

PLANNING COMMITTEE

Tuesday, 25 October 2011

Present:

Councillor	D Elderton (Chair)	
Councillors	W Clements	B Mooney
	E Boulton	D Realey
	P Johnson	J Salter
	S Kelly	J Walsh
	D Mitchell	

Deputies:

Councillors	P Glasman (In place of B Kenny)
	J Keeley (In place of P Hayes)

89 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meetings held on 6 and 20 September, 2011.

Resolved – That the minutes be received.

90 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

Councillor Bernie Mooney declared a personal interest in respect of planning application APP/11/00977 Images Kitchens, 68-70 Wallasey Road, Liscard, CH44 2AE – Change of use only to class A5 chip shop use, by virtue of having been referred to in the report.

91 REQUESTS FOR SITE VISITS

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

The following request for a site visit was unanimously approved:

APP/10/01105 – Continental Landscapes, Wharf Street, Port Sunlight, CH62 5HD – Construction of 12no. family houses on vacant land at the junction of Water and Wharf Street and associated landscaping works (Amended Plans). (Councillor Salter).

92 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

- 93 **APP/10/01105 - CONTINENTAL LANDSCAPES, WHARF STREET, PORT SUNLIGHT, CH62 - CONSTRUCTION OF 12NO. FAMILY HOUSES ON VACANT LAND AT THE JUNCTION OF WATER AND WHARF STREET AND ASSOCIATED LANDSCAPING WORKS (AMENDED PLANS).**

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

- 94 **APP/11/00714 - LAND OFF LAIRD STREET, BOUNDED BY BRAY STREET, BRILL STREET AND BRASSEY STREET, BIRKENHEAD, WIRRAL - THE CREATION OF 62 NO. RESIDENTIAL UNITS AND ASSOCIATED WORKS (AMENDED DESCRIPTION).**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor John Salter and seconded by Councillor Dave Mitchell it was:

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

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

2. Before any construction commences, full details and samples of the all the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

3. No development shall commence until a ground contamination survey has been undertaken, taking into account any potential contaminants from all known previous land uses. Should this survey identify any such contaminants, then a scheme of remediation to render the site suitable for use shall be submitted to and approved in writing by the Local Planning Authority prior to such works being undertaken. A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall also be submitted to and approved in writing by the Local Planning Authority.

4. The remainder of the undeveloped land within the curtilage of the site shall be suitably hard and soft landscaped with in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to commencement of any construction work on the site. Such landscaping work to be shall be carried out prior to the occupation of any part of the development or in accordance with an alternative timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

5. All existing trees which are not directly affected by the buildings and works hereby granted permission shall be clearly located and described in the landscaping scheme required. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted without prior approval of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development shall be replaced with a tree of a species and size and in such position, as the Local Planning Authority may require, in conjunction with the general landscaping required herein.

Prior to the commencement of construction the trees to be retained on the site shall be protected by chestnut paling fences 1.5 metres high erected to the full extent of their canopies or such lesser extent as may be approved by the Local Planning Authority, the fencing to be removed only when the development (including pipelines and other underground works) has been completed; the enclosed areas shall at all times be kept clear of excavated soil, materials, contractors' plant and machinery.

6. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied and the development shall be carried out in accordance with the approved details.

7. The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the local planning authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

8. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed finished floor levels. The development shall be implemented in accordance with the approved scheme..

9. No development shall commence until details of the proposed measures to be incorporated within the development to achieve 10% of the predicted energy requirements of the site from renewable sources have been submitted to and agreed in writing by the Local Planning Authority, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. The development shall be implemented in accordance with the approved details and operated as such thereafter.

10. The development hereby granted permission shall not be commenced until a full scheme of works for provision within the development of a traffic calming scheme, and the implementation of a 20mph speed limit including all

appropriate signage and traffic regulation orders, has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of any part of the development.

11. The development shall be implemented in accordance with the plans received by the Local Planning Authority 29th September 2011.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Amendment)(No.2) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the first floor rear elevations of properties at Plots 6-9 or Plots 53-62.

95 **APP/11/00834 - LAND ADJACENT TO 47 WRIGHT STREET, EGREMONT, CH44 8BD - ERECTION OF A NEW DWELLING.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor John Salter and seconded by Councillor Eddie Boulton it was:

Resolved (10:02) –That the application be approved subject to the following conditions:

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

2. Before any construction commences, samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

3. The first and second floor windows facing south-west shall not be glazed otherwise than with obscured glass and top hung 1.7m above finished floor level or fixed shut, and thereafter be permanently retained as such.

4. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 16 August 2011

5. No part of the development shall be brought into use until the obsolete section of vehicular crossing on Wright Street has been made up to standard footway levels. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

96 **APP/11/00887 - 21 WEBSTER AVENUE, EGREMONT - DEMOLITION OF 21, 21A, 23, 23A, 25, 25A, 27, 27A, 29, 29A, 31 & 31A WEBSTER AVENUE AND 1 RICHARD CHUBB DRIVE - CONSTRUCTION OF A FOUR STOREY BUILDING WITH 500M² OF COMMUNITY FACILITIES SERVING ALL OF THE MARINERS PARK RESIDENTS ON THE LOWER GROUND FLOOR AND 18, ONE AND TWO BEDROOM FLATS OVER THE OTHER THREE STOREYS.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor John Salter and seconded by Councillor Eddie Boulton it was:

Resolved (10:02) –That the application be approved subject to the following conditions;

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

2. Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced. The materials shall subsequently be used in the development constructed, and retained as such thereafter.

