

PLANNING COMMITTEE

Wednesday, 3 June 2015

Present: Councillor A Leech (Chair)

Councillors D Realey D Elderton
P Brightmore E Boulton
M Daniel P Hayes
S Foulkes K Hodson
J Walsh D Mitchell
I Williams P Cleary

1 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 22 April 2015.

Resolved – That the minutes be approved.

2 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

Councillor D Elderton declared a prejudicial interest in respect of item 10 by virtue of him being acquainted with the owner.

3 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

APP/15/00380: BAY TREE FARM, FRANKBY ROAD, FRANKBY, WIRRAL – THE CONVERSION AND EXTENSION OF THE EXISTING BARN TO FORM ONE RESIDENTIAL DWELLING AND ASSOCIATED WORKS, INCLUDING; THE ERECTION OF A CAR PORT.

APP/15/00429: LAND SOUTH OF 6 CENTRAL AVENUE, BROMBOROUGH, CH62 2BT – PROPOSED NEW DWELLING

OUT/15/00250: CLEARED SITE, LEASOWE ROAD, WALLASEY VILLAGE, CH45 8NY – ERECTION OF BUILDING TO ACCOMMODATE TWO RETAIL UNITS AT GROUND FLOOR AND TWO SELF CONTAINED FLATS

- 4 **APP/14/01182: 5 VICTORIA MOUNT, OXTON, CH43 5TH - RETROSPECTIVE APPLICATION FOR DEMOLISHION OF FRONT BOUNDARY WALL. PROPOSED FRONT AND PARTIAL SIDE WALL, WIDEN FRONT DROP KERB FOR VEHICULAR ACCESS, AND GLAZED BALCONY TO REAR.**

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

On a motion by Councillor Boulton 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 September 2014 and listed as follows: 144_2014_01 and received on 7th May 2015 and listed as follows: 144_2014_02**
- 3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**
- 4. Before any construction commences, details of the type of mortar and type of pointing to be used in the construction of the wall hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The wall shall be constructed in accordance with the agreed details.**

- 5 **DLS/15/00117: POOL LANE, BROMBOROUGH - RESERVED MATTERS APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 169 NO. DWELLINGS, PROVISION OF AREAS OF PUBLIC OPEN SPACE, LANDSCAPING, ACCESS AND ASSOCIATED WORKS (PURSUANT TO OUTLINE APPROVAL OUT/12/00177).**

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

Members were advised that the following additional conditions had been added to this application:

5. 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. Moreover, 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 or 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;
- (iii) an appraisal of remedial options, and proposals of the preferred option(s).

As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and an investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 above. Where remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme 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.

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:

1. Before construction of the units hereby approved reaches above the level of damp proof coursing, samples of all the facing/roofing/window/door 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.

2. Prior to the first occupation of the dwellings hereby approved, a sound survey (conducted using BS 4142:2014) shall be submitted by the applicant to the Local Planning Authority in relation to the impact of any proposed industrial and commercial developments, together with the impact from pre-existing industrial and commercial developments on the dwellings in the above planning proposal.

If such a survey identifies any dwellings where the rating level of the specific sound source exceeds the background sound level by 5 dB or more, a scheme of noise insulation to those dwellings shall be agreed in writing by the Local Planning Authority.

3. This site must be drained on a total separate system with all the surface water flows generated from the new development being discharged directly into the adjacent watercourse with the prior consent of the riparian owner.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the Local Planning Authority on 2 February, 7 February and 29 May 2015 and listed as follows:

Masterplan Drawing Number PH009/01 (dated 16.01.2015);

Planning Layout Drawing Number PLB/PL/01 Rev P (received 29.05.2015);

House Type 'Alnwick' Drawing Number PLB/HT/002 Rev A (dated Jan 2015);

House Type 'Alnwick Special' Drawing Number PLB/HT/003 Rev A (dated Jan 2015);

House Type 'Clayton Corner' Drawing Number PLB/HT/004 Rev A (dated Jan 2015);

House Type 'Clayton Corner Special' Drawing Number PLB/HT/005 Rev A (dated Jan 2015);

House Type 'Clayton Corner Special' Drawing Number PLB/HT/006 Rev A (dated Jan 2015);

House Type 'Clayton Corner Special' Drawing Number PLB/HT/007 Rev A (dated Jan 2015);

House Type 'Hanbury' Drawing Number PLB/HT/008 Rev A (dated Jan 2015);

House Type 'Hanbury Special' Drawing Number PLB/HT/009 Rev A (dated Jan 2015);

House Type 'Hanbury Special' Drawing Number PLB/HT/010 Rev A (dated Jan 2015);

House Type 'Hatfield' Drawing Number PLB/HT/011 Rev A (dated Jan 2015);

