (displayed outside the site and adjacent to the public footpath) and in addition, individual letters have been sent to surrounding properties. Objections have been received from 13 individuals including Cheshire and Wirral Ornithological Society and The Bromborough Society. Two qualifying petitions of objection have also been received.

Objections listed in these representations are on the grounds of:

1. Insufficient difference from previous proposals
2. Detrimental effect on the Green Belt
3. Unauthorised activity has already taken place for some time
4. Harm and disturbance to a site of biological importance
5. Visual intrusion from the Dell marquee

6. Proposal does not constitute very special circumstances
7. Proposal does not pass the test for enabling development
8. Additional traffic will result in noise and pollution particularly late at night
9. Harm to protected species
10. Increase in traffic on quiet country roads will be detrimental to highway safety
11. Financial case is selective and does not justify development
12. Fireworks have been let off outside permitted times.

In addition to the above objections 889 individual letters of support have been received. Whilst a number of these are from within the locality, the vast majority appear to be from further afield and from outside of the Borough, mainly from people who have attended functions in the marquees. Five qualifying petitions of support have also been submitted stating the following:

1. Proposals will attract tourism and income to the Wirral and will create jobs
2. Nice location
3. Generation of income to restore gardens is welcomed
4. Proposal supports conservation
5. Proposals are not noisy

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The proposal constitutes inappropriate development within the Green Belt. It is a major application which has petitions of opposition and support.

INTRODUCTION

The current proposal is for the erection of three marquees to be located at three sites within the grounds of Thornton Manor. A similar proposal was previously considered and refused as three separate applications for individual marquees. The current proposal is for marquees in similar locations at the Dell, The Lakeside and in the walled Garden. The marquees are of differing sizes, with the smallest marquee of 360m² at the Dell, 720m² at the Lakeside and the largest at 1950m² in the walled garden. Permission for the marquees is being sought by the applicant for a period of 25 years. The applicant has set out why it is considered necessary to have the marquees in situ for so long, which is essentially to ensure sufficient funding for the restoration and maintenance of the lake, lakeside and woodland landscape which form part of the Grade II* Registered Park and Garden. The lakeside Marquee is currently erected without planning consent and is the subject of an enforcement notice. This notice has been appealed and a hearing is scheduled for October 19th.

PRINCIPLE OF DEVELOPMENT

The proposal constitutes inappropriate development, which is unacceptable in the Green Belt unless very special circumstances can be demonstrated that would outweigh any harm caused

SITE AND SURROUNDINGS

Thornton Manor is a grade II* listed building set in a grade II* registered park and garden. The grounds include lakes, wooded areas and a site of biological importance. The entire site is located within the green belt and an area of special landscape value. A public footpath cuts across the north western part of the site adjacent to the Lake

POLICY CONTEXT

Any proposals within the grounds of Thornton Manor must be assessed against national and local green belt, landscape and conservation policies. The most significant weight must be given to the proposals relationship with green belt policies contained in PPG2 and the Councils own policy GB2. In addition, the recent appeal decision relating to the enforcement appeal for the lakeside marquee is material to the determination of this application. Within the green belt, commercial development, which does not preserve the openness of the green belt, is considered to be inappropriate development which is contrary to green belt policy. Inappropriate development can in some circumstances be acceptable if it can be demonstrated that very special circumstances exist which would override the normal presumption against inappropriate development. Even within the Green Belt, the planning system allows some flexibility to consider proposals which may safeguard the future of an important building or landscape. This assessment must also weigh the benefits in relation

to harm caused to the green belt.

National and local conservation policies generally support proposals which promote the significance and enhancement of historic assets and are of a scale which is appropriate to retain their character. In considering the proposals for marquees, their impact on the setting of the listed building and registered gardens is important as well as the impact from increased use and activity.

The application has been submitted as an enabling development, which would generate an income stream for funding the restoration of the registered landscape. The supporting information includes a programme of landscape works and detailed cost estimates and income projections contained in a business plan. The information has been submitted to satisfy English Heritage's Enabling Development policy. However, English Heritage does not accept that the proposals constitute enabling development because the proposals relate only to the gardens and do not look at the estate as a whole. It should be noted that a previous application for the marquees which was submitted as enabling development to provide funding for the upkeep of the Manor was also rejected by English Heritage as the Manor was not deemed to be at risk. However, notwithstanding their view on enabling development, English Heritage does generally support the provision of marquees as a device for funding the restoration of the gardens and no longer take the view that the structures will be obtrusive. This support is however conditional to the revocation of the extant consent for a hotel and spa and a legal agreement to tie income to restoration. In the absence of an enabling argument, the proposed planning gain to the improvement of the gardens could be considered as very special circumstances if a sufficiently robust financial case is put forward.

The business plan and financial evidence has been considered by The Director of Finance who has advised on its accuracy. Following on from this advice, the local planning authority believes that the financial case put forward by the applicant in support of this application fails for two reasons:

1. In the first instance, the financial information submitted makes no reference to the activities carried out within the Manor or the potential from the extant consent. The applicant has declined to revoke this consent and as such it must be taken into account. This means that it is not known if the works to the gardens could be achieved through use of an existing income stream or potential income stream from the hotel and spa consent.
2. Secondly an assessment of the financial information put forward indicates that there is insufficient information to form an accurate assessment of the income or costs.

APPEARANCE AND AMENITY ISSUES

The visual impact of the marquee on the openness of the green belt and the area of Landscape value must also be considered. All three marquees are located some distance from Thornton Manor and the formal registered gardens however, they are within the registered park and woodland and the marquee at the Dell it is partially visible from the public footpath. The materials proposed are particularly obtrusive and the design of the marquees are bland and utilitarian, however as they have limited visual impact from outside the site, the visual harm is limited.

The Inspector in her consideration of this issue at the lakeside enforcement appeal, did not consider the proposal sufficiently obtrusive to warrant a refusal on this basis. In addition English Heritage no longer objects to any of the marquees on this basis. The applicant, as part of landscape proposals, has indicated that mature planting could take place at the site of the Dell marquee and its car parking area. This will increase the screening at this point. It is considered that the noise from use of the marquees could be adequately controlled through noise attenuation within the structures and limits on the frequency and hours of functions.

SEPARATION DISTANCES

Separation distances do not apply in this instance due to distance to nearest dwellings.

HIGHWAY/TRAFFIC IMPLICATIONS

The applicant has submitted an updated transport assessment. Whilst the figures attending functions seems a conservative estimate, this would not result in traffic management or highway safety concerns and the proposal could be acceptable with conditions to safeguard directional signage and internal road widening to allow coach access and turning.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Marquee at the lakeside is adjacent to a site of Biological importance, which in particular refers to an established Heronry. Policy NC5 states that development, which affects such habitats will only be permitted where the LPA is satisfied that the continued ecological viability of the habitat can be safeguarded by means of appropriate conditions/legal agreement. The applicant submitted an updated ecological report which addresses the issue of the Heronry and bats. It is considered that conditions could be imposed which would limit the use of fireworks and lighting to mitigate the impact of the development on wildlife. The proposed landscape works will on the one hand improve the landscape which has been neglected but may also make sensitive areas more accessible and could have a greater impact on wildlife than currently exists.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed development constitutes inappropriate development which is by definition harmful to the openness of the green belt. The lack of visual impact from outside the site does not reduce the harm which occurs as a result of the proposed marquees and parking areas. The proposal would result in three large structures in the green belt for a period of up to 25 years and it is the considered view of the local planning authority that the proposals are not accompanied by sufficient very special circumstances which would justify approval and outweigh the harm to the green belt. This is supported by the Director of Finance's assessment that the financial arguments presented with the application also do not provide sufficient detail or information that would support a recommendation of approval. The proposal is therefore contrary to PPG 2 Green belts and Wirral Unitary Development Plan Policy GB2.

Recommended Decision: Refuse

Recommended Conditions and Reasons:

1. The proposed development would constitute inappropriate development in the green belt and is unaccompanied by very special circumstances which could justify an approval. The proposal is therefore contrary to PPG2 Green Belts and Wirral Unitary Development Plan Policy GB2.

Further Notes for Committee:

Last Comments By: 04/06/2010 16:13:04

Expiry Date: 16/07/2010

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Planning Committee

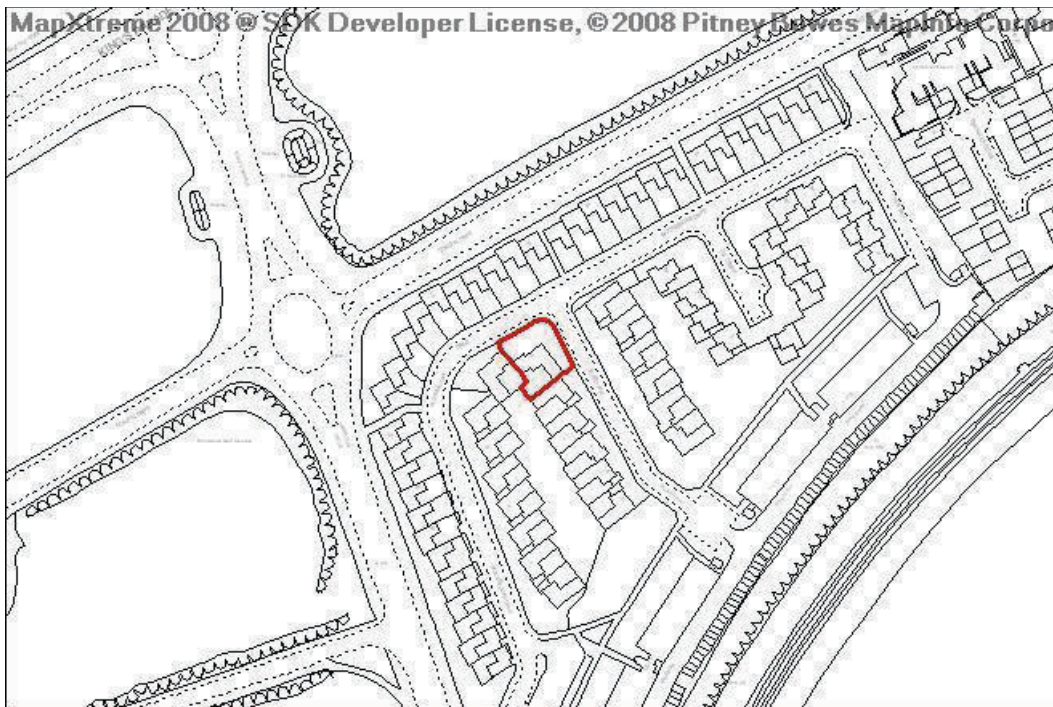
21 July 2010

Reference: APP/10/00537 **Area Team:** North Team **Case Officer:** Miss K Elliot **Ward:** Wallasey

Location: 18 MOCKBEGGAR DRIVE, WALLASEY VILLAGE, CH45 3NN
Proposal: Erection of front, side and rear extensions

Applicant: Mr Rodney Phillips
Agent : C W Jones

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
Policy HS11 House Extensions
SPG11 House Extensions

Planning History:

4036	Extension to lounge	PD	11/12/75
9442	Extension to form study	A	25/04/78

Summary Of Representations and Consultations Received:

REPRESENTATIONS

11 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed. At the time of writing this report a total of ten separate letters of objection and a qualifying petition of objection containing 33 signatures had been received. The objections can be summarised as follows:-

- The proposal would result in unwarranted construction noise and disturbance;
- The proposal would result in an increase in traffic at the junction of Mockbeggar Drive and Burbo

Way and a loss of off-road parking at the application site;

- The proposed relocation of the front of the property to Burbo Way would result in traffic congestion and present a highway safety hazard;
- The proposal is out of keeping with existing Covenants on the estate;
- The proposed extensions will set a precedent for further development on the estate;
- The proposals will result in a loss of value to neighbouring properties;
- The proposed new windows facing Burbo Way will result in overlooking and a loss of privacy;
- The proposals will result in a change in character of the area and are not in the interests of visual amenity.

One letter of comment has been received from the applicant in response to the objections received from local residents stating that the proposal will not result in a loss of privacy to properties opposite the site or create any highway safety issues or traffic congestion at the junction with Burbo Way. The applicant also states that other properties in the road have been altered over time and the house is being adapted to the needs of the future occupants but that many of the objections raised are not relevant to the planning application.

CONSULTATIONS

Director of Technical Services, Traffic Management Division have no objection to the proposal.

Director's comments:

The application was deferred from Planning Committee on 6th July 2010 for a site visit.

REASON FOR REFERRAL

A qualifying petition of objection containing 33 signatures was received relating to issues of highway safety and disturbance from construction as a result of the proposal.

INTRODUCTION

The proposal is for the erection of single storey front, side and rear extensions at the property.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy HS11 and SPG11.

SITE AND SURROUNDINGS

The site comprises a link-detached brick property within an area of similar design properties. The property occupies a prominent corner plot at the junction of Mockbeggar Drive and Burbo Way. The site has open front and side boundaries with a partially paved area to the front and side of the dwelling. Properties in the immediate vicinity are situated on a staggered building line

POLICY CONTEXT

Policy HS11 and SPG11 are directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The proposed extension to the existing garage, fronting Mockbeggar Drive, projects 5.2 metres from the existing front elevation of the property. This element of the proposal retains a 5 metre gap to the boundary and thus complies with SPG11 which states that garages should have a driveway at least 5 metres clear of the highway to provide the minimum driveway length. Although front extensions are not generally acceptable under SPG11, the staggered building line and unique design of properties in the vicinity mean that the proposal is not considered detrimental to the street scene or original design of the building. In addition the proposed garage extension does not project any further forward than the existing garage at No.16 and thus is not considered to be visually obtrusive. In addition the Traffic Management Division have no objection to the proposal on highway safety grounds.

The proposed rear extension replaces the existing study and is of a flat roof design. This element of the proposal is not considered to be detrimental to neighbouring properties. Both the garage extension and rear extension are not considered to be of intrusive design and remain subordinate to the original property. The proposed relocation of the porch to Burbo Way is acceptable in principle and retains good spacing to the boundary. The proposed porch is not considered excessive in size and is not considered to have an adverse impact on the character of the street scene. The inclusion of additional windows to the elevation fronting Burbo Way do not require planning permission but do in any case

meet the required separation distance of 21 metres. The proposals are therefore not considered to result in an unacceptable level of overlooking or loss of privacy to neighbouring properties.

The objections received from neighbouring properties are concerned with a number of issues, namely the relocation of the front of the property to Burbo Way. Residents are concerned that the proposal will create highway safety issues including a loss of off-street parking at the site, traffic congestion at the nearby junction and problems relating to the servicing and access to the flats at the end of Burbo Way arising as a result of the proposal. The proposals do not represent an intensification of the existing use at the site and it remains as a self contained dwelling. Therefore any vehicles can easily be accommodated within the proposed garage and remainder of the site. The majority of the front garden area fronting Mockbeggar Drive and Burbo Way is hard surfaced. This is to be retained and has been confirmed by the agent. The proposals do not involve the alteration of the site address although this is not a planning matter. There are no current proposals to create a new vehicular access to the property off Burbo Way, however this would not require planning permission and could be subject to approval by the Council's Highways department. The issues raised relating to a loss of view, the devaluation of neighbouring properties and disturbance from construction are not planning issues. In addition the existence of legal covenants on the land does not prevent the grant of planning permission and other properties along Mockbeggar Drive have been the subject of planning applications in the past.

Due to the staggered building line on which properties in Mockbeggar Drive and Burbo Way are situated, it is considered that the site can accommodate the proposed extensions. The proposals are not considered to result in a loss of amenity or privacy to neighbouring properties and remain subordinate to the existing dwelling. The proposals are not considered to have a harmful visual impact on the character of the street scene or result in any highway safety implications. The proposal complies with Policy HS11 and the guidance outlined in SPG11 and is recommended for approval.

