

PLANNING COMMITTEE

Thursday, 22 August 2013

<u>Present:</u>	Councillor	B Mooney (Chair)	
	Councillors	D Realey D Elderton S Kelly P Brightmore A Leech	J Walsh I Williams E Boulton P Hayes S Mountney
<u>Deputies:</u>	Councillors	P Glasman L Rowlands (in place of W Clements)	

78 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 25 July 2013.

Resolved – That the minutes be received.

79 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary or non pecuniary interests in connection with any of the items on the agenda and state the nature of the interest.

Councillor Leech and Councillor Hayes declared personal interests in respect of item 6 by virtue of them residing in the area.

80 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

APP/13/00866:151 VICTORIA ROAD, NEW BRIGHTON, CH45 9LB - Change of use of a property from a single residence to a house of multiple occupation to provide 12 bedrooms with communal kitchen, living rooms and bathrooms. Also to include alterations to windows to the front elevation.

APP/13/00677: Land Adjacent to 16 LINGDALE ROAD, WEST KIRBY, CH48 5DQ - To sever the curtilage and erect 1no. detached dwelling together with associated works.

APP/13/00779: Hillfield, 82 BRIMSTAGE ROAD, BARNSTON, CH60 1XQ - New conservatory to rear of house.

81 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business.

82 **APP/13/00565: NORTH WEST HOUSE, GRANGE ROAD, WEST KIRBY - CHANGE OF USE OF FIRST FLOOR OF PREMISES TO FUNCTION VENUE AND PRIVATE MEMBERS CLUB (SUI GENERIS)**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Hayes and seconded by Councillor Mountney the Committee voted to amend condition number 2 from:

'The premises shall remain closed between the hours of 23:30 hours and 08:00 hours'

To

The premises shall remain closed between the hours of 23:30 hours and 12:00 hours'

The vote was put to the Committee and carried (12:1)

On a motion by Councillor Hayes and seconded by Councillor Mountney it was:

Resolved (13:0) – That the officers recommendation to the planning inspectorate be approved subject to amended hours condition.

83 **APP/13/00568: 2 GRANGE ROAD, WEST KIRBY, CH48 4HA - CHANGE OF USE AT REAR PART OF BUILDING TO FUNCTION VENUE AND PRIVATE MEMBERS CLUB.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Hayes and seconded by Councillor Mountney the Committee voted to amend condition number 2 from:

'The premises shall remain closed between the hours of 23:30 hours and 08:00 hours'

To

The premises shall remain closed between the hours of 23:30 hours and 12:00 hours'

The vote was put to the Committee and carried (12:1)

On a motion by Councillor Hayes and seconded by Councillor Mountney it was:

Resolved (13:0) – That the officers recommendation to the planning inspectorate be approved subject to amended hours condition.

84 **APP/13/00629: CLASSIC CARS OF WIRRAL LTD, WALLASEY VILLAGE, CH45 3LP - CONSTRUCTION OF RETAIL STORE (USE CLASS A1) WITH ACCESS, CAR PARKING AND ASSOCIATED WORKS (REVISED SCHEME)**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Petitioner addressed the Committee

The Applicant addressed the Committee

A Ward Councillor addressed the Committee

On a motion by Councillor Hayes and seconded by Councillor Kelly it was:

Resolved (11:2) That the application be refused on the following grounds:

Having regard to the scale and siting of the proposed development and the close proximity of the proposed new building to adjacent residential properties, (in particular Nos 42, 44, 46 and 48 Marshlands Road) the development proposed would result in an unneighbourly and unacceptable form of development in that it would lead to overshadowing of adjoining dwellings together with noise and general disturbance associated with the activities related to the proposed use of the land which would be detrimental to the amenities which the occupiers of these properties could reasonably expect to enjoy. The proposal id allowed would be contrary to Policy SH6 of

the adopted Wirral Unitary Development Plan

The Local Planning Authority considers the proposal to be unsatisfactory in that inadequate provision has been made within the site to cater for servicing needs likely to be generated by the proposal and inadequate provision has been made within the site for off-street parking needs likely to be generated by the proposed development which would be detrimental to the amenities which the occupiers of nearby residential properties could reasonably expect to enjoy. The development proposed would be contrary to Policy SH6 of the adopted Wirral Unitary Development Plan and supplementary Planning Document 4.

