

PLANNING COMMITTEE

Thursday, 21 August 2014

Present: Councillor A Leech (Chair)

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

Deputies: Councillors G Watt (for P Hayes)

32 **MINUTES**

The Strategic Director for Transformation submitted the minutes of the meeting held 23 July 2014.

Resolved – That the minutes be approved.

33 **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.

No such declarations were made.

34 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business.

35 **REQUESTS FOR SITE VISITS**

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

APP/14/00314: Eastham Refinery, North Road, Eastham, CH65 1AJ – Construction of an energy from waste facility employing gasification technology and ancillary development (including preparatory earthworks.) Alternative to APP/ 2008/6316.

APP/14/00798: 28 Sherwood Avenue, Irby, CH61 4XB – Rear loft conversion.

36 **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)**

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

With the agreement of the Chair Items 4 and 5 were considered together, however, they were voted upon separately with the vote for item 5 being taken first.

A Petitioner addressed the Committee to oppose the application on behalf of the Birkenhead Institute Old Boys

A Petitioner addressed the Committee to oppose the application on behalf of the residents of Heyes Drive and surrounding areas in Leasowe.

A Petitioner addressed the Committee in support of the application on behalf of parents of children at Tranmere Rovers Football Club Academy

A Petitioner addressed the Committee in support of the applications on behalf of Tranmere Rovers Supporters Trust.

A Petitioner addressed the Committee in support of the application on behalf of Tranmere Hall Estate Residents Association.

The Applicant addressed the Committee.

It was moved by Councillor Kelly and seconded by Councillor Realey

that the application be refused on the following grounds:

‘The application is contrary to RE6 and fails to demonstrate a suitable replacement of existing facilities.’

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

It was then moved by Councillor Hodson and seconded by Councillor Elderton

‘That the application be approved.’

The motion was put and carried (8:5)

Resolved (8:5) That the application be approved subject to a 106 legal agreement and the following conditions:

1. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout**
- (b) Scale**
- (c) Appearance**
- (d) Landscaping**

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

2. 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.

3. Prior to the commencement of development a detailed scheme of works for the provision of a war memorial feature, consistent with the details in indicative plan 1531-130, shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the scheme of works shall include for the conservation, restoration and retention of the memorial stone located within the sports ground pavilion, the phasing of works proposed in relation to the works comprised in the remainder of the development, and the provisions made for the subsequent maintenance of the war memorial feature. The war memorial feature shall be provided in accordance with the approved scheme of works prior to the first occupation of any residential dwelling hereby permitted, and shall be retained as such thereafter, maintained in accordance with the approved scheme.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (22 June 2012) and listed as follows: (1531-01-A, 1531-126-A and 1531-129 dated 14/07/2011).

5. All reserved matters applications required by the conditions contained in this permission, shall be in accordance with the scale, layout and landscaping

parameters set out within section 3.13 of the Supporting Planning Statement (dated July 2011), and the Design and Access Statement (revision A, dated July 2011), as supported by indicative layout 1531-124-B (dated 01/11/11). For the avoidance of doubt, the number of residential units shall not exceed 90 dwellings.

6. All existing trees which are not directly affected by the buildings and works hereby approved shall be clearly located and described in the required reserved matters application for landscaping. 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 any demolition or construction works 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. The existing soil levels under tree canopies shall not be altered at any time. Detailed drawings of all underground works and additional precautions to prevent damage to tree roots, if any, shall be submitted to and approved by the Local Planning Authority before any work is commenced, such details to include the location, extent and depth of all excavations for drainage and other services, in relation to the trees to be retained on site, and these works shall be carried out and completed in all respects in accordance with the drawings so approved.

7. No development shall commence until and until a Construction Environment Management Plan (CEMP) and Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the final plans should cover the following minimum requirements:

- i. Site supervision;
- ii. Machinery (noise and vibration levels and mitigation measures, location and storage of plant, materials and fuel, access routes etc.);
- iii. Protection of areas of ecological sensitivity and importance;
- iv. Methods for the prevention of foul drainage;
- 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;

The approved Construction Environmental Plan shall be revised and submitted for written approval from the Local Planning Authority every 3 years until construction is complete. Construction shall be carried out strictly in accordance with the approved CEMP and SWMP.