SEPARATION DISTANCES

SPG11 recommends that the minimum separation distance between habitable windows is 21 metres. In this instance the new window proposed in bedroom 1, which does not require planning permission, remains approximately 24 metres from the front of No.3 Burbo Way, thus meeting the required separation distance. There is also an existing bedroom window in this elevation and present. As a result it is considered that the proposal will not result in any direct overlooking or a loss of privacy to neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to have a harmful visual impact on the general street scene or have an adverse impact on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design, complies with Policy HS11-House Extensions of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have a harmful visual impact on the general street scene or have an adverse impact on the amenities that the occupiers of neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design, complies with Policy HS11-House Extensions of the adopted Wirral Unitary Development Plan and SPG11-House Extensions.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

Further Notes for Committee:

Last Comments By: 11/06/2010 14:33:54

Expiry Date: 24/06/2010

Agenda Item 5

Planning Committee

21 July 2010

Reference:
APP/10/00545

Area Team:
North Team

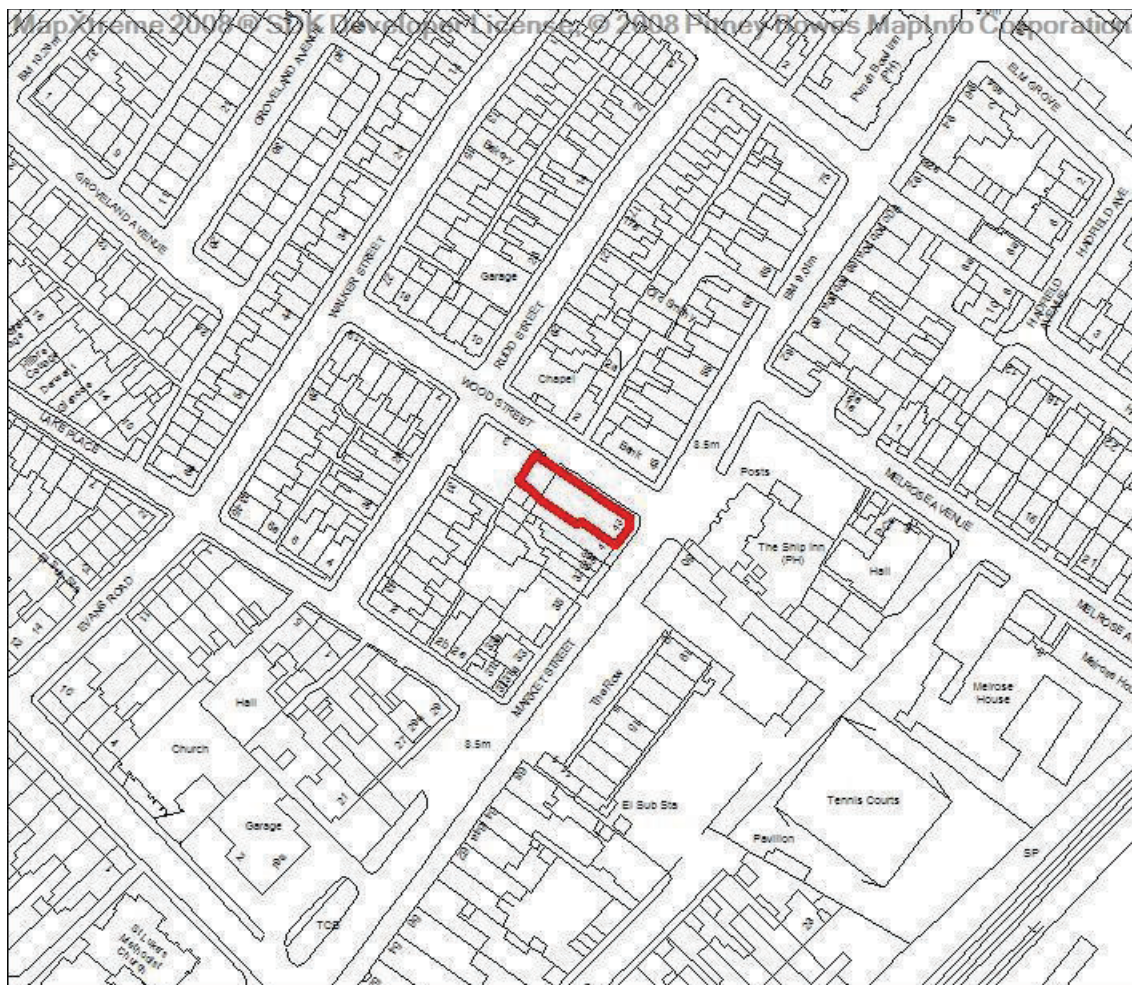
Case Officer:
Miss K Elliot

Ward:
Hoylake and Meols

Location: Panache, 43 MARKET STREET, HOYLAKES, CH47 2BG
Proposal: Retention of canopy at rear for seating and storage

Applicant: Mr Adam Bale
Agent :

Site Plan:



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Development Plan allocation and policies:

Key Town Centre
Policy SH1 Criteria for Development in Key Town Centres

Planning History:

2001/7190 Change of use to a wine bar and alterations to elevations. Approved 11/01/02
2005/6815 Variation of condition no. 3 on APP/2001/7190 to extend opening hours to 01.00 hours.
Refused 30/09/05
2006/5339 Variation of condition no. 3 on APP/2001/7190/D to extend opening hours from 23.30

hours to midnight. Refused 10/04/06. Appeal dismissed 23/01/07
2009/5412 Variation of condition 3 of APP/2001/7190 to extend opening hours Sunday to Thursday
0800 to 0100, Friday and Saturday 0800 to 0130, Thursdays preceding Good Friday and Sundays
preceding Bank Holiday Mondays 0800 to 0130 Christmas Eve, Christmas Day. Refused 22/05/09

Summary Of Representations and Consultations Received:

REPRESENTATIONS

44 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed. At the time of writing this report a total of 8 letters of objection have been received. The nature of the objections related largely to noise and disturbance, loss of amenity, the use of the rear yard as a beer garden and air pollution. A statement from the applicant has been received detailing the results of various sound tests that have been carried out within the site and neighbouring premises and Environmental Health concluded that noise levels were acceptable. In addition 15 separate letters of support have been received and these can be summarised as follows:

- The proposal would act as a barrier for noise at the site;
- The canopy is not visible from the road;
- The provision of the canopy reduces the risk of people congregating on Market Street;
- The proposal supports a local business which is important to the growth of Hoylake;

CONSULTATIONS

Director of Technical Services (Traffic Management Division) have no objection to the proposal.
Director of Law, HR & Asset Management (Environmental Protection Division) has no objection to the proposal.

Police (Crime Reduction) have no objection to the proposal.

Hoylake Civic Society did not comment on the application.

Director's Comments:

The application was deferred from Planning Committee on 6th July 2010 for a site visit.

REASON FOR REFERRAL

Councillor Ellis requested that the application was taken out of delegation for the following reason: disturbance to neighbouring residents in terms of noise, anti-social behaviour and air pollution to neighbouring properties.

INTRODUCTION

The proposal is for the retention of an existing canopy at the rear of the premises for seating and storage purposes.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy SH1 of Wirral's Unitary Development Plan.

SITE AND SURROUNDINGS

The site comprises an end of terrace property situated on the corner of Market Street and Wood Street. The premises is an existing bar which has a small rear yard enclosed by surrounding properties and a 2.3 metre boundary wall, with fencing above, fronting on to Wood Street. The property is bounded by residential properties in Rudd Street and a commercial unit directly to the rear. There are other residential properties including upper floor flats above neighbouring properties along Market Street.

POLICY CONTEXT

Policy SH1 is directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The canopy is already partly constructed and measures 3.1 metres with a mono-pitched roof. The proposal is for it to be open sided with glazed panels on the roof of the structure. The roof of the canopy is partially visible from Wood Street but is otherwise screened from the general street scene and is not considered to result in visual harm. The use of the site is already established as the original planning permission to convert the premises to a bar, granted in 2001, encompassed the rear yard, it would be difficult to sustain refusing a proposal for a structure that would be ancillary to the

established use. The use of the rear yard for seating, storage or socialising is not considered inappropriate in the context of the site. It is not considered that the proposal would result in an over-intensification in the use of the site or in an unacceptable level of noise and disturbance to neighbouring properties and uses. The issues raised in the representations received are largely concerned at the use of the rear yard for such purposes and emanating noise and smells. The Director of Regeneration (Housing and Environmental Protection) has raised no objection to the proposal in this regard. Whilst it is accepted that proposals should not lead to an unacceptable loss of amenity to neighbouring residents and uses, the proposal is not considered to exacerbate the existing use of the yard which at present cannot be controlled by planning regulations.

The issues raised over the inaccuracy of the plans has been rectified by the applicant and the side street annotation has been altered to the correct address of Wood Street. The inclusion of the barbeque detail and fence above the boundary wall fronting Wood Street do not form part of the proposal and are therefore not for consideration. The letter of comment received in support of the proposal acknowledges that the site is within the Key Town Centre and that a certain amount of noise is inevitable. The proposal is considered to support the existing business and thus the long term vitality and viability of the town centre. The operation of the premises is subject to Licensing and this would still take precedence over any grant of planning permission. The use of the premises, including the rear yard, is already permissible until 23:30 in accordance with condition 3 of APP/2001/7190, which was the original grant of planning permission for the bar. However a condition will be attached to ensure there is no activity in the rear yard beyond this time. In conclusion the retention of the canopy at the rear of the site is considered acceptable in the context of the existing use and is not considered to result in a significant loss of amenity to neighbouring properties than at present. Overall the proposal complies with SH1 and is recommended for approval.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal complies with Policy SH1 of Wirral's Unitary Development Plan and is deemed not to undermine the vitality and viability of the Key Town Centre or be detrimental to the character of the area.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal complies with Policy SH1 of Wirral's Unitary Development Plan and is deemed not to undermine the vitality and viability of the Key Town Centre or be detrimental to the character of the area.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The rear yard of the premises shall not be used for any purpose outside the hours of 08:00 and 23:30.

Reason: In the interests of amenity.

Further Notes for Committee:

Last Comments By: 10/06/2010 15:56:29

Expiry Date: 25/06/2010

Agenda Item 6

Planning Committee

21 July 2010

Reference:
DLS/10/00582

Area Team:
South Team

Case Officer:
Mr K Spilsbury

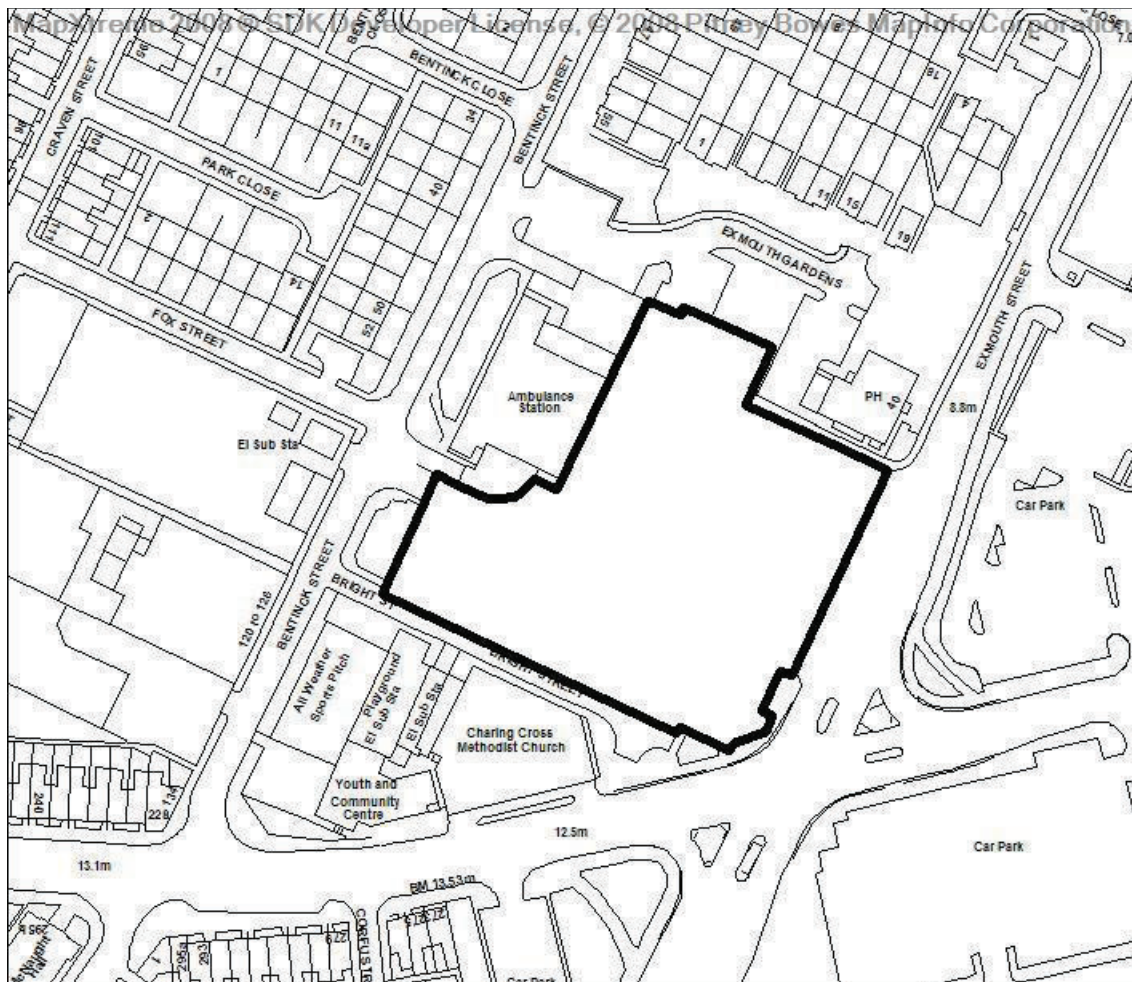
Ward:
Birkenhead and
Tranmere

Location: Merseyside Fire Brigade, EXMOUTH STREET, BIRKENHEAD, CH41 4AX

Proposal: Demolition of existing fire station and construction of new community fire station - Reserved matters application of (OUT/2007/5835) for layout, scale, external appearance and landscaping.

Applicant: Mansell Construction Services Ltd
Agent : Bluesky Architects

Site Plan:



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Development Plan allocation and policies:
Primarily Commercial Area

Planning History:

OUT/2007/5835 Demolition of existing fire station and construction of new community fire station -
Approved 17/10/07

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

A site notice was posted outside the site and 88 individual letters of notification were sent out. At the time of writing this report no letters of objection have been received.

CONSULTATIONS

Director of Regeneration (Pollution Control) - No Objection

Director of Technical Services (Traffic Management Division) – No Objection subject to conditions.

Director's Comments:**REASON FOR REFERRAL**

This development is a major application and is therefore required to come before the Planning Committee.

INTRODUCTION

The proposed development is for the demolition of the existing fire station and the construction of a new community fire station. This application constitutes the reserved matters (details) for layout, scale, external appearance and landscaping following the approval of outline planning permission (OUT/07/05835) on 17 October, 2007.

PRINCIPLE OF DEVELOPMENT

The principle of the development and the grant of planning permission has been established through the outline planning approval as detailed above. This application seeks the consent of the reserved matters (details) for layout, scale, external appearance and landscaping. The means of access to the site has already been approved subject to the 2007 outline consent.

SITE AND SURROUNDINGS

The site area is approximately 7140m² and is bounded by Exmouth Street to the East, Bright Street to the South, the Ambulance Station and Bentick Street to the West and Exmouth Gardens to the North. The Key Town centre of Birkenhead lies on the opposite side of Exmouth Street to the east of the site. The existing building is primarily brick construction and is for the most part single storey with some first floor elements.

POLICY CONTEXT

Policy SH6 (Development Within Primarily Commercial Centres) allows for A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes), B1 (Business Uses) and D1 (Non-Residential Institutions) uses, provided that they do not harm the vitality and viability of the Town Centre, they meet highway and access requirements and are not detrimental to neighbouring uses or lead to any loss of amenity.

APPEARANCE AND AMENITY ISSUES

The design and layout of the proposed development has resulted from a number of pre-application meetings between the Local Planning Authority and the Merseyside Fire & Rescue Service. The development is driven by the Fire & Rescue Services' need to engage with the community and to provide an enhanced modern development.

The current station is unsuitable for use as a community fire station. Accessibility is poor and the appliance bays are inefficient. There is not enough space for community related activities, including training. The enhanced fire station will allow for additional facilities to support the new fire station, including a training tower, fuel tank and generator and a new flag pole.

The new facilities will be used to house two fire fighting appliances and their crews and one reserve fire fighting appliance. The community fire station will also be used as a base for promoting fire safety.

The new station would be located to the north of the existing site with the frontage facing out onto Exmouth Street, resulting in an active frontage within the street scene. The proposed building is of modern design. It is considered that the proposed replacement fire station will create a focal point that will add interest within the street scene by using strong high quality building materials and an effective colour pallet. The introduction of glass to the front of the new building will enable the community to see the inside of the station and create a feeling of openness, warmth and confidence. The design of the building has angled the main community elements of the building towards the main intersection of roads - the junction of Claughton Road and Exmouth Street, which will create a feeling of strong civic presence. In all aspects of design, the building will be sympathetic and respectful to its neighbours.

The building is considered to be in keeping with its immediate surroundings. The scale and massing of building ties in with the character of the area and will complement the existing street scape which includes the Charing Cross Methodist Church, Seamus O'Donnell Public House and The Lauries Centre on the opposite side of the road.

SEPARATION DISTANCES

It is considered that residential properties will not be affected by the proposed development as the closest residential properties are a sufficient distance away from the development to ensure that no harm would result from the site. The use of the site as a fire station is already established with the present and existing fire station on the site. The nearest residential properties are approximately 30 metres north of the site (Exmouth Gardens) and approximately 70 metres west of the site on Bentinck Street.