85 APP/13/00673: LAND OFF LAIRD STREET, BIRKENHEAD, WIRRAL, CH41 8EX - PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF 125NO. DWELLINGS.

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Glasman and seconded by Councillor Realey it was;

Resolved (12:1) That the application be approved subject to a section 106 agreement and the following conditions:

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

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.

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. For the avoidance of doubt, it must include:

- (i) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to: human health, property (existing and proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.**

4Where land affected by contamination is found that poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning

Authority. The scheme must include an appraisal of remediation options, identification of the preferred options, the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan and subsequent monitoring and maintenance scheme. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act in relation to its intended use. The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development being brought into use.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, development on that part of the site shall be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development being brought into use.

Notwithstanding the detail provided in the approved plans, 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 in accordance with the plan approved, before the buildings are first occupied.

The development hereby permitted shall not be commenced until such time 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. For the avoidance of doubt, the scheme shall include a 30% reduction in impermeable surfacing/ or commensurate reduction in surface water run-off from the existing development. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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 scheme shall ensure:

- (i) Flood flow routing across the site shall be uninterrupted**
- (ii) Finished floor levels shall be raised a minimum of 0.15m above existing ground levels.**

The scheme shall be fully implemented and subsequently maintained, in

accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

No development shall commence until the Local Planning Authority has approved in writing a full scheme of works to include :-

i) the details of traffic calming measures within Milner Street, Rundle Street, Carrington Street, Thorneycroft Street and Plumer Street, including the relocation and reinstatement of any existing road humps to the latest Local Authority standard.

ii) the existing carriageways within the site to be resurfaced as per the Highways Authority's Adoptable Residential Road Specification.

iii) the existing footways to be reconstructed with flexible construction and proposed pedestrian tactile paved crossings to be provided at locations agreed with the Council's Highway's Dept as per our Highways Authority Adoptable Residential Road Specification.

iv) the proposed street lighting locations and design.

v) visibility splays of 2.4m x 2.4m to each vehicular crossing

The development authorised by this permission shall not be occupied until the approved works have been completed in full in accordance with the approved scheme of works.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th May, 09th August and 19th August 2013 and listed as follows: 13004 000 (April 2013), 13004 001 Rev D (April 2013), 2012/622-100-- (undated), 2012/622-100/A (undated), HH08/665-100/02 (May 2008), HH08/763B-100/02 (November 2010), HH08/843FE-100/02A (May 2008), HH08/844FE-100/02A (May 2008), HH08/844SE-100/02A (May 2008), 2012/919-100 (undated), 2012/740v1-100 (undated), HH2008/1011-100/02 (May 2008), HH2008/1311-100/02 (April 2013), L4573/01 (13/05/2013), L4573/02 (13/05/2013), L4573/03 (13/05/2013).

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.

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for the area identified as Public Open Space on approved drawing 13004 001 Rev D shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.

No development shall commence until a scheme of security lighting for the illumination of the area of Public Open Space and the 'proposed link to existing footpath' between the development site and the adjacent land to the west, as indicated on approved drawing 13004 001 Rev D, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the first use or occupation of the residential units hereby permitted, and retained as such thereafter.

The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;**
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);**
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

The proposed temporary sales building shall only be implemented in accordance with the approved plans submitted to the Local Planning Authority on the 9th August 2013, listed as follows: 13004-02 (July 2013) and 2008/SD/T1-203E (June 2010). The building shall be used only for the promotion of sales of residential units within the development hereby permitted and for no other purpose, and shall be permanently removed from the site prior to the occupation of the 100th dwelling within the development hereby permitted, or within 2 years of the commencement of development (whichever is the sooner), unless an alternative timescale has previously been submitted to and agreed in writing by the developer.

- 86 **APP/13/00677: LAND ADJACENT TO 16 LINGDALE ROAD, WEST KIRBY, CH48 5DQ - TO SEVER THE CURTILAGE AND ERECT 1NO. DETACHED DWELLING TOGETHER WITH ASSOCIATED WORKS.**

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

- 87 **APP/13/00684: WETHERSFIELD HOUSE, WETHERSFIELD ROAD, NOCTORUM - AMENDEMENT TO PREVIOUS APPROVAL APP/12/00962: AMENDMENT TO HOUSE DESIGN AND AMENDMENT TO ACCESS ARRANGEMENT.**

The Strategic Director of Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Glasman and seconded by Councillor Realey it was:

Resolved (12:1) That the application be approved subject to the following conditions:

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

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 3 July 2013 and listed as follows: B101 Rev E (07.2013) and B103 Rev A (07.2013).

