

PLANNING COMMITTEE

Wednesday, 23 July 2014

Present: Councillor A Leech (Chair)

Councillors D Realey D Elderton
P Brightmore E Boulton
M Daniel P Hayes
C Spriggs K Hodson
J Walsh S Kelly
I Williams P Cleary

13 **MINUTES**

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 17 June 2014.

Resolved – That the minutes be approved

14 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

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

Councillor Leech declared a personal interest in respect of item 7 by virtue of her living in close proximity.

Councillor Leech declared a personal interest in respect of items 8 and 15 by virtue of her being a Ward Councillor.

Councillor Cleary declared a prejudicial interest in respect of item 4 by virtue of work undertaken in the matter prior to being elected as Councillor.

Councillor Hayes declared prejudicial interests in respect of items 14 and 15 by virtue of previously having received hospitality

15 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business.

16 **REQUESTS FOR SITE VISITS**

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

The following requests were unanimously approved:

APP/14/00662: Blockbuster Video Hire, 139-141 Wallasey Village, CH45 3LF - Conversion of upper floors of existing building to 4no. apartments, including conversion of existing hipped roof to gable and first & second floor rear extension.

OUT/12/00824: Ingleborough Road, Tranmere, CH42 6RD - Demolitions of existing buildings and redevelopment of the land for new build residential development for up to 90 new dwellings (USE CLASS C3) with means of access and associated infrastructure (Amended Supporting Information received for replacement playing field).

APP/14/00310: Solar Campus, 235 Leasowe Road, Leasowe, CH45 8LW - The creation of four full size football pitches plus one junior academy pitch and one training area, fenced around the perimeter for the use by Tranmere Rovers FC as their formal training site. Creation of two full size football pitches and one youth pitch to the west of the site for local community use (Amended plans, revised layout of pitches).

17 **APP/11/01049: HILLSIDE ROAD, TRANMERE, WIRRAL CH41 9EL - EXTENSION OF TIME FOR PLANNING PERMISSION APP/2008/05610 - ERECTION OF 12 DWELLINGS.**

Resolved – That this item be withdrawn in order to obtain further information.

18 **APP/13/01234: COPPINS HEY, 8 WOODLANDS DRIVE, BARNSTON, CH61 1AL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF 2 NEW DWELLINGS (AMENDED PLANS).**

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

A Ward Councillor addressed the Committee

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

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

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the 18th March 2014 and listed as follows: Drawing number 94_2013_01 Revision G dated 20/02/2014**
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 property unless expressly authorised.**
- 4. 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.**
- 5. 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.**
- 6. No development shall take place until 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.**
- 7. No development shall take place until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.**
- 8. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.**

9. No part of the development shall be brought into use until visibility splays of 2.4 metres by 2.4 metres have been provided at the proposed access points to the site. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

10. No occupation of use of the development shall take place until a scheme showing full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and retained as such at all time thereafter unless otherwise agreed in writing by the Local Planning Authority.

11. 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.

12. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

19 **APP/13/01595: LAND ADJACENT TO 1 BORDER ROAD, HESWALL, WIRRAL CH60 2TN - ERECTION OF A DETACHED DWELLING**

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

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

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 18th June 2014 and listed as follows: 146_2013_02 Rev D (Dated 18.06.2014)
3. Before any construction commences, samples of the facing/roofing/window

materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

4. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

5. No occupation or use of the development shall take place until the first floor side windows in the side elevation facing 7 Chalkwell Drive and the first floor side window facing 1 Border Road have been glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

6. 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.

7. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

20 **APP/14/00085: 98 CLAREMOUNT ROAD, LISCARD, CH45 6UE - TO BUILD A PERGOLA 3400MM HIGH NEAR BOTTOM OF DRIVE, LEVEL GROUND AREA ALONG PART OF SOUTH-EAST BOUNDARY (THUS RAISING BY 450MM) AND ERECT 2000MM FENCE ALONG THIS PART OF BOUNDARY, AND ERECT PERGOLA AT HEIGHT OF 2350MM NEXT TO HOUSE**

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

A Ward Councillor addressed the Committee

On a motion by Councillor Daniel and seconded by Councillor Spriggs it was:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 3rd April 2014 and listed as follows: PL-002 Rev P1 (22/01/2014); and the approved plans received by the local planning authority on 14th May 2014 and listed as follows: PL-001 Rev P2 (13/05/2014), PL-003 Rev P2 (13/5/2014), and PL-005 Rev P2 (13/05/2014)

21 **APP/14/00219: 20 TENBY DRIVE, MORETON, CH46 0QA - DEMOLITION OF EXISTING GARAGE AND ERECTION OF DETACHED DOUBLE GARAGE**

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

A Ward Councillor addressed the Committee.