HIGHWAY/TRAFFIC IMPLICATIONS

Access to the new Fire Station has previously been approved with the 2007 outline planning permission. However, to remind Members of the proposed access arrangements, the site is currently directly accessed and egressed from Exmouth Street for both emergency vehicles and other traffic (through a separate entrance). It is proposed to retain the existing access arrangements although the current apron area onto Exmouth Street for appliances will be reduced significantly for three bays. Significant traffic movements for operational staff based on the site will not typically take place during peak travel hours and will be consistent with current traffic movements. As such the site will not detrimentally impact on the operation of the highway network. The current level of appliance movements from the site will not change. The scheme will provide 23 parking spaces (including 2 accessible spaces) and 9 visitor spaces (including 3 accessible), a level considered acceptable for this size of development and is in line with other similar developments in the North West. Cycle parking is to be provided adjacent to the main building in a secure cycle store. The site is well served by public transport and is within short walking distance of the Key Town Centre of Birkenhead. The access arrangements are therefore considered to be acceptable and there are no objections to the proposals on highway safety grounds.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Aero-thermal heat pump technology will provide the fire station with a highly efficient heating system using thermal energy extracted from the surrounding air. It has been calculated that this will provide 43% renewable energy contribution from renewable sources which is far in excess of the 10% aspiration of the North West Fire and Rescue Service. This will contribute greatly to the requirement for 20% improvement on Building Regulations (2006)-part L. The Fire and rescue services consultants determined that the pay back for this solution will be 20 years, which is well within the expected lifespan of the building. Other energy efficiency design features include a building energy management system to optimise the buildings heating, daylight and time control mechanisms to control external lighting, time occupancy based controls for ventilation systems and maximisation of u-values for the walls, floor and roof.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed details, by virtue of their layout and design will have no detrimental impact on the surrounding area, amenity, highway safety, access or parking and is therefore considered to comply with UDP policy SH6. It is for these reasons it is recommended the application be approved.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Reserved Matters Approval has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The local planning authority considers that the reserved matters detailed within this application would have no detrimental impact on the surrounding area, residential amenity, highway safety, access or parking and is therefore considered to comply with Policy SH6 of the adopted Wirral Unitary Development Plan.

Recommended Decision: Approve**Recommended Conditions and Reasons:**

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - A) The expiration of three years from the date of this permission.
 - OR
 - B) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

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.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy SH6 of the Wirral Unitary Development Plan.

3. Notwithstanding the approved plans, details of a full scheme of works to provide vehicular access from the highway into the development site, including all associated surfacing, kerbing, tactile paving, road markings and surface water drainage requirements shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of development. The approved scheme of works shall be implemented in full prior to the first occupation and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

Further Notes for Committee:

Last Comments By: 07/07/2010 10:21:18

Expiry Date: 06/08/2010

Agenda Item 7

Planning Committee

21 July 2010

Reference:
APP/10/00583

Area Team:
North Team

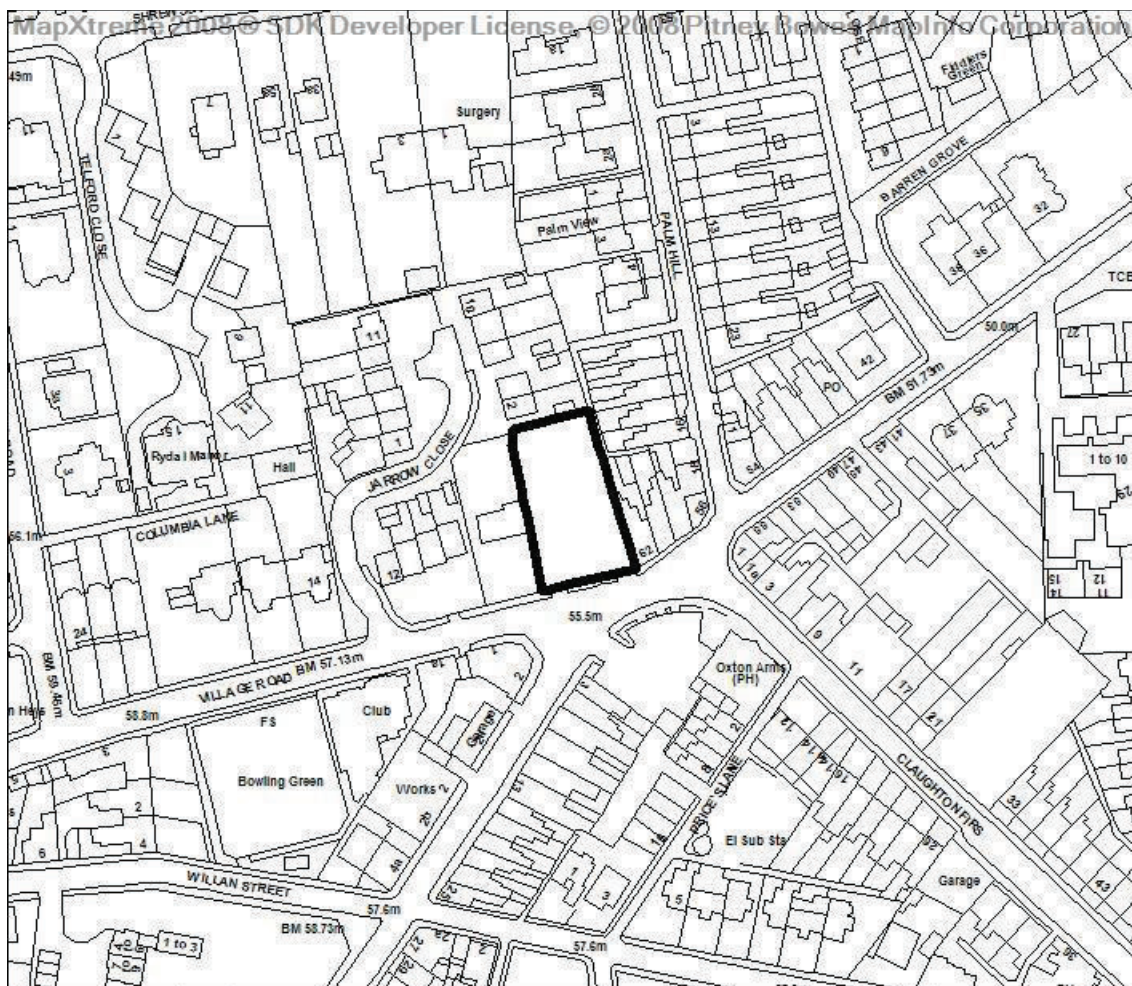
Case Officer:
Miss S Hesketh

Ward:
Oxton

Location: Unused Land, VILLAGE ROAD, OXTON, CH43 5SR
Proposal: Proposed demolition of existing building and 2 bed residential unit and erection of 3/ 3.5 storey building comprising of 4No. retail units, 8No. offices and a single residential unit.

Applicant: Eraklis Developments
Agent : MARTIN FLETCHER ARCHITECTS

Site Plan:



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Development Plan allocation and policies:

Density and Design Guidelines Area
Primarily Residential Area
Conservation Area (for illustrative purposes)

Planning History:

APP/09/05057 - Demolition of existing building a 2-bed residential unit and erection of 3.5 storey

building comprising of 4no. retail units, 8no. offices and a single residential unit (amended scheme) - Refused 22/05/2009 (Appeal Dismissed)

Summary Of Representations and Consultations Received:

Representations:

22 letters of notification have been sent to properties in the area and a site notice was displayed. At the time of writing this report 8 letters of objection and a qualifying petition of 36 signatures have been received citing the following concerns:

- The development would have an overbearing effect on the area by virtue of its size;
- The height and massing of the building would fail to provide a sufficient visual transition to the properties on Village Road and Jarrow Close;
- The proposal presents the same problems of scale and design as the application refused by the Planning Inspectorate;
- The proposal is not sympathetic to the surrounding development

One email requested a condition recommending an acoustic fence prior to the commencement of works.

Consultations:

Director of Technical Services – Traffic Management Division: No objection

Director of Technical Services – Tree/Landscaping Officer: No objection subject to a condition

The Director of Law, HR & Asset Management - Pollution Control Section: No objection

Merseyside Cycling Campaign objected on the lack of secure, covered cycle storage for staff, visitors and residents

The Oxtan Society had no objection to the amended plans subject to a landscaping condition

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition with signatures from 37 separate households has been received.

INTRODUCTION

The application proposes a resubmission of refused application APP/09/05057 for the erection of a 3/3.5 storey mixed use building comprising of 4 retail units, 8 offices and 1 flat. The application was dismissed by the Planning Inspectorate for reasons of its height and massing which would fail to provide a sufficient visual transition to the much lower residential properties along Village Road, and would be overbearing from No.4 Village Road and No.2 Jarrow Close. He considered the proposal would create a significant discontinuity in the street scene in juxtaposition to the adjacent property No.4 Village Road. The application has been amended and the ridge height lowered.

PRINCIPLE OF DEVELOPMENT

The site is located within Oxtan Village Conservation Area at the end of an existing row of commercial units to the east and residential dwellings to the west and north, the proposed mixed use is representative of the immediate area and as such the use is acceptable in principle.

SITE AND SURROUNDINGS

The site comprises a vacant plot which is boarded up along Village Road. To the east and south of the building are predominantly three storey Victorian buildings that comprise of retail/commercial units at ground floor. To the south and west are more modern residential dwellings that are typically two-storey in height. Within the centre of the village there is a variety of building heights that run alongside each other, some are in consistent blocks of 3 storey and others in consistent blocks of 2 storey, the more modern properties are typically 2 storey in height. The land runs lower to the rear of the site. There is limited parking within the Village with on street parking time restricted, as well as double yellow lines along junctions and one-way road systems in place along Palm Hill and Claughton Firs.

POLICY CONTEXT

The application shall be assessed against HS4 – Criteria for New Housing Development, SH4 – Small shopping Centres and Parade, CH7 – Oxtan Village Conservation Area of the adopted Wirral Unitary

Development Plan and SPD4 – Parking Standards and SPD2 – Self contained flat developments and conversions.

APPEARANCE AND AMENITY ISSUES

The previous application was refused by the Planning Committee and dismissed at appeal by reason of its height and massing which would fail to provide a sufficient visual transition to the much lower residential properties along Village Road and resulted in an overbearing structure. The plans have been amended and the ridge height adjacent to No.4 Village Road has been dropped from 12.3m to 11m. As such the proposal has been reduced in height to measure approximately 2.9m higher than the adjacent property No.4 Village Road, and is considered to relate in size to the modern two-storey detached dwelling and reduce the bulk of the building when viewed from neighbouring properties. The amended plans are considered to have overcome the Inspector's reason for refusal.

The impact of the proposed building is further reduced as it is set back along the front elevation of No.62, and staggered so not to cause an over dominant structure. The building is set 4m from the side elevation of No.4 Village Road and 19.4m from No.2 Jarrow Close.

To the rear of the eastern elevation of the building, the proposal runs up alongside No.62 Christchurch Road and is single-storey level only to reduce its impact onto the surrounding properties.

The building has been designed to incorporate the traditional features and heights of the existing buildings to the east whilst trying to complement the modern dwelling to the west. The design of the pitch roof dormers is considered acceptable. The bulk of the building is located within the existing building lines. The buildings are south facing so a minimal level of overshadowing will occur to the front elevation of the dwelling at No.4 Village Road at sunrise to the east.

In terms of the proposed uses, the layout and number of commercial units is acceptable within this location. The proposed residential unit is to replace an existing residential unit and is not considered to undermine the Interim Planning Policy - New Housing Development. The flat is of an acceptable layout with adequate levels of daylight and outlook. Access to the private flat is at the rear of the building via the access road, there is a lift to the rear of the building as well as an internal stairwell that provides access to all of the floors. Access to the retail units is available at front and rear. Due to the close proximity of the building to residential properties the ground floor use will be restricted to A1 retail so as to control and reduce any harmful impact onto the residential dwellings; any intensification of the ground floor use will therefore be subject to a planning application.

Conservation Officers are satisfied with the proposals and raise no objections to the scheme. The proposal compliments the traditional style of the village and whilst the building is seen as tall, further reductions in height would be considered detrimental to the overall design of the building. The existing building (demolished) was of no architectural merit and the proposed building has a design that is more in keeping with the style of the Village. In terms of Policy CH7 the proposal seeks to preserve the design and scale of the more traditional dense buildings within the immediate village and retain a relationship with the more modern dwellings.

SEPARATION DISTANCES

In terms of dominance of the proposed building, the development meets the separation distances and does not overlook a property directly. The Planning Inspector did not refuse the application on separation distances. Having regards to SPD2 a habitable room window should be set 14m from a blank gable wall, for every metre difference in ridge height the above distances should be increased by 2m. The proposal is set approximately 19m from the side elevation of No.2 Jarrow Close, however the windows to the rear elevations at floor levels ground, first and second are for commercial units and not residential. The residential element is located within the roof space to the eastern section of the building and as such does not overlook a gable end but gardens to the rear of No.2 Jarrow Close. The dormer windows to the rear elevation of the flat within the roof space are set into the roof and are set 5.5m from the main rear building line of the development (measured at single storey) and so are set approximately 21m from the boundary with No.2 Jarrow Close.

The property opposite the site at the closest point would be No.1 Village Road which is set 25m from the front elevation of the proposed development, this is not directly opposite and is a three storey building, as such the requirement of 21m window to window (habitable room guidance) would be met in this instance.

The Planning Inspector recommended an obscured glazing condition to the rear elevation to prevent overlooking, which the applicant has indicated on the plans. This can be conditioned.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposal provides gated parking to the rear of the site, there are 11 parking spaces 1 of which is for disabled parking. The proposal complies with SPD4 Parking Standards. A cycle store area has been indicated on the plans and can be conditioned. The Director of Technical Services (Forward Planning Highways) requested a travel plan. The Director of Technical Services (Highway Engineers) had no objection to the proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals. The Planning Inspector suggested acoustic fencing would reduce noise and disturbance to neighbouring properties, and this can be conditioned.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed design and scale of the building relates well with the traditional elements of Oxton Village, is not considered detrimental to the amenities neighbouring properties should expect to enjoy, and is considered to have overcome the Planning Inspectorate's previous reason for refusal. The scale of the proposal has been amended to provide a better transition between the differing building heights adjacent to the site. The mixed-use element of the proposal complements existing ground floor uses within the Village and retains the commercial atmosphere of the immediate area.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have a harmful visual impact on its surroundings or the character of the area. It is deemed not to adversely impact on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design and complies with Policy HS4 – Criteria for New Housing Development SH4 – Small shopping Centres and Parades, and CH7 – Oxton Village Conservation Area of the adopted Wirral Unitary Development Plan and SPD4 – Parking Standards and SPD2 – Self Contained Flat Developments and Conversions.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Development shall be built in accordance with plans received on 09 June 2010.

Reason: For the avoidance of doubt.

3. Before any construction commences, samples of the 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.

Reason: In the interests of visual amenity and in accordance with policy CH7 of the UDP

4. Details of gates and acoustic fencing shall be agreed in writing by the Local Planning Authority and built prior to first occupation of the building. Any enclosures shall remain as such thereafter unless agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

5. No part of the development shall be brought into use until details of cycle parking has been agreed in writing by the Local Planning Authority. These facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the in the Wirral Unitary Development Plan 2000

6. The approved Travel Plan shall be implemented in accordance with the timetable approved in writing by the Local Planning Authority. The approved Travel Plan shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety and to accord with SPD4 Parking Standards

7. Prior to first occupation of any part of the development, the windows on the west facing side elevation shall be fixed and obscurely glazed and shall be retained as such thereafter.

Reason: In the interests of residential privacy.

8. Prior to first occupation of any part of the development, the windows on the north facing side elevation shall be fixed and obscurely glazed and shall be retained as such thereafter.

Reason: In the interests of residential privacy.

9. The ground floor premises shall be used only for the purpose of A1 retail specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended nor for any other purpose without the prior permission of the Local Planning Authority.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits, and to to avoid detrimental impact on area.

10. Details of a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The proposed landscaping shall be completed before the proposal hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

11. Landscaping works to be carried out in accordance with the approved details as set out in Condition 10

Reason: In the interests of the visual amenities of the area. Policy GR5 of the UDP

12. Prior to first occupation of the building, detailed section drawings of any security shutters shall be submitted to the Local Planning Authority and agreed in writing. The details as agreed shall be implemented and retained as such.

Reason: In the interests of the visual amenities of the area.

13. No part of the development shall be occupied until facilities clear of the highway have been provided as part of the development hereby approved for the loading/unloading/turning of vehicles in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority; such drawings shall detail means of access, size, siting and surface treatment, and the areas so provided shall at no time be used for any other purpose.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic, the conditions of general safety along the neighbouring highway or the amenities of the area and to accord with Policy HS15 of the Wirral Unitary Development Plan.

14. Before the development hereby permitted is first commenced, a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance and avoid overlooking having regard to Policy HS4 of the Wirral Unitary Development Plan.

15. The design of the vehicular access and parking areas, shall take account of all trees situated on or off site and must be in line with appropriate guide lines (BS 5837: 'Trees in Relation to Construction' 2005 and Arboricultural Advisory and Information Service, Practice Note 'Driveways Close to Trees 1996'). The driveway / parking areas, which are within 4 m of existing trees, must be constructed utilising minimum excavation techniques incorporating appropriate surfaces to avoid damage to trees and to withstand any influence of existing trees with regard to future potential indirect/direct tree related damage. No development shall take place until there has been submitted to and approved in writing by the local planning authority technical details of the proposed driveway / parking, which are within 4m of existing trees, to include their dimensions (in relation to existing ground levels), specifications (materials) and when they are to be constructed in relation to other development works.