Within three months of the approval date, details of the widened footway crossings to the north and south access points of the site shall be submitted to and agreed in writing by the Local Authority. These works shall be implemented in accordance with the details agreed and within a timescale agreed, which has been submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

- 88 **APP/13/00688:2 LYMM ROAD, BIDSTON, CH43 7NR - PROPOSED CATTERY COMPRISING OF AN OUTBUILDING OF 15 SMALL UNITS TO HOUSE A MAXIMUM OF 20 CATS, AND ISOLATION UNIT.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Leech and seconded by Councillor Realey it was:

Resolved (11:2) That the application be approved subject to the following conditions:

The development hereby permitted shall be commenced before the expiration of

three years from the date of this permission.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (insert date) and listed as follows: (insert plan/drawing numbers & date)

The cattery building hereby approved shall provide accommodation for no more than 20 cats at any one time, and no other animals at any time.

The dropping-off and collection of cats by customers shall be between the hours of 08.00 hours and 21.00 hours

89 **ADV/13/00689: 2 LYMM ROAD, BIDSTON, CH43 7NR - ADVERTISEMENT CONSENT FOR FASCIA SIGN AND HANGING SIGN (AMENDED PLANS RECEIVED)**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Walsh and seconded by Councillor Glasman it was:

Resolved (11:2) That the application be approved subject to the following conditions:

Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

This consent shall expire after a period of 5 years from the date of this permission.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8th August 2013.

90 **APP/13/00706: HOLMVILLE, 140 CALDY ROAD, CALDY, CH48 1LN**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Ward Councillor addressed the meeting

It was moved by Councillor Elderton and seconded by Councillor Mountney

'That the application be refused'

The motion was put and lost (6:7)

It was then moved by Councillor Realey and seconded by Councillor Walsh

'That the application be approved'

The motion was put and carried (7:6)

Resolved (7:6) That the application be approved subject to the following conditions:

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

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.

Prior to the commencement of development, details of boundary treatment between the proposed dwelling and 140 Caldý Road , shall be submitted to and agreed in writing with the Local Planning Authority. The boundary treatment shall be carried out in accordance with the agreed details and retained as such thereafter.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

No development shall be commenced until a sample of the type of roof material and a sample of rain water goods have all been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.

No development shall commence until cross section drawings (scale: 1:5 or 1:2) and full details of all the aluminium windows and doors are submitted to and approved in writing by the Local Planning Authority. These drawings shall be submitted and approved in writing by the Local Authority before work commences and shall be retained as such thereafter.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 28th May 2013 and listed as follows: 1744-S1, 1305-01,1305-100, 1305-101, 1305-102, 1305-103 and 1305 104

91 **APP/13/00771: LAND OFF FENDER LANE, FENDER LANE, MORETON, WIRRAL, CH46 9PA - THE INSTALLATION OF A SINGLE STOREY GAS GOVERNOR KIOSK WITH FENCED COMPOUND AND ACCESS**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Boulton it was:

Resolved (13:0) That the application be approved subject to the following conditions:

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

Details of the proposed hedge shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The proposed hedge shall be planted in accordance with

the agreed details within six months of the completion of the building hereby approved and thereafter shall be maintained to the satisfaction of the Local Authority.

Details of materials for all external work shall be submitted to and approved by the Local Planning Authority before any work is commenced.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th June 2013 and listed as follows: AW014/01, AW014/02, AW014/03, AW014/04, AW014/05 and AW014/06.

No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive.

- 92 **APP/13/00779: HILLFIELD, 82 BRIMSTAGE ROAD, BARNSTON, CH60 1XQ - NEW CONSERVATORY TO REAR OF HOUSE**

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

- 93 **APP/13/00842: CORBIERE, THORSWAY, CALDY, CH48 2JJ - DEMOLITION OF EXISTING HOUSE AND ERECTION OF NEW DWELLING WITHIN A SIMILAR FOOTPRINT.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Ward Councillor addressed the meeting.

