

## PLANNING COMMITTEE

Wednesday, 24 June 2015

### Present:

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

### Deputies:

Councillors	T Johnson (for A Leech)
	B Berry ( for K Hodson)

## 15 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 3 June 2015.

**Resolved – That the minutes be approved.**

## 16 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 items on the agenda and to state the nature of the interest.

Councillor D Elderton declared a personal and prejudicial interest in respect of item 4 by virtue of him being acquainted with the applicant.

Councillor D Elderton declared a personal and prejudicial interest in respect of item 9 by virtue of him being acquainted with the applicant.

Councillor S Foulkes declared a personal and prejudicial interest in respect of item 10 by virtue of him being a close personal friend of the applicant.

Councillor P Brightmore declared a personal and prejudicial interest in respect of item 10 by virtue of him being a close personal friend of the applicant.

## 17 REQUESTS FOR SITE VISITS

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

The following request was unanimously approved:

APP/15/00119: OROVALES, 135 CALDY ROAD, CALDY, CH48 1LP – 2 NEW-BUILD HOUSES WITHIN THE GROUNDS OF EXISTING HOUSE TOGETHER WITH WORKS TO DRIVEWAY ENTRANCE TO IMPROVE VISABILITY.

18 **APP/14/00942: 3 GRAMMAR SCHOOL LANE, NEWTON, CH48 8AY - ERECTION OF 3 NEW DWELLINGS (AMENDED PLANS).**

Having previously declared a personal and prejudicial interest, Councillor David Elderton left the meeting during consideration of this item.

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

On a motion by Councillor Daniel 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. No development shall take place until samples of the materials to be used in the external construction of this development, including facing bricks and roofing tiles, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 3. No development shall take place before details of the proposed finished floor levels, ridge and eaves heights of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground floor levels, eaves and ridges heights of surrounding property. The development shall be carried out in accordance with the approved details.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent Order or statutory provision revoking, revising or re-enacting the provisions of that Order with or without modification), there shall be no 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 subsequent Order or statutory provision revising, revoking or re-enacting the provisions of that Order with or without modification), no new windows, doors or other openings other than those expressly authorised by this permission shall be added to the property unless**

expressly authorised.

**6. 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 new building or enclosure shall be constructed within the application site without the prior written approval of the Local Planning Authority.**

**7. Notwithstanding the approved plans, no development shall take place before full details of the new access arrangements, including a 2 metre wide footway across the frontage of the site, have been submitted to, and approved in writing, by the Local Planning Authority. The footway shall be constructed in accordance with the approved details and before construction of the new dwellings hereby approved is commenced. The footway shall be retained and maintained permanently thereafter.**

**8. No development (including any demolition, earthworks or vegetation clearance) shall take place before a scheme of landscaping, phased in relation to any phasing of the development, which shall include full details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall include:**

- a. indications of all existing trees, shrubs and hedgerows on the lands;**
- b. details of any to be retained, together with measures for their protection throughout the course of the development;**
- c. details of all species, planting sizes and densities of all proposed enhancement and/or replacement planting;**
- d. finished levels and contours;**
- e. all proposed means of enclosure;**
- f. hard surfacing materials for footpaths, driveways and all other areas of hard-standing.**

**The scheme shall be carried out in accordance with the approved details.**

**9. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of each development phase. Any trees, shrubs or plants that die, are removed, or become seriously damaged or diseased within a period of five years from the completion of each development phase shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of a similar size and species, unless otherwise agreed in writing**

by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

10. The detailed landscaping plans to be submitted pursuant of Condition 8 above shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained.

- a. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars detailed in the landscaping plan(s) pursuant of Condition 8. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c. No equipment, machinery or materials shall be brought onto the site for the purpose of the development until a scheme showing the exact positioning of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): (Trees in Relation To Construction) has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition, "retained" tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

11. No development shall take place until a scheme for the disposal of foul and surface water drainage 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 drainage system has been constructed and completed in accordance with the

approved plans.

**12. 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.**

**13. 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.**

**14. No development shall take place (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details.**

**Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.**

**15. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6 May 2015 and listed as follows: Proposed Site Plan Revision F (received 06.05.2015); Proposed Site Plan & Grammar School Lane Elevation Revision F (received 06.05.2015); Proposed Plans & Elevations: Plot 1 Revision F (Received 06.05.2015); Proposed Plans & Elevations: Plot 2 Revision F (Received 06.05.2015) and Proposed Plans & Elevations: Plot 3 Revision F (Received 06.05.2015)**

**16. No removal of trees/scrub/hedges shall be carried out on site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority unless searched beforehand for birds'**

nests and nesting activity by a suitably qualified ecologist. Where nests are found in trees, scrub or hedgerows, clearance of vegetation within a 5 metre radius of the nest must be postponed until the young are confirmed to have fledged.