Reason: To ensure that existing third party trees, are not damaged or put under pressure of removal due to actual or perceived risk of potential driveway damage. Which will maintain the visual and environmental quality of the site and surrounding area.

16. No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS5837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
- 1; a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - 2; the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule.
 - 3; 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.

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

5; 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.

6; the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

7; 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)

8; 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.

9; 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).

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

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

Reason: To maintain the visual and environmental quality of the site and surrounding area.

17. 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.

Reason: To maintain the visual and environmental quality of the site and surrounding area.

18. 21 days before any development is commenced resulting in any alteration of existing ground levels, demolition or alteration of the structure, written notice shall be given to the local planning authority whereupon the local planning authority, within 21 days of receipt of such notice, shall specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site to inspect tree protection measures and construction of driveways / access near trees, for the purpose of arboricultural investigation.

Reason: To maintain the visual and environmental quality of the site and surrounding area.

19. Before any construction commences, details of the windows shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the construction of the development and retained thereafter.

Reason: In the interests of visual amenity and in accordance with policy CH7 of the UDP

Further Notes for Commitee:

Last Comments By: 24/06/2010 10:36:20

Expiry Date: 02/07/2010

Agenda Item 8

Planning Committee

21 July 2010

Reference:
APP/10/00657

Area Team:
North Team

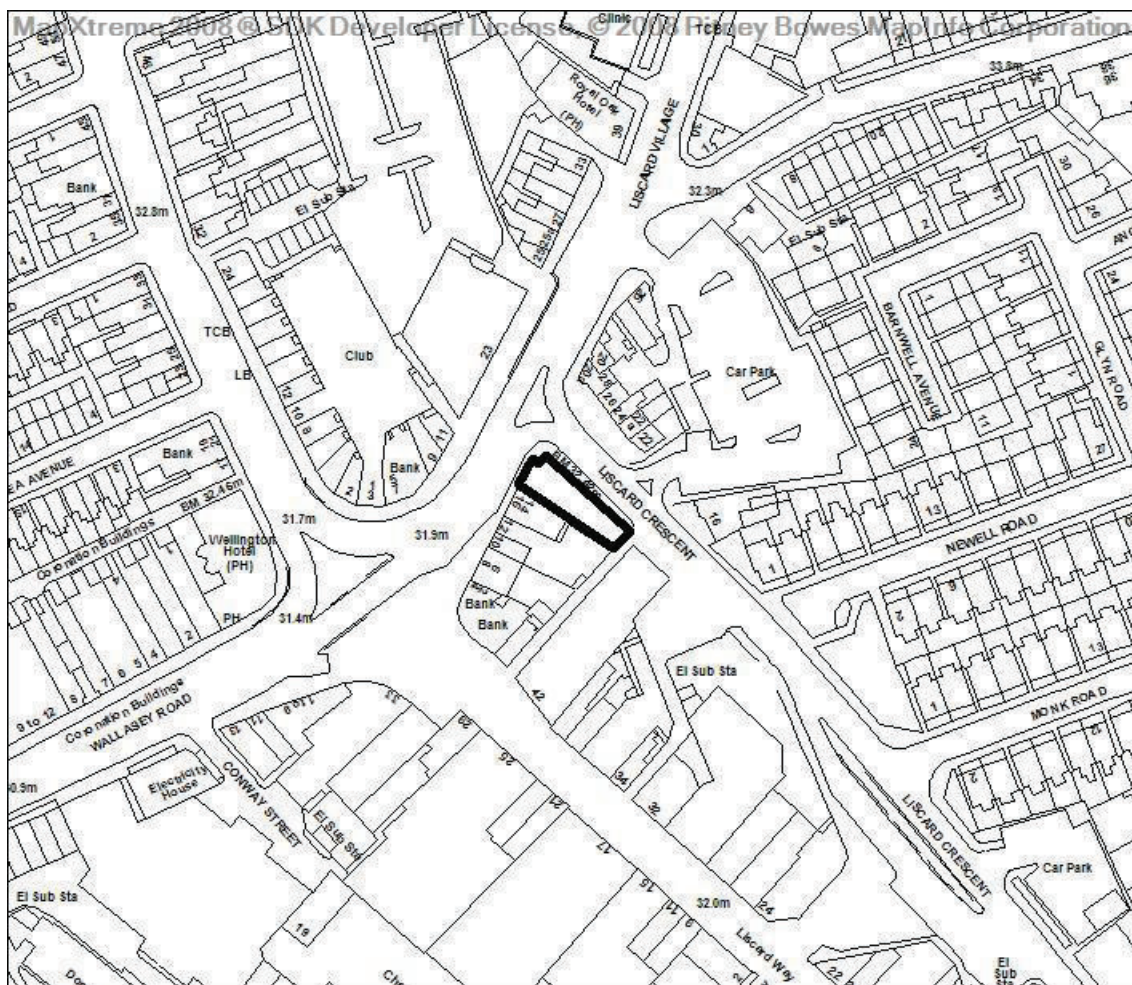
Case Officer:
Miss S Hesketh

Ward:
Liscard

Location: Rage, 18 LISCARD VILLAGE, LISCARD, CH45 4ST
Proposal: Change of use to restaurant and drinking establishment (opening hours 0900 hours until 0230 hours)

Applicant: Mr M Maleki
Agent :

Site Plan:



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Development Plan allocation and policies:
Key Town Centre

Planning History:
APP/09/06539 - Change of use of ground floor from beauty shop to restaurant - Approved 11/03/2010

Summary Of Representations and Consultations Received:

Representations:

A site notice was displayed on a post on the highway 17 June 2010. A total of 16 letters of notification have been sent to properties in the area. At the time of writing this report one letter of objection and a qualifying petition of 26 signatures were received citing the following concerns:

- The application is retrospective;
- The application will impact on the peace of residents in the wider area;
- The behaviour of patrons.

Consultations:

Director of Law, HR & Asset Management – Housing & Environmental Protection Division had no objection.

Director's Comments:

REASON FOR REFERRAL

Councillor Darren Dodd requested the application be removed from delegation on the grounds residents already experience late night anti-social behaviour around the existing pub-closure time, and there are concerns this will extend later into the night should the application be approved. It is also felt a late night club is out of keeping with the character of Liscard Key Town Centre.

INTRODUCTION

The application is for a change of use to a restaurant and drinking establishment (09:00 hours until 02:30 hours). An application for a restaurant (APP/09/06539) was approved March 2010 with limited opening hours (9:00 hours until 23:30 hours).

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle under Policy SH1 of the Wirral Unitary Development Plan and SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments which encourages A3 Restaurants and A4 Drinking Establishment uses to be directed towards Key Town Centres.

SITE AND SURROUNDINGS

The site comprises a commercial unit on a prominent corner, situated in a Key Town Centre. The nearest residential property (Newell Street) is 65m away from the site.

POLICY CONTEXT

The proposal shall be assessed against the relevant Unitary Development Plan Policy SH1 Criteria for Development in Key Town Centres and SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments. This is to be evaluated against the Government's key objectives in PPS4 Planning for Prosperous Economies.

UDP policy SH1 requires that development within Key Town Centres should not undermine the vitality and viability of the area and should have no detrimental impact on highway safety. Care must be taken that the proposal will not cause nuisance to neighbouring occupiers as a result of noise and disturbance, on street parking or delivery vehicles. It recommends suitable conditions should be imposed on hours of opening/operation.

Supplementary Planning Guidance 3 states that restaurants, drinking establishments and hot food takeaways are generally acceptable within Key Town Centres provided it does not harm nearby residential properties. SPD3 recommends a 40-metre separation distance from the main elevation of a dwelling house or a building used solely for self contained flats when measured along a public highway.

APPEARANCE AND AMENITY ISSUES

The Government's key objectives as set out in PPS4 Planning for Prosperous Economies are to promote the vitality and viability of existing centres by encouraging a wide range of services in a good environment which meet the needs of the entire community and are accessible to all. Liscard's centre demonstrates a variety of services although there are several premises which appear vacant in the vicinity. There is national policy encouragement of any development that generates economic growth and employment. The proposal is considered to increase the variety of businesses in the centre.

Late night uses such as restaurants, drinking establishments and nightclubs can make an important contribution to the vitality of the shopping centre, especially during the evenings when other shops are closed and "dead" frontages. These uses are best located in Key Town Centres which enjoy a high degree of accessibility by modes of transport other than private car.

There are approximately 20 late night establishments within the Key Town Centre. Policy SPD3 does not have recommended limits of use classes, however it does take into account the cumulative impact of similar uses on the character of the area and the function of the centre. The number of late night uses is not deemed to be excessive as they cater for a variety of consumer requirements and a large catchment area of high density housing, and is not considered to undermine the viability of the area

The nearest residential property (Newell Street) is 65m away from the site. SPD3 recommends a 40-metre separation distance from the main elevation of a dwelling house or a building used solely for self contained flats when measured along a public highway, which the proposal achieves.

In response to the objections received, the retrospective nature of the application does not influence the decision making process. It is acknowledged that the site is located within the Key Town Centre and as such higher levels of noise and disturbance to those experienced in Primarily Residential Areas are likely. However it is not considered the proposal would result in a level of noise and disturbance to warrant a refusal of planning permission. The behaviour of patrons is beyond the control of the LPA. Whilst it is acknowledged late night uses can result in levels of anti-social behaviour, the adopted policies direct late night uses to town centre locations to minimise the impact on residential areas.

SEPARATION DISTANCES

The proposal is not considered to result in overlooking or loss of privacy to residential properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Director of Regeneration – Housing & Environmental Protection Division had no objection to the proposal in relation to noise and disturbance. There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal complies with Policy SH1 of the adopted Wirral Unitary Development Plan and SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments. It is deemed not to have an adverse impact on the character of the area, nearby residential properties, or the vitality and viability of the Key Town Centre.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal complies with Policy SH1 of the adopted Wirral Unitary Development Plan and SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments. It is deemed not to have an adverse impact on the character of the area, nearby residential properties, or the vitality and viability of the Key Town Centre.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The premises shall be closed between the hours of 02:30 hours and 0900 hours

Reason: In the interests of amenity

3. No development shall take place until full details of a scheme for fume extraction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before the business is in operation and retained as such thereafter.

Reason: In the interest of amenity

Further Notes for Committee:

Last Comments By: 14/07/2010 09:49:05

Expiry Date: 04/08/2010

Planning Committee

21 July 2010

Reference:
APP/10/00668

Area Team:
North Team

Case Officer:
Miss S Hesketh

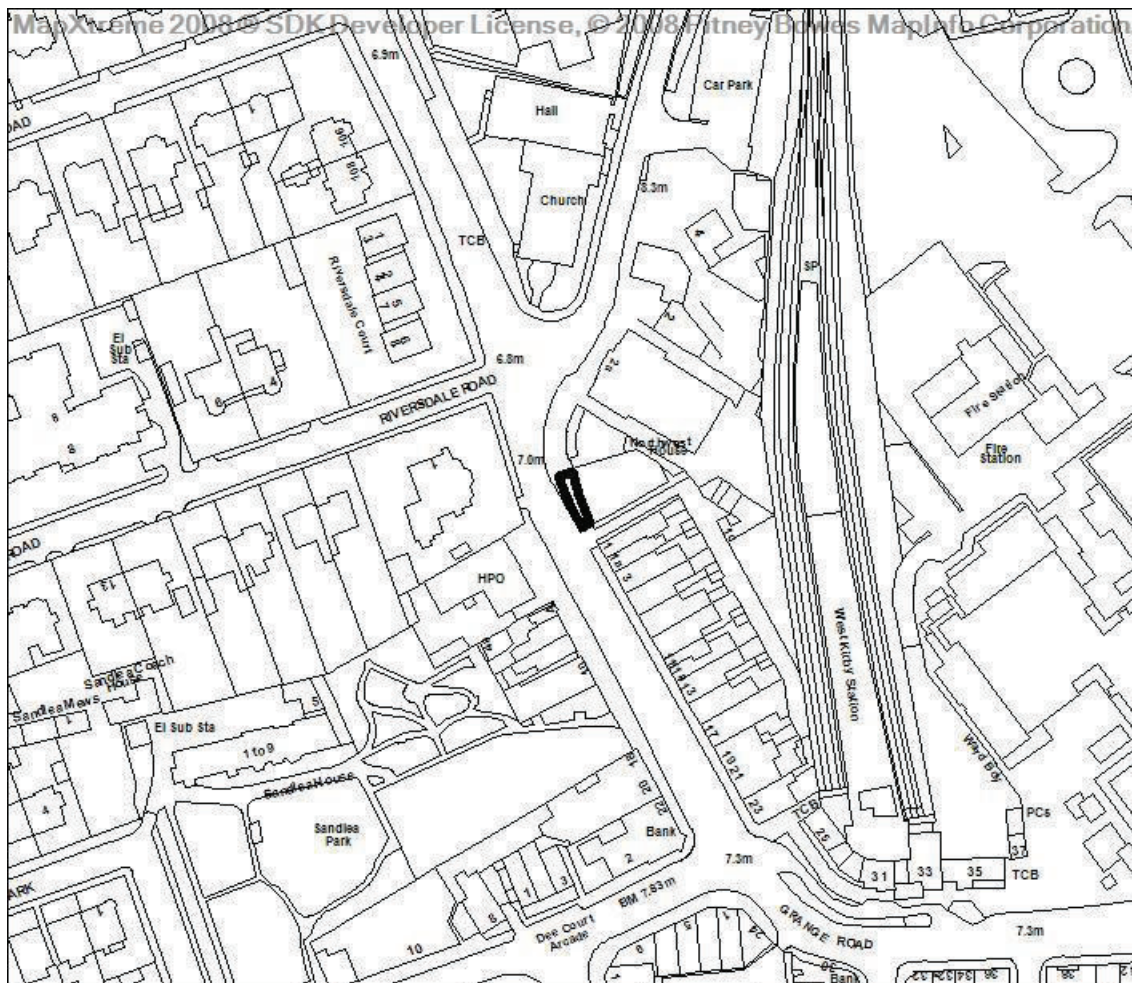
Ward:
Hoylake and Meols

Location: Griffiths Funeral Home, Grange Bank, GRANGE ROAD, WEST KIRBY, CH48 4DY

Proposal: Change of use of land to front of the Red Door to provide an outdoor seating area.

Applicant: 3rd Place Limited
Agent : Nathaniel Lichfield and Partners

Site Plan:



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Development Plan allocation and policies:

Key Town Centre
Tourism Development Site

Planning History:

1959 - Change of use from British Legion Hall to funeral director's office - Approved 26/05/1982

APP/2008/5527 - Division of the ground floor of the building to create two A1 shop units, internal alterations, rear dormer - Approved 10/07/2008

APP/2009/5394 - Change of use of Class A1 (retail) to Use Class A4 (wine bar with food) and erection of awning and associated external alterations - Refused 22/05/2009 (Appeal Allowed 14/10/2009)

Summary Of Representations and Consultations Received:

Representations:

A site notice was displayed on a post on the highway 17th June 2010. A total of 12 letters of notification have been sent to properties in the area. At the time of writing this report 25 letters of objection have been received, listing the following grounds:

- This licensed premises is within 40 feet of residential property and should never have gained planning permission;
- To introduce outdoor seating will increase the noise pollution for all the local residents in an area where noise levels are already high;
- Noise disturbance includes shouting and swearing;
- Outdoor seating at this venue will block a public right of way, forcing any passers by to step into the road, a major risk at a busy junction;
- Issues with parking;
- Lack of notification;
- Visibility for drivers at the junction on Bridge Road will be restricted;
- Litter;
- Intimidation from customers;
- The planning condition to shut the windows at 21.30pm is being ignored;
- Since the Red Door opened there has been a noticeable increase in noise heard in residents gardens/inside the house and any increase in the number of patrons (particularly outdoors) will further encroach on residents rights for peaceful enjoyment of their property;
- Loss of privacy.

Councillor Hale requested the application be taken out of delegation citing concerns the pavement is far too narrow, especially when coupled with existing street furniture and would severely hamper pedestrian access from Meols Drive to the main West Kirby shopping area.

Consultations:

Director of Law, HR & Asset Management – Housing & Environmental Protection Division had no objection on the provision of conditions.

Director of Technical Services – Traffic Management Division had no objection to the proposal

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Hale requested the application be taken out of delegation citing concerns the pavement is far too narrow, especially when coupled with existing street furniture and would severely hamper pedestrian access from Meols Drive to the main West Kirby shopping area.

INTRODUCTION

The application proposes an outdoor seating area outside The Red Door wine bar (approved planning application APP/2009/5394).

This application seeks approval for the change of use of a portion of the public footway outside The Red Door wine bar (approved planning application APP/2009/5394) to a formalised seating out area for the consumption of food and drink. Amended plans were received 7 July 2010 removing two tables from the scheme and reducing the scale of the projection of the outdoor seating from 3.5m to 1.7m.

PRINCIPLE OF DEVELOPMENT

The proposal for outdoor seating is acceptable in principle subject to compliance with policy SH1 of

the Wirral Unitary Development Plan.