House Type 'Hatfield Special' Drawing Number PLB/HT/012 Rev A (dated Jan 2015);
House Type 'Hatfield Special' Drawing Number PLB/HT/013 Rev A (dated Jan 2015);
House Type 'Kendal' Drawing Number PLB/HT/014 Rev A (dated Jan 2015);
House Type 'Kendal Special' Drawing Number PLB/HT/015 Rev A (dated Jan 2015);
House Type 'Kendal Special' Drawing Number PLB/HT/016 Rev A (dated Jan 2015);
House Type 'Mosley' Drawing Number PLB/HT/017 Rev A (dated Jan 2015);
House Type 'Mosley Special Render' Drawing Number PLB/HT/018 Rev A (dated Jan 2015);
House Type 'Roseberry' Drawing Number PLB/HT/019 Rev A (dated Jan 2015);
House Type 'Roseberry Special' Drawing Number PLB/HT/020 Rev A (dated Jan 2015);
House Type 'Roseberry Special' Drawing Number PLB/HT/021 Rev A (dated Jan 2015);
House Type 'Rufford' Drawing Number PLB/HT/022 Rev A (dated Jan 2015);
House Type 'Rufford Special' Drawing Number PLB/HT/023 Rev A (dated Jan 2015);
House Type 'Rufford Special' Drawing Number PLB/HT/024 Rev A (dated Jan 2015);
House Type 'Souter' Drawing Number PLB/HT/025 Rev A (dated Jan 2015);
House Type 'Souter Special' Drawing Number PLB/HT/026 Rev A (dated Jan 2015);
House Type 'Winster' Drawing Number PLB/HT/027 Rev A (dated Jan 2015);
House Type 'Winster Special' Drawing Number PLB/HT/028 Rev A (dated Jan 2015);
Drainage Strategy Layout Drawing Number 099-500 (dated 19.01.2015);
Landscape Masterplan Drawing Number D4953.001 (dated 14.01.2015);
Street Scenes Drawing Number PLB/SS/001 (dated 19.01.2015);
Initial Section 38 Layout Drawing Number 1121-502 (dated 27.05.2015); and
Forward Visibility Drawing Number SCP/15160/F01 (dated 29.05.2015).

5. 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. Moreover, 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 or 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;**
- (iii) an appraisal of remedial options, and proposals of the preferred option(s).**

As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and an investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 above. Where remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme 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.

7. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of any proposed remediation over a period of years to be agreed in advance with the Local Planning Authority, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of any measures identified in any such scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

8. Prior to the construction of any roads, sewers or foundations a full scheme of works shall be submitted to and agreed in writing by the Local Planning

Authority for the construction of any new highway and amendment of existing highway made necessary by this development, including details of all cycleways and footways, traffic calming measures, traffic regulation orders, street lighting, traffic signs, road markings, tactile paving and access onto Pool Lane. The approved works shall be completed in accordance with the Local Planning Authorities written approval and in accordance with a written timetable to be agreed with the Local Planning Authority prior to commencement of construction of any roads, sewers or foundations.

9. Surface water from the site must be drained on a total separate system from foul water, with all the surface water flows generated from the new development being attenuated before discharge into the adjacent watercourse with the prior consent of the riparian owner, details of which shall be submitted to the Local Planning Authority for approval in writing prior to commencement of construction.

6 APP/15/00122: AMENITY OPEN SPACE SITE 1, NEW FERRY ROAD, NEW FERRY - ERECTION OF ONE PAIR SEMI-DETACHED TWO STOREY HOUSES AND ASSOCIATED EXTERNAL WORKS.

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

A Ward Councillor addressed the Committee

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

Resolved (9:4) 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 30th April 2015 and listed as follows: 419 A103 Rev C (received 30.04.2015)**
- 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.

The detailed landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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 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.

9. 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.

10. Notwithstanding the approved plans, no development shall take place until full details of the proposed off-street vehicular parking provision and the proposed boundary fencing has been submitted to and approved in writing by the Local Planning Authority. Visibility splays of 2.4 metres by 2.4 metres shall be provided to the vehicular access/off-street parking provision serving the development from New Ferry Road and permanently maintained on both sides of the access/parking space. There shall be no obstruction to visibility between 0.6 metres and 2.0 metres above carriage way level.

7 **APP/15/00212: LAND AT PASTURE ROAD, MORETON, WIRRAL - THE PROVISION OF NEW STABLE BLOCKS, ASSOCIATED YARD, MENAGE, ACCESS TRACK AND CHANGE OF LAND USE TO EQUESTRIAN.**

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

A Petitioner addressed the Committee

The Agent addressed the Committee

On a motion by Councillor Realey and seconded by Councillor Mitchell 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. The proposed development and associated works shall only take place in accordance with the submitted amphibian and reptile method statement.

3. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive.

4. The embankment present on the site and the majority of the easternmost field shall be fenced off in accordance with details to be submitted to and approved in writing by the local planning authority. The approved fencing shall be erected before the development is commenced and the approved areas shall be maintained as unmanaged vegetation and retained as such thereafter.

5. Both Japanese knotweed and Himalayan balsam are present within the site boundary. A method statement shall be submitted within 1 month of the date of this approval that includes the following:

- A plan showing the extent of the plant;**
- What method will be used to prevent the plant spreading further, including demarcation; and**
- What method of control will be used, including details of monitoring.**

The approved scheme shall be implemented in full.

6. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment FEB 2015/2014-124-RevB/Flood Risk Consultancy Ltd and the following mitigation measures detailed within the FRA:

- Raising the stable block finished floor level to a minimum of 4.13m AOD**
- Limiting discharge of surface water run-off from site to existing undeveloped rates and volumes for a range of return periods up to the 100-year climate change adjustment standard of flood protection (where this criteria cannot be adhered to, the rate will be limited to QBAR)**
- The stables are to register with the Environment Agency's Flood Warnings Direct Service**
- The stables are to develop and practice a flood warning procedure and**

evacuation plan

- **Appropriate flood warning signage to be erected on the site.**

The mitigation measures shall be fully implemented prior to the occupation and subsequently 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.

7. The development hereby permitted shall not be commenced until such time as a surface water regulation scheme has been submitted to, and approved in writing by, the local planning authority.

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 be subsequently agreed, in writing by the local planning authority.

8. The use hereby permitted shall be carried on by the Upton Park Pony Owners Association only and shall not inure for the benefit of the land or any other person(s). When the land ceases to be occupied by the Upton Park Pony Owners Association, the use hereby permitted shall cease and within one month of the use hereby permitted ceasing to operate all buildings, materials and equipment brought on to the land in connection with the use shall be removed and the land restored to its recreational use and condition prior to the use hereby permitted commencing.

9. Within one month of the date of this permission, details of the size and species of the proposed hedging to be planted shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be planted within the first available planting scheme and maintained to the satisfaction of the Local Planning Authority thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the date of the completion of the planting 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.

10. No more than 10 horses shall be stabled or graze within the site at any one time.

11. The menage equipment shall be removed and stored within the proposed

building when not in use.

12. 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.

13. The development hereby permitted shall be carried out in accordance with the approved plans received by the Local Planning Authority on 23rd February 2015 and 29th May 2015 and listed as follows: Proposed Site Plan Drawing Number 2020115 Rev A (received 29.05.2015); Building 1 Information Drawing Number 2040115 (received 23.02.2015); Building 2 Information Drawing Number 2050115 (received 23.02.2015); Fence & Hedge Information Drawing Number 2060115 (received 23.02.2015) and Lighting Plan Drawing Number 2070115 (received 23.02.2015).

14. No development shall take place until a scheme of security lighting and any proposed CCTV has been submitted to and approved in writing by the Local Planning Authority. Any external/security lighting shall be switched no earlier than 0700 hours and no later than 1900 hours with a maximum length of operation of 60 minutes. Any external/security lighting shall only be operational between 1 October and 31 March in any given year. Any such scheme shall be installed and be operational prior to the first occupation of the development and the scheme shall be retained for the life of the development.

- 8 **OUT/15/00250: CLEARED SITE, LEASOWE ROAD, WALLASEY VILLAGE, CH45 8NY - ERECTION OF BUILDING TO ACCOMMODATE TWO RETAIL UNITS AT GROUND FLOOR AND TWO SELF CONTAINED FLATS AT FIRST FLOOR**

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

- 9 **ADV/15/00284: LAND AT THE CORNER OF EARL STREET AND NEW CHESTER ROAD, NEW FERRY, WIRRAL, CH62 1AA - ERECTION OF 2 ILLUMINATED HOARDINGS**

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

A Ward Councillor addressed the Committee

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

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

- 1. The sign shown as Elevation 2 on plan 464/1 Rev.A hereby approved shall only be illuminated between the hours of 0900 and 2100 on any day.**
- 2. 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.**
- 3. 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.**
- 4. 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).**
- 5. 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.**
- 6. This consent shall expire after a period of 5 years from the date of this permission.**

- 10 **APP/15/00380: BAY TREE FARM, FRANKBY ROAD, FRANKBY,WIRRAL - THE CONVERSION AND EXTENSION OF THE EXISTING BARN TO FORM ONE RESIDENTIAL DWELLING AND ASSOCIATED WORKS, INCLUDING; THE ERECTION OF A CAR PORT.**

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

- 11 **APP/15/00429:LAND SOUTH OF , 6 CENTRAL AVENUE, BROMBOROUGH, CH62 2BT - PROPOSED NEW DWELLING**

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

- 12 **APP/15/00473: NORTH WIRRAL BRICKWORKS, CARR LANE, MORETON, CH46 5NB - VARIATION OF 28 OF APPEAL APPROVAL REF APP/W4325/A/12/2177106 IN ORDER TO SUBMIT DETAILS OF THE RESTORATION AND AFTER CARE SCHEME TO BE SUBMITTED NO LATER THAN 31ST OF MARCH 2016**

This item had been withdrawn following agenda publication and was therefore not considered.

- 13 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 10/04/2015 AND 22/05/2015**

The Strategic Director for Regeneration and Environment submitted a report detailing planning applications decided under delegated powers between 10/04/2015 and 22/05/2015

Resolved – That the report be noted.

- 14 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

Members heard that site visits had been arranged for Monday 22nd June at 10am.