- 19 **HSC/15/00088: NUSTAR TERMINALS LTD SITE 1, BANKFIELDS DRIVE, EASTHAM, CH62 0BA - TO INCREASE HAZARDOUS SUBSTANCE CONSENT 14/00907 (A36A) STORAGE FROM 17000 TONNES TO 24064 TONNES**

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

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

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

**1. The Hazardous substance(s) shall not be kept or used other than in accordance with the particulars provided on the application form, nor outside the area(s) marked for storage of the substance(s) on the plans submitted with the application, drawing number 50/10/002, 53/10/001 received by the Local Planning Authority dated 21 January 2015**

**2. Storage of Part B2 toxic substance, or preparations, on either the Bankfields Drive or Powerhouse Lane Site, will be limited only to toxic liquids with a boiling point of greater than 75°C, and LC<sub>50</sub> 4 hour 'Rat' of greater than 0.5mg<sup>-1</sup>**

- 20 **APP/15/00119: OROVALES, 135 CALDY ROAD, CALDY, CH48 1LP - 2 NEW-BUILD HOUSES WITHIN THE GROUNDS OF EXISTING HOUSE TOGETHER WITH WORKS TO DRIVEWAY ENTRANCE TO IMPROVE VISIBILITY (AMENDED PLANS)**

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

- 21 **APP/15/00233: 38 POPLAR ROAD, OXTON, CH43 5TB - SINGLE STOREY REAR EXTENSION (AMENDED DIMENSIONS)**

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:

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 10 March 2015 and listed as follows: 06\_2015\_01 Rev A (12.01.15) and 06\_2015\_02 Rev B (19.05.15).

3. Before any construction work commences, samples and details of the roofing material including cross section drawings (scale 1:2 or 1:5) of conservation rooflights and rain water goods 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 facing and glass doors 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.

22 **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**

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

It was moved by Councillor Hayes and seconded by Councillor Berry that the application be refused on the following grounds:

‘ The proposed development, by virtue of its scale, build and massing, would represent over development of the site that would have an adverse impact on both the streetscene and the wider character of the area, due to its design, form and relationship with the neighbouring properties. The proposed development would represent an unneighbourly form of development which would appear overbearing and oppressive when viewed from the neighbouring properties particularly when viewed from the rear elevations and garden areas of residential properties located along Lycett Road, resulting in a harmful impact on residential amenity. The proposal is contrary to policies SH2 and SH7 of the Wirral UDP.’

The motion was put and lost (3:10)

It was then moved by Councillor Foulkes and seconded by Councillor Johnson and:

**Resolved (10:3) That the application be approved subject to the following conditions:**

**1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.**

**2. 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) Landscaping**
- (c) Access**

**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.**

**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. The ground floor premises' shall be used for A1 and for no other purpose of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.**

**5. No storage, display or sale of goods shall take place outside the building.**

**6. The retail premises shall not be used except between the hours of :- 08.00 hours and 18.00 hours Mondays to Saturdays and 10.00 hours and 16.00hours on Sundays and Bank Holidays without the written consent of the Local Planning Authority.**

**7. No servicing or deliveries shall take place at the site outside the hours of 08.00 and 18.00 unless otherwise agreed in writing by the Local Planning Authority**

**8. The development authorised by this permission shall not begin until the local authority has approved in writing details of works:-**

- i) for the relocation of the existing bus stop, bus shelter and bus bay**



marking adjacent to the site and all associated road markings and traffic signs, including bus stop clearway. ( Note: it will be the responsibility of the applicant to consult and agree an appropriate location with Merseytravel for the relocated bus stop and shelter.)

- ii) for the provision of 24 hour waiting restrictions in Leasowe Road adjacent to the site including any necessary alterations to carriageway markings associated with the adjacent pedestrian crossing

The first use 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 authority.

23 **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.**

Having previously declared a personal and prejudicial interest Councillor Elderton left the meeting during consideration of this item.

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

A Ward Councillor addressed the meeting in objection to the application.

On a motion by Councillor Johnson and seconded by Councillor Williams it was:

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

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings, other extensions or external alterations to the dwelling units shall be erected or carried out unless expressly authorised.**
- 3. 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.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General**

Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure under Part 2, Class A shall be erected within any part of the site.