SITE AND SURROUNDINGS

The unit comprises a wine bar situated within the commercial Key Town Centre area of West Kirby. There is a good mix of uses within the immediate vicinity of the site including some residential at first floor. No.1 Riversdale Road is 26m from the proposal. All other dwellings and properties solely used for residential flats are over 40m from the proposal.

POLICY CONTEXT

The proposal shall be assessed against the relevant Unitary Development Plan Policy SH1 Criteria for Development in Key Town Centres and SPD3 Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments. This is to be evaluated against the Government's key objectives in PPS4 Planning for Sustainable Economic Growth.

APPEARANCE AND AMENITY ISSUES

West Kirby is an established location for day or half-day trips to the coast by car, bus or rail. The site is located in a Key Town Centre which encourages the development of restaurants and cafes, subject to no adverse impact on the surrounding area. The principle of outdoor seating is therefore considered acceptable under policy PPS4, SH1 and TL5. The outdoor seating is considered to promote an "active frontage" which will add to the vitality and viability of the recognised town centre location. The proposal is viewed as an addition to an existing business. It is considered the cumulative impact of the proposal will not have a negative impact on the character of the area.

Amended plans were requested reducing the size of the proposal. The proposed seating area is now within 2m of the Red Door building, allowing 2.5m of pavement width. This was deemed necessary to reduce the bulk of the seating area and to achieve the necessary sight lines. The scale and extent of the seating area is now deemed acceptable.

Outdoor seating areas are a feature in West Kirby and the amended proposal is considered acceptable in terms of scale and design. It is considered not to harm the character of the original building or surrounding buildings, and introduces a new feature with a open piece of concrete paving which has no aesthetic value. It is considered balustrades no more than 1m in height, should be conditioned to contain the seating area.

Whilst the proposal is within 40m of residential properties, the application is for the development of an existing A4 use within a Key Town Centre (approved at appeal). It is acknowledged that the site is located within the Key Town Centre and as such higher levels of noise and disturbance to those in Primarily Residential Areas are likely. However it is not considered the proposal would result in levels of noise and disturbance to warrant a refusal of planning permission. The amenities of neighbouring residents would be protected by a limiting hours condition stating the outside area cannot be used for the consumption of food and drink after 21:30 hours.

The Inspector considered the use of an outdoor seating area and conditioned it accordingly. Thus the principle of this proposal has been established at appeal.

SEPARATION DISTANCES

The application is not considered to result in overlooking or loss of privacy to neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

Objections were received from residents and Councillor Hale regarding the width of the pavement should the application be approved, and the potential parking issues. The plans have been amended to reduce the scale of the projection of the outdoor seating from 3.5m to 1.7m. The Director of Technical Services (Traffic Engineers) had no objection to the proposal as the pavement is of a acceptable width which will allow for pedestrian movement for all users. Amended plans were received and achieve the necessary sightlines

Policy SPD4 Parking Standards sets out maximum levels of parking provision for development. Its objective is to reduce the need to travel by private car and promote the use of public and other means of transport. SPD4 states there is no minimum allowance of car parking for restaurants, and as such

the proposal complies with these standards. The proposal is in a Key Town Centre with existing parking facilities and good transport link, the proposal is deemed acceptable. There are no highway implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The principle objection to the proposal by neighbouring residents was the potential for noise and disturbance, which would intensify in anti-social hours. As discussed above, the principle of outdoor seating is deemed acceptable, however it is considered appropriate to limit and condition the hours of use for the proposed seating area until 2130 hours.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

Amended plans have been received which are deemed to address policy issues and some of the neighbours' objections. The proposal is considered to contribute to the vitality and unique character of the area. It will not undermine the viability of the area or have a detrimental impact on highway safety. Hours restrictions of opening will protect residential amenity in relation to noise and disturbance. It is considered the proposal complies with the relevant national and local legislation.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal complies with Policy SH1 of the adopted Wirral Unitary Development Plan and is deemed not to have an adverse impact on the character of the area, the amenity of nearby residential properties, or the vitality and viability of the Key Town Centre.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Development shall be built in accordance with plans received on 07 July 2010.

Reason: For the avoidance of doubt.

3. The outside area shall not be used for the consumption of food or drink between the hours of 2130 hours and 1200 hours

Reason: In the interests of amenity

4. No live or recorded music or amplified voices shall be played in the outside area at any time.

Reason: In the interest of residential amenity

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.

Reason: In the interest of highway safety

Further Notes for Committee:

Last Comments By: 05/07/2010 12:40:26

Expiry Date: 28/07/2010

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Planning Committee

21 July 2010

Reference:
APP/10/00677

Area Team:
North Team

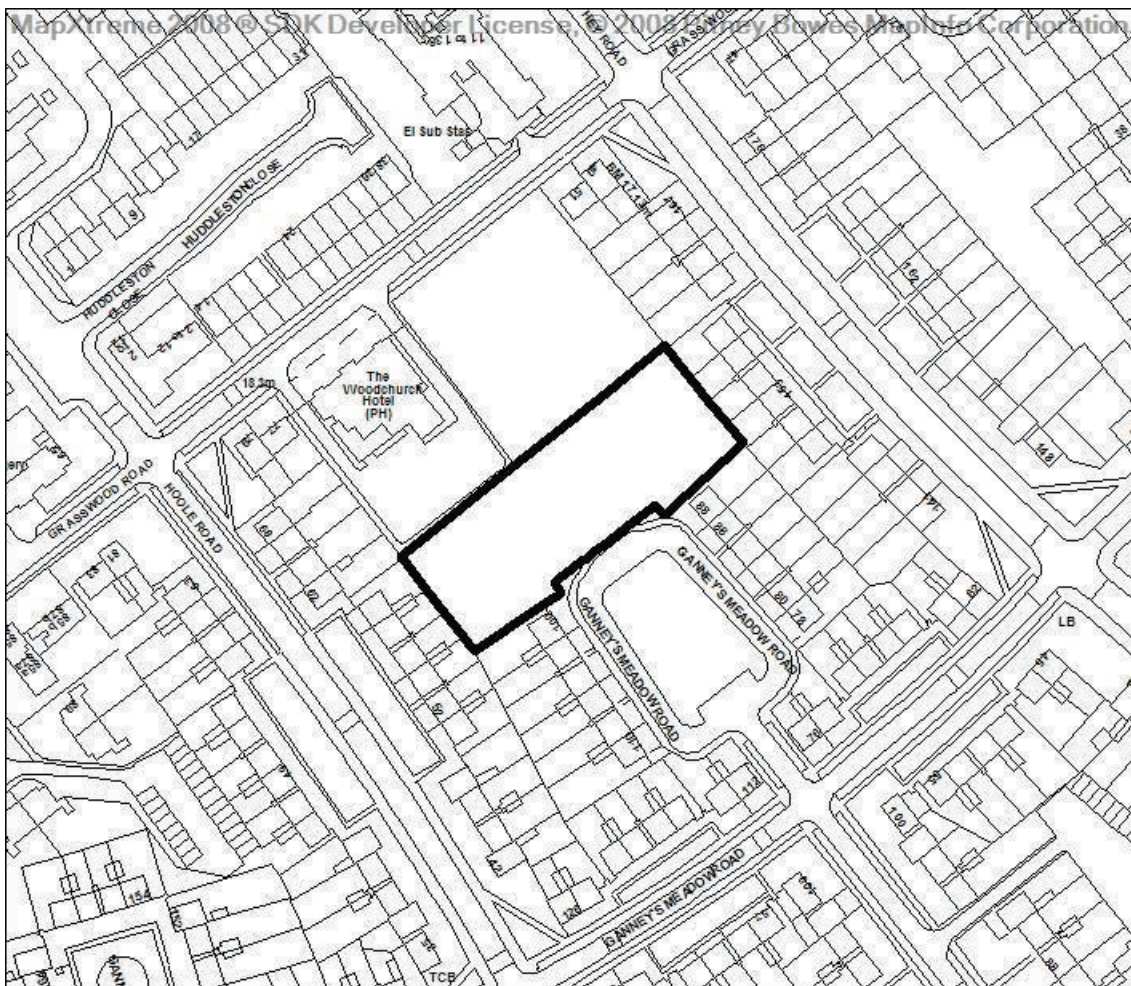
Case Officer:
Mr N Williams

Ward:
Upton

Location: Ganneys Meadow Nursery Sch, GANNEYS MEADOW ROAD, WOODCHURCH, CH49 7NS
Proposal: Erection of 12 No. dwellings (Amendment to Planning Permission APP/2008/5857)

Applicant: Caldy Estates Ltd
Agent : Michael Cunningham

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:
APP/2008/5857 - Erection of 12 No. two-storey dwellings (Approved 01/08/2008)

Summary Of Representations and Consultations Received:

Representations

Councillor Whittingham requested the application be heard by Planning Committee on the grounds of loss of privacy.

Consultations

Director of Law, HR & Asset Management (Environmental Protection) - No objection

Director of Technical Services (Traffic Management Division) - No objection, subject to a condition being attached requesting visibility splays

Director's Comments:

REASON FOR REFERRAL

The application is classed as a major development and therefore is required to go before Planning Committee under the Council's Scheme of Delegation. In addition, Councillor Whittingham also asked for the application to be reported to Planning Committee for the reasons outlined above.

INTRODUCTION

The application seeks permission for amendments to planning approval APP/2008/5857 for the erection of 12 dwellings on land to the north west of Ganneys Meadow Road, which was approved on 1st August 2008. This permission has been implemented, with a significant degree of building works having already taken place. The principal amendment to the approved scheme is that the proposed dwellings will be deeper by approximately 0.5 metres, together with some extremely minor alterations to the external elevations.

The scheme consists of five dwellings on either side of the site, with two dwellings located centrally, facing the centre of the close. The dwellings are two-storey. Ten of the new dwellings are semi-detached with the remaining two being detached.

PRINCIPLE OF DEVELOPMENT

The principle of the development has already been established with the granting of the 2008 consent. Members are now being asked whether the minor amendments to the approved scheme are acceptable whilst having regard to the fact that an extant permission for the site is in place and has been significantly implemented. The application site is within a Primarily Residential Area and therefore the proposal is acceptable, subject to Policy HS4 of Wirral's Unitary Development Plan.

SITE AND SURROUNDINGS

The site was a vacant piece of land located at the head of a close off the main section of Ganneys Meadow Road. It is located within a Primarily Residential Area as defined in Wirral's Unitary Development Plan.

The existing dwellings within this section of Ganneys Meadow Road are fairly large, terraced properties. There are also residential properties backing onto both sides of the site, whilst there is a public house and open space to the rear of the site.

POLICY CONTEXT

The application site is within a Primarily Residential Area and therefore the proposal is considered acceptable subject to Policy HS4 of Wirral's Unitary Development Plan.

The site is outside the North West Metropolitan Area and any residential development would normally be subject to the Interim Planning Policy: New Housing Development. However, the existing planning permission has already been implemented and as outlined above, this application is only seeking permission for the proposed amendments to that extant consent.

APPEARANCE AND AMENITY ISSUES

The appearance of the proposed dwellings is the same as the extant approval, and therefore this aspect benefits from planning permission. In any case, the dwellings are considered to be of a good

design and will enhance the appearance of the street scene.

The width of the two access roads into the site and the pavement details have been altered slightly, providing a narrower road and pavement. This results in the front gardens of the ten dwellings to either side being slightly larger by approximately 1 metre. This is not considered to have any impact on the appearance of the proposal when compared to the extant permission and is therefore considered to be acceptable.

SEPARATION DISTANCES

All the dwellings backing onto properties on Hoole Road comply with the general guidance on separation distances. As such 21 metres between two habitable windows facing each other is comfortably achieved within this part of the site. However, the increased depth of 0.5 metres results in properties on the other side of the site backing onto properties on New Hey Road has resulted in the normal separation distances falling approximately 1 metre short of the 21 metres guidance recommended. When considered against the overall context of the site and its surroundings however, this shortfall of approximately 1 metre is not considered to be sufficient to warrant a refusal of permission. The difference of less than 1 metre would not have a significant impact on the amenities of existing properties to the rear and any potential harm is considered to be negligible given what has already been approved. It is also considered that the regeneration benefits of developing this brownfield site also outweigh the small shortfall in the interface guidelines.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway implications relating to this proposal, although a condition has been attached for full details to be submitted relating to a scheme of works for the a vehicle access from the highway into the site itself.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The amendments to the approved scheme are very minor and, in general, do not have an adverse impact on the appearance of the scheme or the amenities of local residents. However, the increased depth does result in some of the proposed dwellings having habitable room windows approximately 20 metres from habitable windows on existing properties to the rear. Although this is slightly under the recommended guidance though, it is considered that the benefits of developing this site will outweigh any potential impact on existing resident's amenities, which in any case will be very minor.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development is considered to comply with Policy HS4 of Wirral's Unitary Development Plan and will not have an overly adverse impact on the amenities of neighbouring properties, or the appearance and character of the area.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act

1990.

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

Reason: In the interests of the visual amenity of the proposed development

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 retained as such thereafter

Reason: In the interests of amenity

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

Reason: In the interests in highway safety

Further Notes for Committee:

1. Notwithstanding the submitted details, no development shall commence until the relevant area of adopted highway within the redline plan has been stopped up and details of the highway construction and drainage have been approved by the Local Planning Authority

Last Comments By: 14/07/2010 10:52:20

Expiry Date: 26/08/2010

WIRRAL COUNCIL

PLANNING COMMITTEE

21 July 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

DEVELOPMENT CONTROL QUARTERLY PERFORMANCE REPORT

1. Executive Summary

- 1.1 As part of the move towards better performance management Members have received quarterly reports on speed of decision in Development Control since 2007. This report sets Development Control Performance under NI 157 for the first quarter of 2010/2011. This period covers 1 April 2010 to 30 June 2010. This report covers the performance for all applications, i.e. Majors, Others and Minors.

2. Development Control NI 157 Performance

- 2.1 The determination of planning applications in Development Control remains a key performance indicator for the Authority. From April 2010, the Development Control Division revised its internal targets for determining applications to achieve 60% of all Major applications determined within 13 weeks, 81% of all Minor applications within 8 weeks and 87% of all Other applications within 8 weeks.
- 2.2 For information, the definition of what constitutes major, minor and other applications is set as follows, for information:

MAJORS

- 10 or more dwellings, or the site area for residential development is 0.5 hectares or more
- 1000 sqm or more, or the site is 1 hectare or more

MINORS

- less than 10 dwellings, or the site area for residential development is less than 0.5 hectares
- less than 1000 sqm, or the site is less than 1 hectare

OTHERS

- Changes of use, householder development (development within the curtilage of a residential property), adverts, listed building consents, conservation area consents, lawful development certificates, agricultural notifications, telecommunications, etc.

- 2.3 The Development Control Manager receives weekly performance figures around NI 157 in order to reinforce the performance culture and to continue to raise the performance standard.
- 2.4 NI 157 performance figures for the first quarter of 2010/11 are set out in the table below:

Month	NI 157a (Majors) Local Target 60% within 13 weeks	NI 157b (Minors) Local Target 81% within 8 weeks	NI 157c (Others) Local Target 87% within 8 weeks
Apr 10	66.67%	87.50%	93.83%
May 10	-	83.33%	92.41%
Jun 10	100%	79.41%	90.24%
Q1 Performance Apr – Jun 10	80.0%	82.93%	92.15%

3.0 Conclusions

- 3.1 Members will note from the above table all NI 157 returns are improved and performing above target at the end of the first quarter for 2010/11.

4.0 Financial and Staffing Implications

- 4.1 There are no financial or staffing implications arising directly from this report.

5.0 Equal Opportunity and Social Inclusion Implications

- 5.1 There are no equal opportunity or social inclusion implications arising directly from this report.

6.0 Community Safety and Local Agenda 21 Implications

- 6.1 There are community safety or local agenda 21 implications arising directly from this report

7.0 Local Member Support Implications

7.1 There are no specific Ward Member implications arising directly from this report.

8.0 Anti-Poverty Implications

8.1 There are no known anti-poverty implications arising directly from this report.

9.0 Recommendation

9.1 Members are asked to note the contents of this report and Development Control Performance for the first quarter of 2010/11.

D Green

Director of Technical Services

This report was prepared by Matthew Davies in Development Control who can be contacted on 606 2246

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WIRRAL COUNCIL

PLANNING COMMITTEE

21 July 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

PLANNING ENFORCEMENT SERVICE PERFORMANCE DURING 2008/09 AND 2009/10

1. Executive Summary

- 1.1 The purpose of this report is to advise Members on the performance of the Planning Enforcement service within Development Control, during 2008/09 and 2009/10.