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

4. The proposed landscaping shall be completed before the accommodation hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.

97 **APP/11/00909 - VACANT SHOP, 139-141 TELEGRAPH ROAD, HESWALL, CH60 7SE - EXTENSION OF TIME APPLICATION FOR 2008/5912.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

The applicant's representative addressed the meeting.

On a motion by Councillor Denise Realey and seconded by Councillor Dave Mitchell it was:

Resolved (9:3) –That the application be approved subject to the following conditions;

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

2. 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.

3. An Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority before development commences. The travel plan shall outline the commitments of the developer in terms of infrastructure to support travel by sustainable modes. The developer commitments contained within the submitted and agreed Travel Plan shall be implemented prior to first occupation.

4. The units (Units 1 to 9) shall be closed between 23.30 hrs and 07.00 hrs Monday to Saturday and all day Sunday.

5. The external areas at second floor level as shown on Plan A_107 (Rev. P1) shall not be used as a sitting out area or eating or drinking or for any other purpose or activity between 21.00 hrs and 07.00 hrs.

6. Development shall not commence until a full scheme of works has been submitted to and approved in writing for:

- Improvement to Castle Drive, Heswall, incorporating the reinstatement to standard footway levels of the existing obsolete access to the rooftop car park; and
- The provision of one pair of pedestrian tactile dropped crossings at the junction with Mount Road.

The works shall have been completed in full in accordance with the scheme of works before first occupation of the development hereby permitted.

98 **APP/11/00911 - DAVID ARNOLD BAKERS, 200 LISCARD ROAD, LISCARD, CH44 5TN - ALTERATIONS TO SHOP FRONT.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Eddie Boulton it was:

Resolved (12:00) –That the application be approved subject to the following condition;

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

99 **APP/11/00932 - VACANT FACTORY, EAST STREET, SEACOMBE, CH41 1FG - CHANGE OF USE OF FORMER BASF FACTORY SITE FOR USE AS EMERGENCY SERVICES TRAINING CENTRE IN CONJUNCTION WITH JOHN MOORES UNIVERSITY.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

The Development Control Manager reported that a letter had been received from LJMU noting that it had no commercial connection with the proprietor of this application.

On a motion by Councillor John Salter and seconded by Councillor Eddie Boulton it was:

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

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

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes Order) 1987 (or any subsequent re-enactment) the development shall only be used as an emergency services training centre, and for no other purpose within Use Class D1.

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

4. Development shall not be commenced until a Framework Travel Plan has been submitted to and approved in writing by the local planning authority. The Framework Travel Plan shall include proposals and commitments to the promotion of sustainable transport including:

- **Access to the site by staff**
- **Information on existing transport services to the site and staff travel patterns;**
- **Travel Plan principles including measures to promote and facilitate more sustainable transport;**
- **Realistic targets for modal shift or split;**
- **Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;**
- **Measures and resource allocation to promote the Travel Plan; and**
- **Mechanisms for monitoring and reviewing the Travel Plan, including the commitment to submit an annual review and action plan to the local planning authority.**

5. A Full Travel Plan shall be submitted to and approved in writing by the local planning authority within 6 months of the occupation of the development hereby granted. The provisions of the Full Travel Plan shall be implemented and operated in accordance with a programme detail therein and shall not be varied other than through agreement with the Local Planning Authority. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:

- **Access to the site by staff**
- **Information on existing transport services to the site and staff travel patterns;**
- **Travel Plan principles including measures to promote and facilitate more sustainable transport;**

- Realistic targets for modal shift or split;
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- Measures and resource allocation to promote the Travel Plan; and
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

100 **APP/11/00977 - IMAGES KITCHENS, 68-70 WALLASEY ROAD, LISCARD, CH44 2AE - CHANGE OF USE ONLY TO CLASS A5 CHIP SHOP USE.**

Councillor Bernie Mooney left the room during consideration of the following application.

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor James Keeley and seconded by Councillor Denise Realey it was:

Resolved (9:2) – That the application be refused on the grounds that the proposed change of use would be contrary to Policy SH1 of the Unitary Development Plan and associated Supplementary Planning Document SPD3 in that it would result in nuisance and loss of amenity to local residents through noise and general disturbance, and would lead to a detrimental change in the character of the area given existing numbers of such uses in the immediate vicinity.

101 **APP/11/01033 - 104 NEW CHESTER ROAD, NEW FERRY, CH62 5AG - SINGLE STOREY REAR EXTENSION.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor James Keeley it was:

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

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

102 **DEVELOPMENT MANAGEMENT QUARTERLY PERFORMANCE - 1 APRIL 2011 TO 30 JUNE 2011 (FIRST QUARTER) AND 1 JULY 2011 TO 30 SEPTEMBER 2011.**

A report of the Acting Director of Regeneration, Housing and Planning set out Development Management Performance under Central Government's data requirements for the first and second quarters of 2011/2012. This period covered 1 April 2011 to 30 June 2011 (First Quarter) and 1 July 2011 to 30 September 2011. The report covered the performance for all applications, i.e. Majors, Others and Minors.

Resolved – That the report be noted.

103 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 10/09/2011 AND 12/10/2011.**

The Acting Director of Regeneration, Housing and Planning submitted a report detailing applications delegated to him and decided upon between 10/09/2011 and 12/10/2011.

Resolved – That the report be noted.