8. 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.

9. Prior to first occupation of the development, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

10. Prior to the removal of the tree/trees hereby approved, the size, siting and species of a replacement tree/trees shall be submitted to and agreed in writing by the Local Planning Authority. The replacement tree/trees shall then be planted on site in accordance with the approved details, in the first available planting season. Any tree that within a period of five years after planting, dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective shall be replaced with another of the same species and size as originally approved in a timetable to be agreed in writing with the Local Planning Authority.

11. Before the development is commenced, a method statement detailing measures to be taken during construction to protect the potential of the site for bats and breeding birds shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved method statement shall be implemented in full in the implementation of the development.

12. 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 unless otherwise agreed in writing by the Local Authority.

13. Prior to the commencement of any event, site clearance or development works on the site, the developer shall undertake a further and updated ecological survey of the land to investigate the presence of bats and breeding birds at the site. If the survey confirms the presence of protected species that may be disturbed by the development works, or the use of the land as approved, a mitigation report to prevent disturbance to these species,

including restoration measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the approved scheme. For the avoidance of doubt, should a period of time greater than 3 years elapse between the approval in writing of an updated survey and the commencement of works, a further updated ecological survey should be undertaken and restoration measures, shall be submitted to and approved in writing by the Local Planning Authority.

14. Prior to the commencement of 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), the following components of a scheme 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:

i. 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.

ii. 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.

iii. The site investigation results and the detailed risk assessment (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. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The remediation strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

v. Upon completion of each phase of the development a verification report must be produced that demonstrates the effectiveness of the remediation carried out. The verification reports should address any potential risks associated with cross-contamination from adjacent phases awaiting

remediation.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

15. 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) in accordance with the principles of sustainable drainage, and the results of the assessment provided to the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

16. 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.

17. 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, in accordance with the details so approved.

18. Development shall not be commenced until a full Residential 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.

19. Notwithstanding the submitted details, the development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide vehicle access from the highway into the development site. 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.

20. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to reinstate to standard footway levels any and all existing vehicle crossings from the highway into the development site that are rendered obsolete by the development hereby authorised. 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.

- 37 **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)**

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

With the agreement of the Chair Items 4 and 5 were considered together, however, they were voted upon separately with the vote for item 5 being taken first.

A Petitioner addressed the Committee to oppose the application on behalf of the Birkenhead Institute Old Boys

A Petitioner addressed the Committee to oppose the application on behalf of the residents of Heyes Drive and surrounding areas in Leasowe.

A Petitioner addressed the Committee in support of the application on behalf of parents of children at Tranmere Rovers Football Club Academy

A Petitioner addressed the Committee in support of the applications on behalf of Tranmere Rovers Supporters Trust.

A Petitioner addressed the Committee in support of the application on behalf of Tranmere Hall Estate Residents Association.

The Applicant addressed the Committee.

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

Resolved (9:4) That the application be approved subject to a 106 legal agreement and 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 25 June 2014 and listed as follows: drawing number IN104271-P003-B, IN104271 - P001A, IN104271-P002-B, IN104271-P006-A, IN104271-P005-A, IN104271-P004-B dated 18 June 2014 and IN104271-P010 dated 10 July 2014.

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

4. 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 commenced. The works shall be carried out in full prior to first occupation of the site for the use hereby permitted, in accordance with the details so approved.

5. 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.

6. Before any construction commences, samples of the materials to be used in the external surfaces of the changing room building 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 commence until details of the design and layout of the natural turf pitches, artificial grass pitch and changing rooms have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the design and layout of the sports facilities shall comply with the relevant industry Technical Design Guidance, published by the National Governing Body for Football. The natural turf pitches, artificial grass pitch and changing rooms shall not be constructed other than in accordance with the approved details.

8. Within 6 months of the first occupation of the development for the use hereby approved, 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 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.

10. Prior to first use of the development, 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 development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

11. No part of the development shall be commenced until a scheme of works showing access improvements from Leasowe Road to allow for two-way traffic has been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to the use of the access unless otherwise agreed in writing by the Local Planning Authority.