2. Background

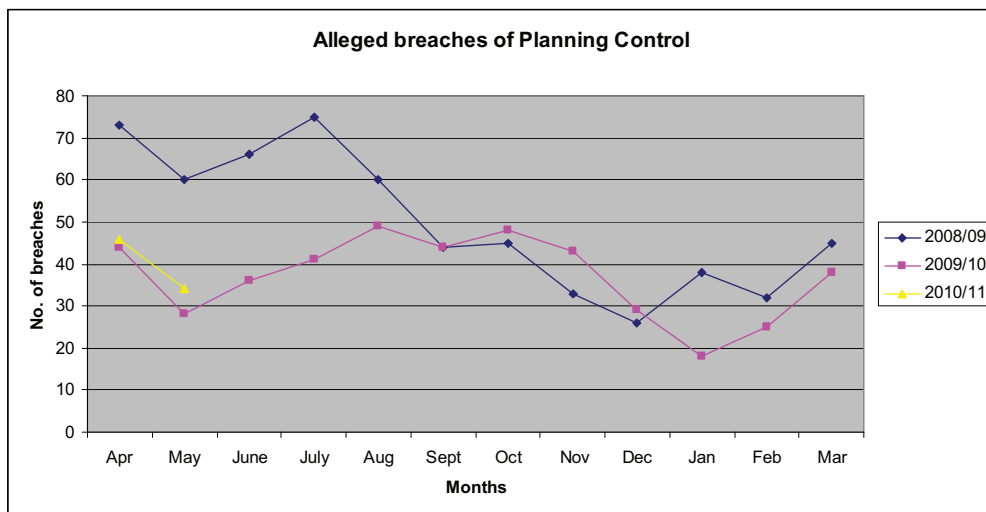
- 2.1 Since the cancellation of Planning Delivery Grant (PDG) from April 2008 budgetary pressures have continued to increase on the Planning Enforcement service, which is a non-statutory, non-fee earning service within Development Control.
- 2.2 These pressures were first highlighted in the 'Improving the Planning Service and DC Performance' report considered by Planning Committee in May 2008, and Cabinet in June 2008, when Members agreed to the use of staff from the Planning Enforcement team to support DC planning teams during peak periods of application workload.
- 2.3 In 2008/09, as a result of this initiative, three members of staff within the Planning Enforcement team directly supported the Planning teams by taking on a small case load of planning applications, and this contributed to an improvement in the performance of processing planning applications. Fortunately, during the same period there was a significant fall in complaints received by the Planning Enforcement team, and this can be seen the body of this report.
- 2.4 In July 2008, one full time member of the Planning Enforcement Team took a 2 year career break and another left the team to take up a new position resulting in smaller enforcement team. However, following an increase in the number of enforcement complaints, in August 2009, senior managers within Development Control moved a member of staff from another team into the Enforcement team on a full time basis, resulting in current staffing levels of four full time officers and one part time officer within Planning Enforcement. In addition to this, the planning teams have offered flexible support to the enforcement team, where we have been able to utilise planning officers within the Division to deal with the fluctuating demands on the planning enforcement service whilst continuing to deal with planning applications, which have seen a marked reduction in numbers over the last few years.
- 2.5 In March 2009, Planning Committee also agreed to revisions to the Planning Enforcement Policy to give greater clarity and to re-prioritise the enforcement criteria.
- 2.6 As part of the Council's commitment to accountability and transparency, the Planning Enforcement Policy requires annual performance reports on the Planning Enforcement service to the Planning Committee. Previous reports have highlighted performance during 2005/06, 2006/07 and 2007/08. This report now reviews Planning Enforcement performance during 2008/09 and 2009/10.

2.7 It is important to note that the performance outlined in this report would not be possible without the co-operation and support of Councillors, the public, and our colleagues in Legal Services and across other Council departments.

3. Performance

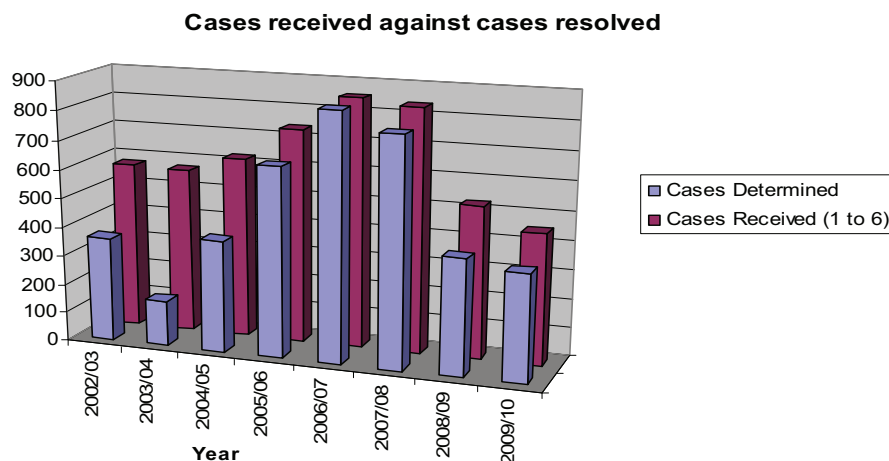
3.1 The number of complaints regarding alleged unauthorised development has been continually monitored. Some of the duties and responsibilities during that period have changed, but it is possible to map the trends. Chart 1 shows the number of alleged breaches of planning control received each month since 2007/08. This information is used to predict when demands are high and low. The chart also shows the fall in cases from 2007 which is due to the current economic situation and the subsequent reduction in development and the restructuring of the service and its responsibilities.

Chart 1



3.2 Chart 2 below shows the number of complaints regarding breaches of planning control received against the number determined in the same period. The graph shows the trend from 2002/03 to 2009/10. Currently, we are determining fewer cases than we receive, which has resulted in a back log. There is a back log of 155 cases waiting to be investigated, however we are prioritising these in line with the Council’s adopted Enforcement Policy, as approved by Members in 2009.

Chart 2

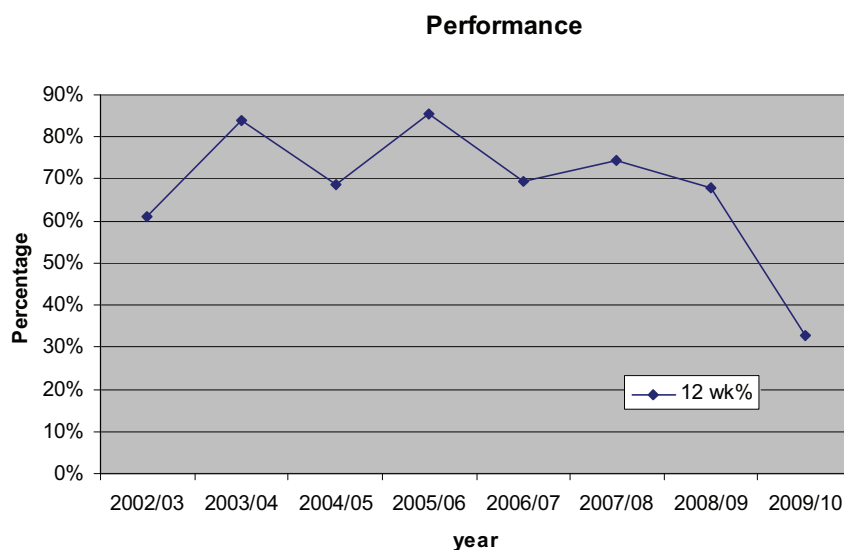


3.3 Chart 3 shows the performance for dealing with complaints to one of five key points within twelve weeks for the years 2002/03 to 2009/10. The downward trend is explained by the reduction in Enforcement team staff and the revised priorities set in the Planning Enforcement Policy, as outlined earlier at 2.3 and 2.5.

The planning enforcement team dealt with:-

- 409 alleged breaches of planning control during the financial year April 2008 to March 2009 of which 278 cases (68%) were dealt with within 12 weeks of receipt,
- 371 alleged breaches of planning control during the financial year April 2009 to March 2010 of which 121 cases (33%) were dealt with within 12 weeks.

Chart 3



3.4 We continue to proactively monitor planning permissions and precedent conditions. The level of monitoring has remained fairly consistent.

- 2008/09, 9% of all Enforcement Cases were as a result of proactive monitoring,
- 2009/10, 6% of all Enforcement Cases were as a result of proactive monitoring.

3.5 The Planning Enforcement service receives consultations on Licensing Applications. The Planning Enforcement Service dealt with:-

- 2008/09, 111 licensing consultations, 90% of consultations were sent within 28 days.
- 2009/10, 110 licensing consultations, 93% of consultations were sent within 28 days.

3.6 The Planning Enforcement Service deals with the determination of High Hedge complaints and Initial Enquiries. The service aims to determine all High Hedge complaint applications within 8 weeks, and all Initial Site Survey and Inspection applications within 21 days.

- Between April 2008 and March 2009, we received 3 Formal applications and 5 Initial Site Survey and Inspection applications.

33% of formal complaint applications were determined within 8 weeks.
 No Site Survey and Inspection applications were determined within 21 days.

- Between April 2009 and March 2010, we received a Formal Application and six Initial Site Survey and Inspection applications.

The formal complaint applications was determined outside the 8 weeks.
 17% of Site Survey and Inspection applications were determined within 21 days.

3.7 The Planning Enforcement service serves formal notices in cases where negotiation has proven unsuccessful. This demonstrates the Council's willingness to take action when it is clearly necessary. Chart 4 shows the number of Notices served in 2008/09 and 2009/10 :-

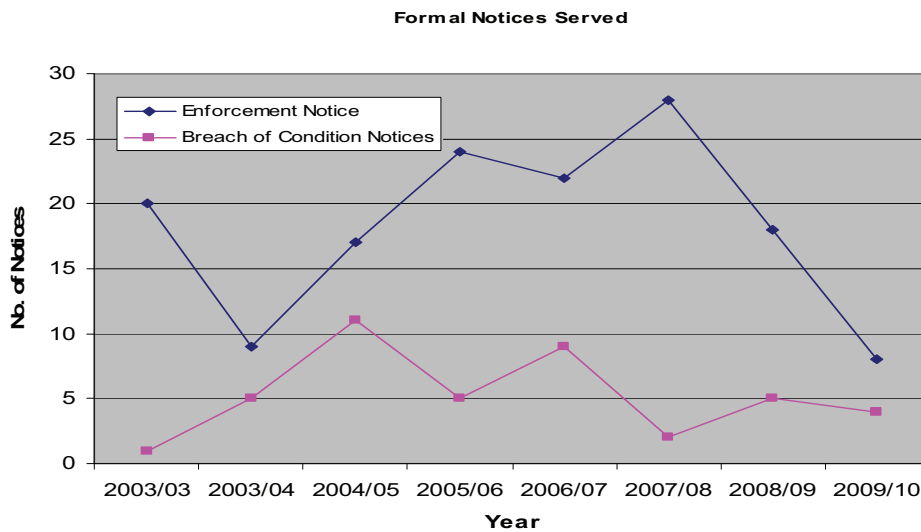
April 2008 and March 2009

- 13 Enforcement Notices
- 5 Breach of Condition Notices

April 2009 and March 2010

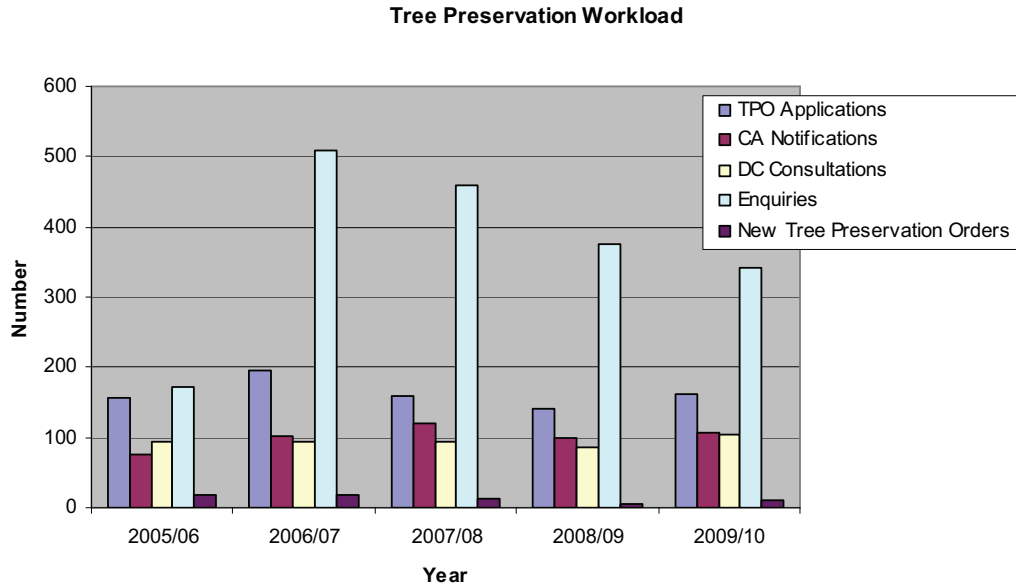
- 8 Enforcement Notices
- 4 Breach of Condition Notices

Chart 4



3.8 An important responsibility of the Planning Enforcement Service is the protection of trees and this work is predominantly carried out by one full time member of staff, the Council's Arboricultural Officer. Workload for 2008/09 consisted of 703 core tasks, and for 2009/10 it was 713.

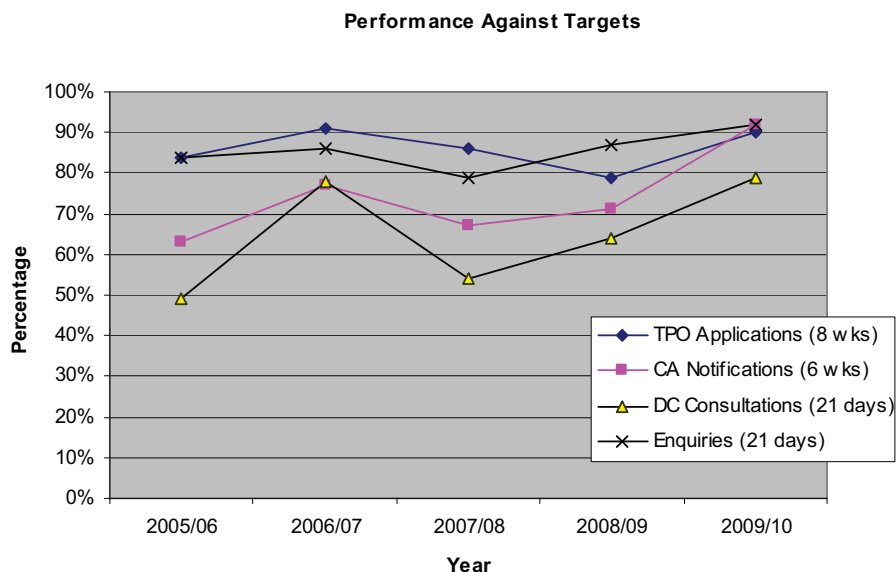
Chart 5



- 3.9 There is a target of 8 weeks for dealing with applications for works to protected trees due to Tree Preservation Orders (TPO).
- Between April 2008 to March 2009, 140 TPO applications were received, and 80% were determined within 8 weeks.
 - Between April 2009 to March 2010, 161 TPO applications were received, and 90% were determined within 8 weeks.
- 3.10 All trees in Conservation Areas (CA) are protected and an application is required to do works to them. There is a target of 6 weeks to deal with these applications.
- Between April 2008 to March 2009, 100 CA applications were received, 71% were determined within the 6 weeks.
 - Between April 2009 to March 2010, 106 CA applications were received, 92% were determined within the 6 weeks.
- 3.11 The Arboricultural officer with the Planning Enforcement team is consulted where development proposed by planning applications may affect trees. The target is 21 days in which to reply.
- Between April 2008 to March 2009, 87 consultations were received, of which, 64% received a response within 21 days.
 - Between April 2009 to March 2010, 104 consultations were received, of which, 79% received a response within 21 days.
- 3.12 The Planning Enforcement service now records all enquiries regarding trees. There is a target of 21 days for dealing with enquiries.
- Between April 2008 to March 2009, 376 enquiries were received, of which, 87% received a response within 21 days.
 - Between April 2009 to March 2010, 342 enquiries were received, of which, 92% received a response within 21 days.

3.13 This is the third year that the performance of the service has been monitored. Chart 7 summaries the performance of the service over the period.

Chart 6



3.14 The Planning Enforcement service is also responsible for determining and placing new Tree Preservation Orders.

- 2008/09, 5 new Tree Preservation Orders confirmed.
- 2009/10, 10 new Tree Preservation Orders confirmed.

4. Finance and Staffing Implications

4.1 The flexible use of Development Control staff resources to deal with continued performance and budgetary pressures on the Development Control service are as outlined in the report, and are prioritised to deal with the Council's statutory functions first and foremost. Every effort is made to respond and investigate to all enforcement complaints as soon as possible within the constraints currently placed on the service.

5. Equal Opportunity and Social Inclusion Implications

5.1 There are no equal opportunity or social inclusion implications arising directly from this report.

6. Community Safety and Local Agenda 21 Implications

6.1 There are no community safety and local agenda 21 implications arising directly from this report.

7. Local Member Support Implications

7.1 This report will be of interest to all Members although there are no specific Ward Member implications arising directly from this report.