On a motion by Councillor Elderton and seconded by Councillor Boulton it was:

Resolved (8:5) That the application be refused on the following grounds:

The development proposed would be unsatisfactory and undesirable having regard to its design, layout and building materials, resulting in an incongruous form of development in this part of Caldby Conservation Area, out of keeping with the established character of the immediate locality. The development, if allowed, would be contrary to Policies CH2 and CH11 of the adopted Wirral Unitary Development Plan and the Caldby Conservation Area Character Appraisal and Management Plan.

- 94 **APP/13/00844: BRIDGE COURT, BRIDGE ROAD, WEST KIRBY, WIRRAL CH48 4HT - PHASED NEW BUILD CONSTRUCTION OF DEVELOPMENT OF:(A) FORTY EIGHT APARTMENTS CONSISTING 8 NO. 1-BEDROOM**

AND 40 NO. 2- BEDROOM, WITH ASSOCIATED CAR PARKING AND LANDSCAPING; (B) HEALTHCARE FACILITY WITH ASSOCIATED CAR PARKING AND LANDSCAPING.

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Realey it was:

Resolved (13:0) That the application be approved subject to the following conditions:

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

No development shall commence until such time as a datum for measuring land levels has been submitted to and agreed in writing by the Local Planning Authority. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to first occupation of any part of the development unless an alternative timescale has previously been agreed in writing with the Local Planning Authority, in accordance with the details so approved, and retained as such thereafter.

No works or development to any part of the development site shall take place until a detailed Method Statement for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved method statement. For the avoidance of doubt, the method statement shall include:

A; 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. B; the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837). C; the details and positions 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. D; the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837). E; the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837). F; 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. G; 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) H; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction. I; the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site. J; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity. K; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837). L; the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837). M; the timing of the various phases of the works or development in the context of the tree protection measures.

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 Local Planning Authority.

All excavations within the crown spreads of existing trees, situated on or off site, shall be undertaken manually by hand with the use of hand

tools and only upon the prior written approval of the local authority shall the use of a mechanical digger be permitted within the crown spreads of trees. Severance of tree roots is to be avoided and under no circumstances shall roots of a diameter 25mm or greater be removed, severed or damaged.

No development shall commence 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.

No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site to the satisfaction of the Local Planning Authority prior to the occupation of the building.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase A until details of works to provide a footpath linking Orrysdale Road and Bridge Court have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details hereby submitted shall include a maintenance schedule. Prior to first occupation of any part of the Phase of development the works shall be completed in accordance with the written approval to the satisfaction of the Local Planning Authority and shall be retained as such thereafter and maintained in accordance with the approved maintenance schedule.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase A until details of works to widen Bridge Court and provide a turning head at its southernmost extent have been submitted to and agreed in writing by the Local Planning Authority. First occupation of any part of the Phase shall not commence until those works have been completed to the satisfaction of the Local Planning Authority.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase A until samples of the facing/roofing/window materials to be used in the external construction of this phase of the 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 phase of development.

Notwithstanding the submitted details, and having regard to the submitted Design Out Crime Advice, **NO DEVELOPMENT SHALL COMMENCE** within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase A until the Local Planning Authority has approved in writing the details of measures to be incorporated for the prevention of crime. The detail shall include the following measures:

- CCTV cameras to be installed to the buildings and car parks;
- Laminated glazing to be installed to ground floor vulnerable windows;

The development shall be implemented in accordance with the approved details, and retained as such thereafter.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase B until details of a regime for servicing and deliveries for the Health Care Facility have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented upon first occupation of the Health Care Facility and shall be retained as such thereafter. For the avoidance of doubt, all deliveries and servicing shall only take place between the hours of 07.00 and 22.00 Monday to Saturday. On Sundays and Bank Holidays, deliveries and servicing shall only take place between the hours of 09.00 and 17.00.

A Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 6 months of occupation of Phase B of the development, as indicated within submitted plan AR-XX-WS-PL-100-006 hereby approved. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme and shall not be varied other than through agreement with the Local Planning Authority. For the avoidance of doubt a travel plan should include, but shall not be limited to:

- A commitment to the principals outlined in the draft Framework

Travel Plan;

- **Any changes to the existing transport services to the site;**
- **Results of the initial staff travel survey;**
- **Details of visitor travel patterns;**
- **Revised targets for modal shift or split based upon the travel survey;**
- **Identification of a Travel Plan co-ordinator;**
- **An action plan of measures with a timescale for implementation;**
- **Detail of measures and resource allocation to promote the**

Travel Plan; and

- **Mechanisms for monitoring (which include mode share and exact numbers of staff) and reviewing the Travel Plan, including the submission of an annual review and action plan to the Local Planning Authority.**

Notwithstanding the submitted details, and having regard to the submitted Design Out Crime Advice, no development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase B until the Local Planning Authority has approved in writing the details of measures to be incorporated for the prevention of crime. The detail shall include the following measures:

- **CCTV cameras to be installed to the building and car park;**
- **Roller shuttering or 6.4mm laminated glazing to be installed to ground floor vulnerable windows;**
- **Bollards, planters or an alternative feature to the front and side elevations southwest and northwest facing) of the health centre capable of stopping a vehicular attack to the building.**

The development shall be implemented in accordance with the approved details, and retained as such thereafter.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase B until samples of the facing/roofing/window materials to be used in the external construction of this phase of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase B until as samples of the materials to be used in the surfacing of the car parking areas and pedestrian and highway routes of this phase of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development and shall be retained as such thereafter.

No development shall commence within that part of the development site indicated within submitted plan AR-XX-WS-PL-100-006 as Phase B until details of works to widen the existing footway to 2.0 metres along the east side of Orrysdale Road from the junction with Bridge Road to the southernmost extent of the site have been submitted to and agreed in writing by the Local Planning Authority. First occupation of the development in Phase B shall not commence until those works have been completed in accordance with the agreed details, to the satisfaction of the Local Planning Authority.

- 95 **APP/13/00866:151 VICTORIA ROAD, NEW BRIGHTON, CH45 9LB - CHANGE OF USE OF A PROPERTY FROM A SINGLE RESIDENCE TO A HOUSE OF MULTIPLE OCCUPATION TO PROVIDE 12 BEDROOMS WITH COMMUNAL KITCHEN, LIVING ROOMS AND BATHROOMS. ALSO TO INCLUDE ALTERATIONS TO WINDOWS TO THE FRONT ELEVATION.**

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

- 96 **PROPOSED REMOVAL OF REQUIREMENT FOR SECTION 106 AGREEMENT ON PLANNING APPLICATION APP/13/00599 (FOR A RESIDENTIAL DEVELOPMENT, CONSISTING 33 NO. AFFORDABLE HOUSES AND APARTMENTS AT THE FORMER POULTON PRIMARY SCHOOL SITE, ALDERLEY ROAD, POULTON).**

A report by the head of regeneration and environment sought members approval to relax the requirement for a Section 106 Agreement with regard to proposed highway contributions in connection to planning application APP/13/00599 (For a residential development, consisting 22 No. Affordable houses and apartments at the former Poulton Primary School site, Alderley Road, Poulton.

Resolved (13:0) – That requirement for a Section 106 Agreement in relation to planning application APP/13/00599 is removed so that the planning approval can be issued and alternative arrangements for funding the various works will be agreed through a Development Agreement.

- 97 **PROPOSED EXTENSION TO BURBO BANK OFFSHORE WIND FARM**

A report by the head of Regeneration and Environment provided an update to Members of the progress of a proposed development for which DONG Energy Burbo Extension (UK) Limited has submitted an application for consent to the Planning Inspectorate's National Infrastructure Directorate and clarified the Local Authorities' current role in the application process.

The report also sought Members views and endorsement of the representations made at officer level to register the Council's involvement in the forthcoming examination in public

Councillor Elderton requested that the following questions be asked:

1. If the development is approved how many jobs will it create?
2. What will the jobs comprise?
3. How long will the jobs last?
4. Will jobs be locally sourced?

Resolved (12:0 one abstention) That:

1. Members
endorse the representations made at this registration stage, to enable officers to participate at the forthcoming Preliminary Meeting with the suggestion that Officers ask questions as listed above concerning employment opportunities.
2. That Members
note the update provided, and in particular that a Local Impact Report will not be prepared in this instance.

98 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 01/07/2013 AND 11/08/2013**

The Strategic Director of Regeneration and Environment submitted a report detailing planning applications decided under delegated powers between 01/07/2013 and 11/08/2013.

Resolved – That the report be noted.