12. The development shall not be commenced until a detailed scheme of highway improvement works for the provision of traffic signs stating no U-turn and the junction of Leasowe Road and Heyes Drive and at the junction of Leasowe Road and Cross Lane together with a programme for the completion of the works has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

13. No development shall commence until a scheme which sets out management arrangements for the use of the car parking and changing facilities to serve the community pitches in the west of the application site has been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The car parking and changing provision shall thereafter be managed in accordance with the approved scheme

38 APP/14/00073:THE CARLTON, 466-468 BOROUGH ROAD, OXTON, CH42 9LZ - CONVERSION OF PUBLIC HOUSE TO 14 FLATS.

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

Councillor Spriggs was not present for consideration of this item.

A discussion was had about Parking Policy and a Councillor requested a written response from the Head of Regeneration and Parking regarding the need for adjustment of Wirral's Parking Policy particularly in situations where no parking provision is associated with flat developments.

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

Resolved (12:0) 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 19th June 2014 and listed as follows: 169_2013_02 Rev B (Dated 04.06.2014), 169_2013_03 Rev A (Dated 01.05.2014), 169_2013_04 Rev A (Dated 01.05.2014) & 169_2013_05 (Dated 08.05.2014)**
- 3. Within 3 months of the first occupation the obsolete vehicle access on Carlton Road shall be reinstated to Local Authority standards, details of which shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented in full and retained as such thereafter.**
- 4. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.**
- 5. 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.**
- 6. 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.**
- 7. Prior to commencement of development a scheme of sound insulation between the proposed flats shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and retained as such thereafter.**

- 39 **APP/14/00314: EASTHAM REFINERY, NORTH ROAD, EASTHAM, CH65 1AJ - CONSTRUCTION OF AN ENERGY FROM WASTE FACILITY EMPLOYING GASIFICATION TECHNOLOGY AND ANCILLARY DEVELOPMENT (INCLUDING PREPARATORY EARTHWORKS) ALTERNATIVE TO APP/2008/6316 APP 29TH JULY 2009 ADDITIONAL INFORMATION RECEIVED ON 9TH JULY 2014.**

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

- 40 **APP/14/00567: CAR PARK, STRINGHEY ROAD, EGREMONT - ERECTION OF 4 TOWNHOUSES**

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

Members were advised that an additional condition had been imposed upon the application, to state that the vehicle crossing on Stringhey Road that had been rendered obsolete would be reinstated to standard footway levels.

On a motion by Councillor Hodson 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. No development shall take place before details of all materials to be used in the external construction (facing bricks, roof tiles/slates etc) of this development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details.**
- 3. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.**
- 4. 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) there shall be enlargement or extension of the dwelling(s) hereby permitted, including any additions or**

alterations to the roof, without the prior written approval of the Local Planning Authority.

5. 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 garages, outbuildings or enclosure shall be constructed within the application site without the prior written approval of the Local Planning Authority.

6. No development shall take place before details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

7. 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.

8. Prior to first occupation or use of the development, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

9. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 30 April 2014 and listed as follows: Drawing Number P/02 dated November 2013.

10. Prior to first occupation of the dwellings hereby approved, the vehicle crossing on Stringhey Road rendered obsolete by the development hereby approved shall be reinstated to standard footway levels in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

41 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.

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

A Ward Councillor addressed the Committee.

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

Resolved (12:1) 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. All new external work shall be carried out in materials that match, as closely as possible, in colour, texture and design detail those of the existing building.**
- 3. Prior to the first occupation of the flats hereby approved, the windows in the rear stairway extension shall be obscurely glazed and non opening. The windows shall be retained as such thereafter.**
- 4. Concurrent with the commencement of development, details of the screen fence to the first floor amenity areas shall be submitted to and agreed in writing with the Local Planning Authority. The fence shall be erected as approved, before the first occupation of the flats hereby approved and retained as such thereafter.**

42 **APP/14/00798:28 SHERWOOD AVENUE, IRBY, CH61 4XB - REAR LOFT CONVERSION**

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

43 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 14/07/2014 AND 11/08/2014**

The Strategic Director of Regeneration and Environment submitted a report detailing applications decided under delegated powers between 14/07/2014 and 11/08/2014.

Resolved – That the report be noted.