8. Anti-Poverty Implications

8.1 There are no anti-poverty implications arising directly from this report.

9. Human Rights implications

9.1 There are no human rights implications arising directly from this report.

10. Background Papers

Council Meeting 15 December 2003

Economic Regeneration and Planning Strategic Committee Report 14 January 2004,

Committee Report: The Planning Enforcement Service - 1 June 2006

Committee Report: The Planning Enforcement Service - 17 May 2007

Committee Report: Improving Planning Service and DC Performance - 28 May 2008

Committee Report: Planning Enforcement Policy (March 2009) – 12 March 2009

11. Recommendation(s)

11.1 Members are requested to note the report.

D Green

DIRECTOR OF TECHNICAL SERVICES

This report was prepared by Lee Walsh of the Development Control Section who can be contacted on 0151 606 2237.

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METROPOLITAN BOROUGH OF WIRRAL

PLANNING COMMITTEE: 21 JULY 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES, DEVELOPMENT CONTROL SECTION

Wirral Borough Council Tree Preservation Order No 342 Land at Salem View to the rear of 26 Birch Close, Oxton.

1. Executive Summary

- 1.1 The purpose of this report is to inform the Committee of an objection to Wirral Borough Council Tree Preservation Order N^o 342 and to recommend that the order shall be confirmed.

2. Background

- 2.1 The trees form a group that are and important green amenity screen between Salem View and Birch Close.
- 2.2 The Ash tree is of particular good form and is prominent in the landscape and stands on the edge of the Oxton Conservation Area.
- 2.3 Because the tree contributes to the amenity of the area and the Oxton Conservation Area, the Wirral Borough Council Tree Preservation Order 342 was made on 10 February 2010.

3. The Objection

- 3.1 An objection has been received by a neighbour. The reasons for the objection are;
- The trees do not make an important screen between Salem View and Birch Close. The Ivy which has grown in the trees makes an extra screen not the trees.
 - The trees comprising Group 1 will severely damage the stone wall.
 - Policy LAN 1 applies to the stone wall also.
 - The trees benefit from Conservation Area status and further protection is not necessary.

4. Comments on the objection

- 4.1 Ivy is a climbing shrub that uses trees and other structures as a support. Without the trees it would simply grow over the wall. Control of the Ivy would open up the crowns of the trees and make the trees more aesthetically pleasing, increasing the visual amenity. The TPO does not protect the ivy
- 4.2 Damage to the stone wall may or may not occur. However the issue can be dealt with under the Tree Preservation Order if it occurs. Walls can be modified structurally as needed to accommodate tree roots, thereby enabling both wall and tree to be retained in the landscape.

4.3 Although the trees are protected by Conservation Area status this protection does not allow conditions to be put in place to control the extent and quality of any tree work. In order to refuse any notification for tree work or felling (under the Town and Country Planning Act), a Tree Preservation Order must be served. This allows a local authority to control inappropriate tree work.

5. Support

5.1 A letter of support for the TPO was received from, the Oxton Society.

6. Financial and Staffing implications

6.1 There are no direct financial or staffing implications arising out of this report.

7. Equal Opportunities implications

7.1 There are no implications arising out of this report in terms of equal opportunities, ethnic minorities, the elderly, or disabled.

8. Local Agenda 21 Implications

8.1 Preservation of trees will assist the sustainability of local wild life and positively contribute to the quality of air.

9. Environmental implications

9.1 The environmental implications are as set out in this report.

10. Anti-Poverty Implications

10.1 I am not aware of any anti-poverty implications

11. Social Inclusion Implications

11.1 I am not aware of any social inclusion implications

12. Health Impact Assessment

12.1 I am not aware of any health issues

13. Local Member Support implications

13.1 The site is in the Oxton ward.

14. Background Papers

14.1 The following background papers have been used in the preparation of this report: Tree Preservation Order No 342. Land at Salem View to the rear of 26 Birch Close, Oxton.

15. Planning Implications

15.1 None

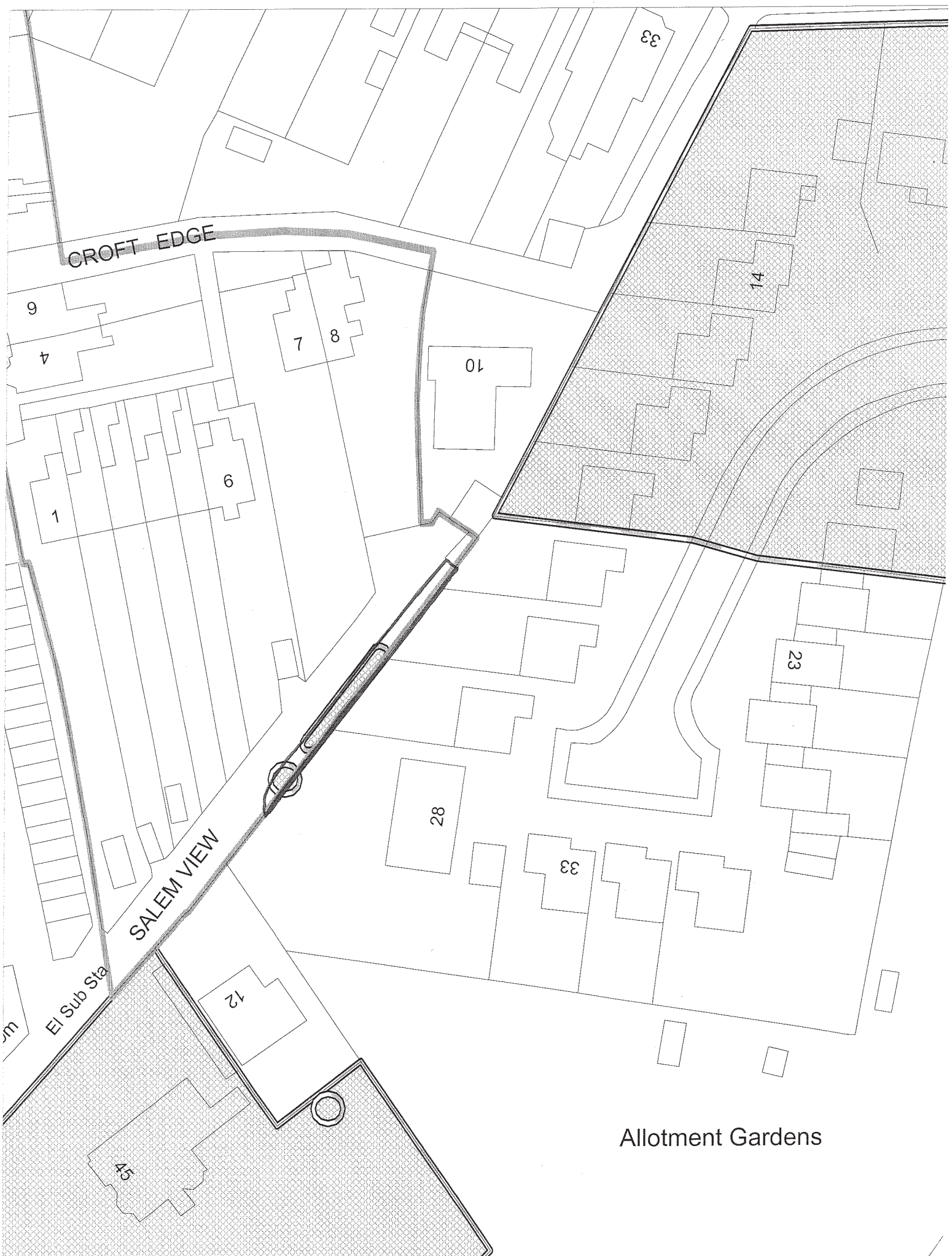
16. Recommendation

16.1 It is recommended that Wirral Borough Council Tree Preservation Order N^o.342 be confirmed.

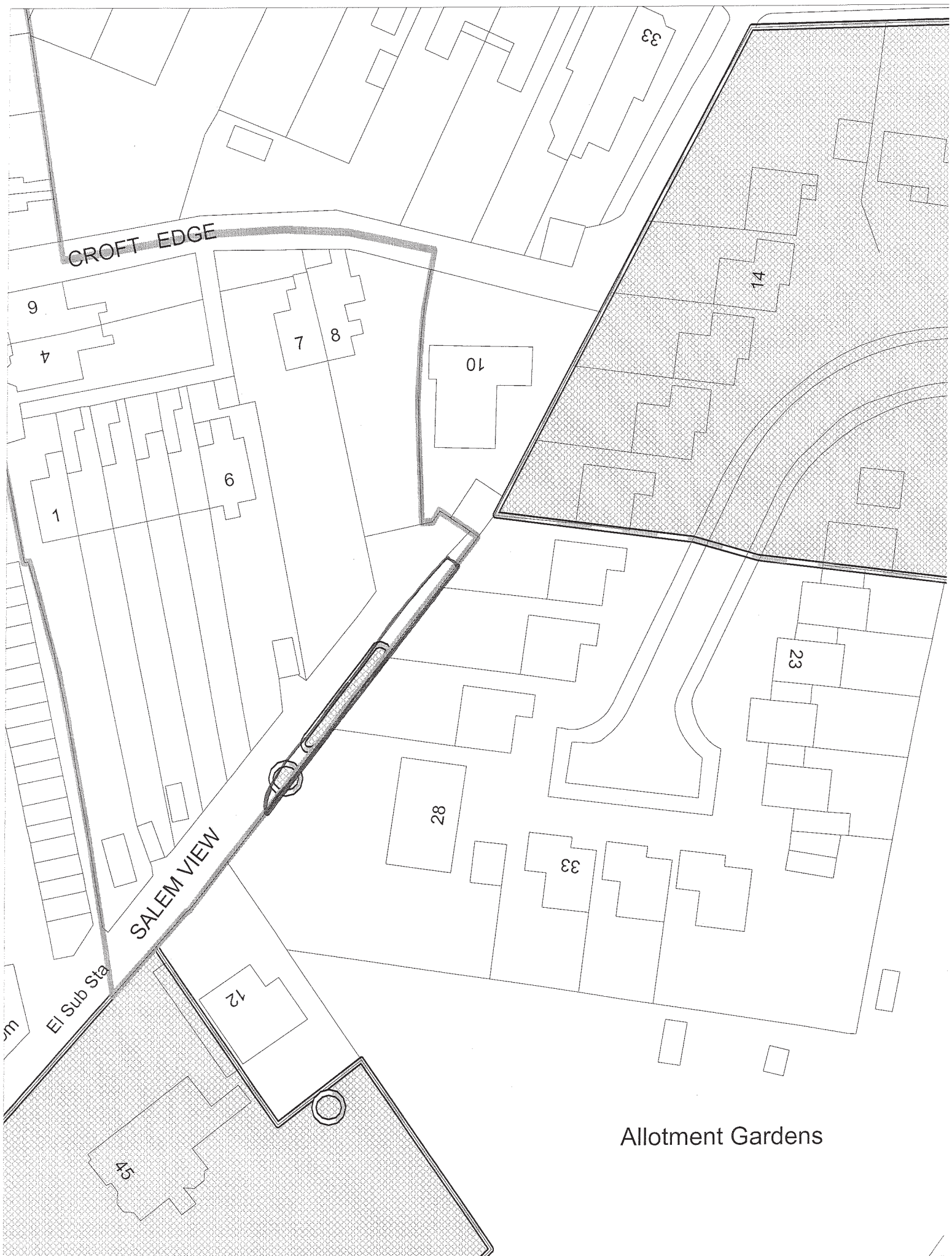
A handwritten signature in black ink, appearing to be 'D Green', followed by a long horizontal line extending to the right.

On behalf of
DAVID GREEN, DIRECTOR
TECHNICAL SERVICES DEPARTMENT

This report was prepared by Erik Bowman who can be contacted on 0151 606 2247.



Allotment Gardens



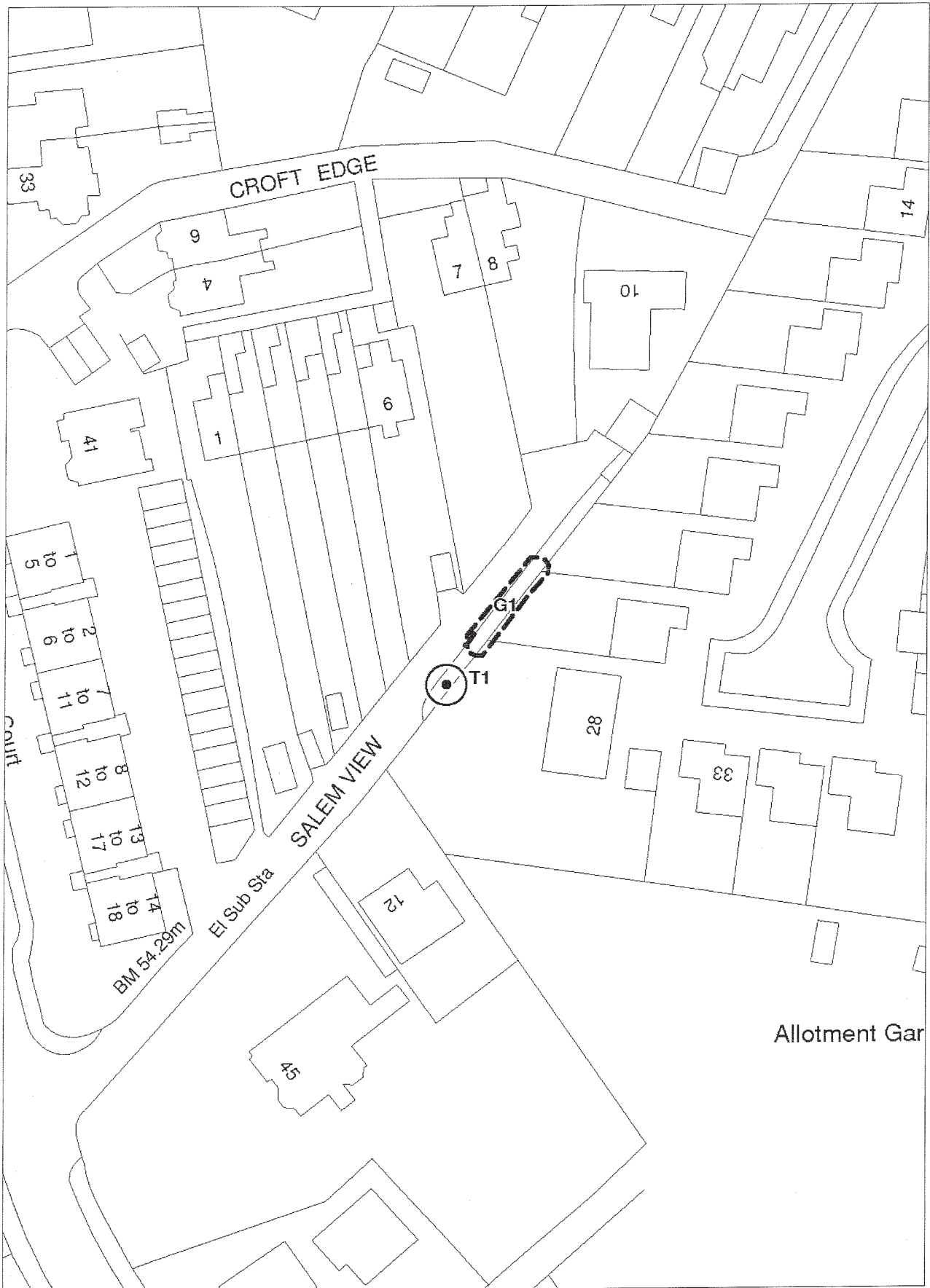
Allotment Gardens

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**Map as annexed to the first schedule of
The Wirral Borough Council
Tree Preservation Order No. 342**

Scale:

Date:

Page 61



WIRRAL BOROUGH COUNCIL TREE PRESERVATION ORDER No. 342

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

NO. ON MAP

SPECIES

SITUATION

T1

Ash

Standing on a grass verge on Salem View adjacent to the rear boundary of 28 Birch close.

TREES SPECIFIED BY REFERENCE TO AN AREA (within a black dotted line on the map)

NO. ON MAP

SPECIES

SITUATION

NONE

GROUPS OF TREES (within a broken black line on the map)

NO. ON MAP

SPECIES

SITUATION

G1

Sycamore, Willow, Cherry

Standing on a grass verge on Salem View adjacent to the rear boundary of 26 Birch close

WOODLANDS (within a solid black line on the map)

NO. ON MAP

SPECIES

SITUATION

NONE

TOWN AND COUNTRY PLANNING ACT 1990

STATEMENT OF REASONS FOR MAKING THE WIRRAL BOROUGH COUNCIL TREE PRESERVATION ORDER NUMBER 342

1. A conservation Area notification to prune 2 trees has been received.

The trees form part of a group, which are an important screen between Salem view and Birch close. These trees also stand along the boundary of the conservation.

The Ash tree is of particularly good form and in good condition. Although not the subject of the notification, the tree is prominent in the landscape and stands on the edge of the Conservation Area, and gives character to Salem view.

There are other protected trees adjacent to Salem view, which are also on the edge of the Conservation area and provide amenity and form part of the character of the Conservation Area and it has therefore been decided to make the Tree preservation Order Number 342.

2. Policy LAN1 - Principles for Landscape of the Unitary Development Plan for Wirral which was adopted on 11th February 2000 states:

In considering proposals for development, the Local Planning Authority will have regard to the visual impact upon the local and wider landscape and will in particular:

- (i) Protect landscapes of special character, identified as areas of special landscape value; and
- (ii) Promote the improvement and enhancement of damaged landscapes, identified as areas requiring landscape renewal.