It was moved by Councillor Hayes and seconded by Councillor Hodson

‘ That the application be refused on the following grounds:

‘The proposal would result in overdevelopment and a detrimental change in character to the area.’

The motion was put and lost (5:7:1)

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

‘That the application be approved’

The motion was put and carried (7:5:1)

Resolved (7:5:1) That the application be approved subject to the following conditions:

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

2. The development hereby permitted shall be carried out in accordance with

the approved plans received by the local planning authority on 26th March 2014 and listed as follows: drawing number DUN576-0214 (dated 7th February 2014).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no internal or external alterations shall take place to the garage hereby approved which would preclude its use for housing motor vehicles without the prior written approval of the local planning authority.

22 **APP/14/00237: 7 ALEXANDRA ROAD, BIRKENHEAD, CH43 4XX - CHANGE OF USE FROM 6 BEDROOM PROPERTY TO AN 8 BEDROOM SUPPORTED ACCOMMODATION/HOUSE OF MULTIPLE OCCUPATION (HMO)**

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

A Ward Councillor addressed the Committee.

Concerns were raised by Members following their site visit with regards to inadequate sizes of bedrooms and their belief that this would not conform with housing legislation. The Head of Regeneration and Planning assured Members he would liaise with colleagues in Housing and report back to Members with an update on why this had not been identified.

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

Resolved (13:0) That the application be refused on the following grounds:

The development as proposed would create an over-intensive use of the property by creating 8 bedrooms, two of which (Bedrooms 5 & 8 specifically) would result in a standard of accommodation that the Council considers would be substandard. As such, the proposals conflict with the principles of the National Planning Policy Framework, which seeks to secure high quality accommodation and a good standard of amenity for all future occupants of land and buildings.

23 **APP/14/00352: CAR PARK, ALABAMA WAY, BIRKENHEAD, CH41 5LJ - PROPOSAL FOR AN ON SHORE OFFICE, WAREHOUSE BUILDING AND PONTOON THAT WILL SERVE AS A MARINE OPERATIONS AND MAINTENANCE FACILITY FOR OFF SHORE PROJECTS.**

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

A Petitioner addressed the Committee, on behalf of local residents.

A Petitioner addressed the Committee as a local business owner.

The Applicant addressed the Committee.

A Ward Councillor addressed the Committee.

A Councillor addressed the Committee.

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

Resolved (10:3) That the application be refused on the following grounds:

The proposed development, by reason of its siting, is considered would result in an unacceptable loss of amenity for the occupiers of residential development at Priory Wharf by virtue of increased noise, general disturbance and poor outlook. The proposed development, if approved, would be contrary to Policy EM6 of the adopted Wirral Unitary Development Plan

24 **APP/14/00583: BARN AT MANOR FARM, FRANKBY ROAD, FRANKBY, CH48 1PE - CHANGE OF USE OF BARN FROM STORAGE TO ONE HOLIDAY LET ACCOMMODATION AND EXTERNAL ALTERATIONS.**

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

A Petitioner addressed the Committee

The Applicant addressed the Committee

It was moved by Councillor Realey and seconded by Councillor Daniel

‘ That the application be approved.’

The motion was put and lost (6:7)

It was then moved by Councillor Kelly and seconded by Councillor Elderton that the application be refused.

The motion was put and carried (7:6)

Resolved (7:6) That the application be refused on the following grounds:

The Local Planning Authority considers the proposal unacceptable, in that it would lead to an intensification of an existing means of access, and that any vehicles waiting on the highway at the access with Frankby Road or manoeuvring in the lane to enter and/or leave the site of the proposed use would create hazardous conditions contrary to the interests of highway safety. The provision of one parking space is not considered sufficient to prevent parking in the adjacent lane, thereby requiring vehicles to reverse on to Frankby Road given the lack of a suitable turning area in the lane, which would be detrimental to highway safety. The proposal is therefore contrary to Policies TL9 and TL10 of the Wirral Unitary Development Plan.

- 25 **APP/14/00662: BLOCKBUSTER VIDEO HIRE, 139-141 WALLASEY VILLAGE, CH45 3LF - CONVERSION OF UPPER FLOORS OF EXISTING BUILDING TO 4NO. APARTMENTS, INCLUDING CONVERSION OF EXISTING HIPPED ROOF TO GABLE AND FIRST & SECOND FLOOR REAR EXTENSION.**

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

- 26 **APP/14/00694: LAND AT TOWER WHARF, BIRKENHEAD, CH41 1NE - A FOUR STOREY NEW COMMERCIAL DEVELOPMENT (USE CLASS B1) WITH NEW 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 Hodson it was:

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

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. 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.**

3. 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.

4. No part of the development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangement for its implementation. Development shall be carried out in accordance with the approved schedule.

5. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

6. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant

linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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

8. Development shall not be commenced until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

9. No part of the development shall be brought into use until a means of vehicular access to the site has been constructed. These works shall be in accordance with details, which should be submitted to and approved in writing by the Local Planning Authority

10. 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.

11. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

12. No tree felling and scrub clearance is to take place during the period 1st March to 31st August Inclusive. If it is necessary to undertake works during the bird breeding season then all trees and scrub on the site are to be checked first to ensure no breeding birds are present. If present details of how they are to be protected are required.

13. 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.

14. Prior to the commencement of development, details of proposed bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise

agreed by the Local Planning Authority.

15. No development shall take place until a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the final Code of Construction Practice and Management Plan should cover the following Minimum requirements;

I. Site supervision

II. Machinery (Noise & Vibration Levels and mitigation measures, location and storage of plant, materials and access to banks etc)

III. Protection of areas of ecological sensitivity and importance

IV Methods used for all channel and dock edge water margin works

V Methods for the control of dust and air pollution

VI Methods for the prevention of dust, dirt, debris and other deposits on the highway

VII Details of security hoarding including maintenance, decorative displays and facilities for public viewing.

VII Lighting methods to avoid disturbance to birds and bats

IX Methods to avoid construction related debris and pollution from entering controlled waters

16. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended, the building hereby approved shall be used only for purposes within Use Class B1 and for no other purpose in the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent relating to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

17. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23 May 2014 and 16 July 2014 and listed as follows: Drwg No. 01-091-001 dated 20.02.2014; Drwg No. 02-02-001a dated 09.04.2014; Drwg No. 02-05-001 dated 05.2014; Drwg No. 02-05-002 dated 05.2014; Drwg No. 02-05-003 dated 05.2014; Drwg No. 02-05-004 dated 05.2014; Drwg No. 02-05-005 dated 05.2014; Drwg No. 02-03-001 dated 05.2014; Drwg No. 02-03-002 dated 05.2014; Drwg No. 02-03-003 dated 05.2014; Drwg No. 02-03-004 dated 05.2014; Drwg No. 02-03-005 dated 05.2014 Drwg No. D4606.01 dated 10.07.2014; Drwg No. D4606.002 dated 10.07.2014; Drwg No. DMS507-200 Rev P3 dated 04.2014; Drwg No. DMS507-001 Rev P3 dated 04.2014; Drwg No. 4601060/633/001 Rev D dated 27.09.2013 and Drwg no g4497.001 DATED 14.05.2014.

18. There shall be no piling works on the site between the period of 1st January to 28th February in any year.

19. All piling works shall be undertaken using a "soft start" method of operation.

- 27 **OUT/12/00824: INGLEBOROUGH ROAD, TRANMERE, CH42 6RD - DEMOLITIONS OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE LAND FOR NEW BUILD RESIDENTIAL DEVELOPMENT FOR UP TO 90 NEW DWELLINGS (USE CLASS C3) WITH MEANS OF ACCESS AND ASSOCIATED INFRASTRUCTURE (AMENDED SUPPORTING INFORMATION RECEIVED FOR REPLACEMENT PLAYING FIELD)**

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

- 28 **APP/14/00310: SOLAR CAMPUS, 235 LEASOWE ROAD, LEASOWE, CH45 8LW - THE CREATION OF FOUR FULL SIZE FOOTBALL PITCHES PLUS ONE JUNIOR ACADEMY PITCH AND ONE TRAINING AREA, FENCED AROUND THE PERIMETER FOR THE USE BY TRANMERE ROVERS FC AS THEIR FORMAL TRAINING SITE. CREATION OF TWO FULL SIZE FOOTBALL PITCHES AND ONE YOUTH PITCH TO THE WEST OF THE SITE FOR LOCAL COMMUNITY USE (AMENDED PLANS, REVISED LAYOUT OF PITCHES)**

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

- 29 **NOT EXPEDIENT FOR ENFORCEMENT ACTION AGAINST MATERIAL ALTERATION TO THE APPEARANCE OF AN EXISTING BARN**

A Report by the Strategic Director of Regeneration and Environment advised Members of a breach of planning control comprising of the material alteration of the external appearance of a barn. The report recommended that it is not considered expedient to take enforcement action in this instance.

Members were advised that the owner/ occupier had been sent a letter requesting a planning application and that no application has been received by the Planning Department to date.

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

Resolved (7:6) That it is not expedient to take enforcement action in this instance.

- 30 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 06/06/2014 AND 13/07/2014**

The Strategic Director of Regeneration and Environment submitted a report detailing planning applications decided under delegated powers between 06/06/2014 and 13/07/2014.

Resolved – That the report be noted.

31 **PLANNING APPEALS DECIDED BETWEEN 01/04/2014 AND 30/06/2014**

The Strategic Director of Regeneration and Environment submitted a report detailing planning appeals decided between 01/04/2014 and 30/06/2014.

Resolved – That the report be noted.