Proposals will not be permitted where their visual impact would be inappropriate, in terms of the character, appearance, and landscape setting of the surrounding area.

Informative

An amenity valuation was carried out using TEMPO (Tree Evaluation Method For Preservation Orders). This system is used as a decision guide.

The TPO has been served as a means to control any pruning carried out to the trees and ensure that the value of the tree as an amenity is not reduced by poor or inappropriate pruning.

**Planning Applications Decided Under
 Delegated Powers Between
 25/06/2010 and 11/07/2010**

Application No.: APP/09/06144 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: Mr S Walker **Agent:**
Location: 91 GILROY ROAD, NEWTON, CH48 6DG
Proposal: Retention of decking and erection of fencing (amended description).

Application No.: OUT/09/06453 **Application Type:** Outline Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 28/06/2010 **Decision:** Refuse
Case Officer: Ms C Berry
Applicant: **Agent:** Devaplan
Location: 2-22 BELMONT, BIRKENHEAD, CH41 2TY
Proposal: Demolition of 11 terraced houses (2 storey with some basements) and construction of a one 4 storey residential block comprising 54 units of supported housing. Ground floor office, meeting room, kitchen, laundry and toilet. Parking for 13 cars (2 Disabled)

Application No.: LBC/10/00024 **Application Type:** Listed Building Consent
Ward: Claughton **Decision Level:** Delegated
Decision Date: 01/07/2010 **Decision:** Refuse
Case Officer: Miss S Mcllroy
Applicant: Miss Michelle Fenton **Agent:** Mr David Partington
Location: 11-17 Ashville Road, Birkenhead, Merseyside, CH41 8AU
Proposal: Installation of 2 communal satellite dishes.

Application No.: APP/10/00315 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:** simon j cushing chartered architect
Location: 43A THE WOODLANDS, TRANMERE, CH41 2SJ
Proposal: conversion of workshop to residential and erection of extension at ground and first floor

Application No.: APP/10/00341 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 25/06/2010 **Decision:** Approve
Case Officer: Miss S Hesketh
Applicant: Mr & Mrs R Phillips **Agent:** Bromilow Architects Ltd
Location: 9 IRBYSIDE ROAD, FRANKBY, CH48 1NU
Proposal: Proposed replacement dwelling

Application No.: APP/10/00377 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 07/07/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: **Agent:** Garry Usherwood Associates Limited
Location: Cricket Ground, New Brighton Cricket and Bowling Club, RAKE LANE, LISCARD, CH45 5DE
Proposal: Demolish existing pavilion and construct new pavilion with associated external works and erection of fencing to the north, south and east boundaries

Application No.: APP/10/00439 **Application Type:** Full Planning Permission
Ward: Prenton **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Refuse
Case Officer: Miss S McIlroy
Applicant: Mr Gary Rigg **Agent:** Bryson Design Ltd
Location: 15 BRAMWELL AVENUE, PRENTON, CH43 0RG
Proposal: Erection of a single storey rear extension

Application No.: APP/10/00452 **Application Type:** Full Planning Permission
Ward: Claughton **Decision Level:** Delegated
Decision Date: 05/07/2010 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: Mr Jaymin Morar **Agent:** ABC Solutions
Location: Ambleside, 155 UPTON ROAD, BIDSTON, CH43 7QE
Proposal: Alteration to first-floor front window to Juliet balcony, extension to first floor rear balcony, additional window in side extension and passageway to pool extension altered (Amendments to previously submitted application 09/06111)

Application No.: APP/10/00457 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:**
Location: Cakes Unique, 13 VILLAGE ROAD, HIGHER BEBINGTON, CH63 8PP
Proposal: Proposal is to convert use of retail shop space to office space.

Application No.:	APP/10/00498	Application Type:	Full Planning Permission
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	01/07/2010	Decision:	Approve
Case Officer:	Miss S Hesketh		
Applicant:	Mr T Rainford	Agent:	CADStation Ltd
Location:	Carl Roberts, 2A-2B ARGYLE STREET, BIRKENHEAD, CH41 1AH		
Proposal:	New roller shutting opening and vehicular crossing onto Bridge Street		
Application No.:	APP/10/00502	Application Type:	Full Planning Permission
Ward:	Seacombe	Decision Level:	Delegated
Decision Date:	29/06/2010	Decision:	Approve
Case Officer:	Miss S Hesketh		
Applicant:	Mr P Riddiough	Agent:	Niall Patterson Associates
Location:	51 RAPPART ROAD, EGREMONT, CH44 6QD		
Proposal:	Single storey rear extension to house		
Application No.:	APP/10/00503	Application Type:	Full Planning Permission
Ward:	Leasowe and Moreton East	Decision Level:	Delegated
Decision Date:	02/07/2010	Decision:	Approve
Case Officer:	Miss S Hesketh		
Applicant:	Mr P Chahal	Agent:	Minchellas Design Service
Location:	30 CHELTENHAM CRESCENT, LEASOWE, CH46 1PU		
Proposal:	Detached garage to front of property		
Application No.:	OUT/10/00506	Application Type:	Outline Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	30/06/2010	Decision:	Refuse
Case Officer:	Mr K Spilsbury		
Applicant:	Mr G Wallis	Agent:	Taylor Young
Location:	Longacre, COTTAGE LANE, GAYTON, CH60 8PB		
Proposal:	Demolition of existing house and erection of two houses (Outline application with all matters reserved other than access).		
Application No.:	APP/10/00510	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	09/07/2010	Decision:	Approve
Case Officer:	Mrs J McMahan		
Applicant:	Mr M Radley	Agent:	
Location:	3 CIRCULAR DRIVE, HESWALL, CH60 6RA		
Proposal:	Alteration to form lounge and hall extension.		

Application No.: APP/10/00512 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 25/06/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mrs Leanne Wells **Agent:**
Location: Pavement fronting The Olive Tree, 78 Victoria Road, New Brighton, Wallasey, Wirral, CH45 2JF
Proposal: Change of use of part of footpath to pavement cafe

Application No.: APP/10/00515 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 07/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr & Mrs Banton **Agent:** Mr M Hilton
Location: 140 MILNER ROAD, BARNSTON, CH60 5SB
Proposal: Erection of a single storey extension to side and rear of existing house.

Application No.: APP/10/00542 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 09/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Groundwork Merseyside
Location: Shorefields House, SHOREFIELDS, NEW FERRY
Proposal: Environmental & access improvements to residential grounds comprising: improved secure boundary treatments, new DDA compliant access entrance ramps with hand rails, bin stores, raised planters, pathworks, tree & shrub planting.

Application No.: APP/10/00546 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 09/07/2010 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: **Agent:** Comtecsha Ltd.
Location: School House, 30 VALKYRIE ROAD, LISCARD, CH45 4RQ
Proposal: Change of use to convert vacant caretaker house into educational resource centre, erection of a single storey side extension and external entrance ramp

Application No.: APP/10/00547 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 28/06/2010 **Decision:** Approve
Case Officer: Miss S Hesketh
Applicant: Miss Susan Carter **Agent:** Mr Peter Lewis
Location: 12 TUNSTALL CLOSE, UPTON, CH49 6PE
Proposal: Erection of a single storey conservatory to side elevation

Application No.: APP/10/00549 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Richard Heyns **Agent:**
Location: 4 HOLMWOOD AVENUE, THINGWALL, CH61 1AX
Proposal: Work to single family house, extending at rear side, including extending roof sideways, but not higher than current roofline, plus internal re-configuration of rooms.

Application No.: APP/10/00550 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 28/06/2010 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: Mrs W Pleavin-Lea **Agent:** J Theobald
Location: 9 LESLIE AVENUE, GREASBY, CH49 1RS
Proposal: Single storey gable extension

Application No.: APP/10/00558 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 30/06/2010 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Mark Houston **Agent:**
Location: 15 RYLAND PARK, THINGWALL, CH61 9QJ
Proposal: Proposed extension to existing dormers, it is proposed to extend the existing rooms at first floor level to enlarge existing habitable area

Application No.: APP/10/00559 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Refuse
Case Officer: Miss S Hesketh
Applicant: Mrs M Joiner **Agent:** Survey & Design Associates
Location: 16 WIRRAL WAY, NOCTORUM, CH43 9SF
Proposal: Erection of timber enclosure for use as cattery to rear of garden for 10 cats

Application No.: APP/10/00560 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 28/06/2010 **Decision:** Refuse
Case Officer: Miss K Elliot
Applicant: Mr Paul Abbott **Agent:** Mr Alex Townley
Location: 6 WITHENFIELD, LISCARD, CH45 7NP
Proposal: Erection of a single storey front extension and block paved parking area

Application No.: APP/10/00562 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Brew **Agent:** The Kenefick Jones Partnership Limited
Location: 4 OLD WOOD ROAD, PENSBY, CH61 5UZ
Proposal: Two Storey & Single Storey Extension

Application No.: APP/10/00563 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Gary Roberts **Agent:** Survey & Design Associates
Location: 5 COWDREY AVENUE, BIDSTON, CH43 7YB
Proposal: Erection of a two storey side extension

Application No.: ADV/10/00564 **Application Type:** Advertisement Consent
Ward: **Decision Level:** Delegated
Decision Date: 28/06/2010 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: **Agent:** Evolve Group Ltd
Location: Somerfield, 131 VICTORIA ROAD, NEW BRIGHTON, CH45 2JD
Proposal: Installation of externally illuminated fascia signs projection sign totem sign various car park signage

Application No.: APP/10/00565 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Refuse
Case Officer: Miss S Mcllroy
Applicant: Mr M Grace **Agent:**
Location: Park Medical Centre, 2 PARK ROAD, WEST KIRBY, CH48 4DN
Proposal: Erection of timber fence above existing sandstone walls to a new height of 2m above ground level. New 2m timber gates included

Application No.: ADV/10/00566 **Application Type:** Advertisement Consent
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 29/06/2010 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: Mr Martin Grace **Agent:**
Location: Park Medical Centre, 2 PARK ROAD, WEST KIRBY, CH48 4DN
Proposal: Erection of non-illuminated free standing advertisement sign

Application No.: APP/10/00567 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 30/06/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr R Thompson **Agent:**
Location: 11 MILLBUTT CLOSE, HIGHER BEBINGTON, CH63 8QH
Proposal: Erection of a first floor side extension

Application No.: APP/10/00570 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 01/07/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: **Agent:** Kenneth J Banks MRICS Chartered Surveyor
Location: The Local, 383 UPTON ROAD, NOCTORUM, CH43 9SE
Proposal: Erection of two storey, part single storey, extension to existing shop at 383 Upton Road

Application No.: APP/10/00573 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 06/07/2010 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: Mrs Grimes **Agent:**
Location: 12 GREENLEAS ROAD, WALLASEY VILLAGE, CH45 8LS
Proposal: Erection of a pitched roof to existing two-storey flat roofed side extension

Application No.: APP/10/00574 **Application Type:** Full Planning Permission
Ward: Oxtan **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Roy Ewart **Agent:** Mr Kevin Morris
Location: 5-7 ST ANDREWS ROAD, CLAUGHTON, CH43 1TB
Proposal: Conversion of former hostel back to 2no.six bedroom semi detached houses with minor alterations to windows and doors

Application No.: APP/10/00575 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 05/07/2010 **Decision:** Refuse
Case Officer: Miss S Mcllroy
Applicant: Mr Steve Brennan **Agent:** Mr Daniel Turner
Location: 33 BIRCHFIELD, SAUGHALL MASSIE, CH46 5NS
Proposal: Erection of a single storey front extension

Application No.: APP/10/00576 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 05/07/2010 **Decision:** Approve
Case Officer: Miss S Hesketh
Applicant: Mr S Thomson **Agent:** Survey & Design Associates
Location: 11 WARREN DRIVE, NEW BRIGHTON, CH45 0JN
Proposal: Garage extension

Application No.: APP/10/00577 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 05/07/2010 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr J Barnes **Agent:** Mr S N Amery
Location: 5 NORBURY CLOSE, HIGHER BEBINGTON, CH63 2HL
Proposal: Demolition of existing garage.
Erection of two storey side and single storey rear extension

Application No.: APP/10/00578 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:**
Location: 6 PRINCES PAVEMENT, BIRKENHEAD, CH41 2XY
Proposal: Change of use from class A1 to class A2 retail (financial professional services) for use as a bookmaker, new shop front, rear entrance, minor building works, air-conditioning, satellite and tv aerial

Application No.: APP/10/00594 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 08/07/2010 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mrs Christine Bryan **Agent:** Castree Design
Location: Midway, 61 MEOLS DRIVE, HOYLAKE, CH47 4AG
Proposal: Erection of a single storey side and rear extension (Amendment to APP/2009/6312 to reduce width of side extension, retain first floor bay window and lantern roof lights)

Application No.: APP/10/00595 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 08/07/2010 **Decision:** Refuse
Case Officer: Miss K Elliot
Applicant: Mr Martyn Sutterby **Agent:** Survey & Design Associates
Location: 37 MELLONCROFT DRIVE, CALDY, CH48 2JA
Proposal: Erection of detached garage to front garden and dropped kerb for new driveway

Application No.:	APP/10/00599	Application Type:	Full Planning Permission
Ward:	Bidston and St James	Decision Level:	Delegated
Decision Date:	09/07/2010	Decision:	Approve
Case Officer:	Miss K Elliot		
Applicant:	Mr H Kular	Agent:	Survey & Design Associates
Location:	268 CONWAY STREET, BIRKENHEAD, CH41 4AG		
Proposal:	Retention of increase in height of rear yard wall		
Application No.:	APP/10/00607	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	06/07/2010	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:		Agent:	Mr P Corns
Location:	Asda Superstore, WELTON ROAD, BROMBOROUGH		
Proposal:	Proposed additional new refrigeration plant unit at roof level alongside existing units		
Application No.:	APP/10/00615	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	08/07/2010	Decision:	Approve
Case Officer:	Ms C Berry		
Applicant:		Agent:	2020 Liverpool Ltd.
Location:	Amenity Open Space, POOL LANE, BROMBOROUGH		
Proposal:	Revision to layout and location of playground approved under planning application - 10/00061		
Application No.:	APP/10/00616	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	08/07/2010	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr P Storer	Agent:	Bryson Design Ltd
Location:	2 MEADWAY, BROMBOROUGH, CH62 2AR		
Proposal:	Two Storey side extension		
Application No.:	APP/10/00639	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	09/07/2010	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:		Agent:	K D H Design Services
Location:	The Local, 6 ALLPORT LANE, BROMBOROUGH, CH62 7HP		
Proposal:	Change of use to A2 Betting office including new rear and side extension (single storey only). Installation of new shop front, satellite dishes and air conditioning units.		

Application No.: APP/10/00659 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs Frenkel **Agent:**
Location: 2 STEWART CLOSE, PENSBY, CH61 6YD
Proposal: Proposed single storey side extension

Application No.: APP/10/00665 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 02/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr John Cannon **Agent:**
Location: Barnard, CROSSDALE ROAD, EASTHAM, CH62 6BT
Proposal: Retrospective planning application for the construction of an Orangery at detached dwelling on land at rear of Barnard, Crossdale Road, Bromborough

Application No.: ANT/10/00705 **Application Type:** Prior Approval of Telecommunications PD
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 09/07/2010 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: **Agent:** Adams Holmes
Location: Junction at Beaufort Road and Lincoln Street, Birkenhead, Wirral.
Proposal: The Replacement of the existing 13.8m high monopole with a new dual use 13.8m high monopole and installation of a ground based 02 cabinet at the Junction of Beaufort Road and Lincoln Street, Birkenhead.

Application No.: ANT/10/00706 **Application Type:** Prior Approval of Telecommunications PD
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 09/07/2010 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Adams Holmes
Location: Land Outside The Seven Stiles, UPTON ROAD, NOCTORUM, CH43 9RW
Proposal: The replacement of the existing 12.5 m high monopole with a new dual use 12.5m high monopole and installation of a ground based Vodafone cabinet at land outside The Seven Stiles Pub, Noctorum, Wirral, CH43 9RW.

Application No.: ANT/10/00707 **Application Type:** Prior Approval of Telecommunications PD
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 09/07/2010 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:** Adams Holmes
Location: Pavement at Ashburton Road, Cloughton, Birkenhead, CH43 6TP
Proposal: The replacement of the existing 14.38m high monopole with a new dual use 13.8m high monopole and installation of a ground based 02 Cabinet at the Pavement on Ashburton Road, Cloughton, Birkenhead, CH43 6TP.

Application No.: APP/10/00790 **Application Type:** Full Planning Permission
Ward: **Decision Level:** Delegated
Decision Date: 06/07/2010 **Decision:** Not an application
Case Officer: Miss K Elliot
Applicant: Mr Frederick Hibberd **Agent:** Mr Simon Finney
Location: 44 Wellington Road, Wallasey, Wirral, CH45 2NG
Proposal: Internal alterations for the provision of disabled person's wheelchair lift.

Total Number of Applications Decided: 50

Summary of data

	Total Per
Approve	40
Not an application	1
Refuse	9
Report Total	50

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