5. Before development commences, a scheme of planting to provide screening to the boundaries of the site shall be submitted to and approved by the Local Planning Authority. The planting shall be carried out in accordance with the approved details and subsequently maintained to the satisfaction of the Local Planning Authority. The approved scheme shall be fully implemented in the first planting season following commencement of any part of the approved development.

6. The existing structure located to the north of the barn within the application site, shall be removed from site before development commences.

7. Before any construction commences, samples of the facing, roofing and 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.

8. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on April 7th and May 19th and listed as follows: IL41412-001, Elevations, Floor plans.

24 **APP/15/00420: 6 THE PIER, WATERSEDGE APARTMENTS, TOWER PROMENADE, NEWBRIGHTON, CH45 2PP - EXTEND BALCONY**

Having previously declared a personal and prejudicial interest, Councillors Foulkes and Brightmore left the meeting during consideration of this item.

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

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

**Resolved (11:0) 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 23rd March 2014 and listed as follows: 173\_2014\_01 (Dated 23.03.2015).

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

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 Elderton and seconded by Councillor Johnson 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 25 March and listed as follows: L01, P02 Rev.B & P01 Rev.C.**
- 3. Before any construction commences, samples of the facing materials and hardstanding 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 remainder of the undeveloped land 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.**

26     **APP/15/00503: WOODEND COTTAGE, MARSH LANE, HIGHER BEBINGTON, CH63 5PP - RE-SUBMISSION OF A PREVIOUSLY APPROVED APPLICATION NO. APP/13/00393 -AMENDMENTS TO INCLUDE ADDITIONAL FLOOR, ROOF LIGHTS AND PORCHES.**

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

On a motion by Councillor Elderton and seconded by Councillor Foulkes 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**
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings, other extensions or external alterations to the dwelling units shall be erected or carried out unless expressly authorised.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window, dormer window or other opening shall be added to the dwelling units unless expressly authorised.**
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure under Part 2, Class A shall be erected within any part of the site.**
- 6. 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.**
- 7. No development shall be commenced until an up to date Bat Roost & Breeding Bird Survey is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved survey.**
- 8. No development shall take place or any works commenced on the conversion of the buildings until a scheme of Biodiversity Enhancements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type and location of bat and bird boxes. The development shall be carried out in strict accordance with the approved details and retained as such at all times thereafter.**

- 27 **APP/15/00527: ALDI SUPERMARKET, 9 MAY ROAD, HESWALL, CH60 5RA - VARIATION OF CONDITION 2 ON PLANNING PERMISSION APP/14/01174 TO ALLOW DELIVERIES BETWEEN THE HOURS OF 07.00 TO 22.00 MONDAY TO SUNDAY AND BANK HOLIDAYS.**

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 Hayes and seconded by Councillor Berry it was:

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

**The proposed increase in hours for deliveries would result in unreasonable and unacceptable increased noise and disturbance adjacent to residential properties resulting in loss of amenity and therefore giving rise to unneighbourly development. The proposal is therefore contrary to Policy SH6 of the Wirral Unitary Development Plan.**

- 28 **APP/15/00536: 169-171 LAIRD STREET, BIRKENHEAD, CH41 0AA - CONVERSION OF EXISTING OFFICES TO THREE SELF-CONTAINED FLATS AND REDUCED OFFICE ACCOMMODATION**

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

On a motion by Councillor Elderton and seconded by Councillor Walsh 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 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.**
- 3. 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.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 09th April 2015 and listed as follows: 33\_2015\_01 and Site Location Plan.

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. The development shall be carried out strictly in accordance with the floorplans so approved, and no change therefore shall take place without the prior written consent of the Local Planning Authority. The commercial/retail unit on the ground floor of the building shall be permanently retained for retail or commercial use and shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.

29 **APP/15/00578: ALDI FOODSTORE, 17-21 HOYLAKE ROAD, MORETON, CH46 9PD - VARIATION OF CONDITION TO PERMIT ALL DELIVERIES AND SERVICING OF THE PREMISES TO TAKE PLACE BETWEEN THE HOURS OF 07.00 AND 23.00 MONDAY TO SUNDAY AND BANK HOLIDAYS**

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

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

**Resolved (10:2:1) 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 not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved detail

**3. The premises shall be closed between 23.00 hours and 08.00 hours Monday to Saturday, and between 17.00 hours and 10.00 hours on Sundays and Bank Holidays.**

**4. All deliveries and servicing of the premises shall only take place between the hours of 07.00 and 23.00 Monday to Sunday.**

**5. Commercial waste collection shall only take place between the hours of 08.00 and 21.00, and shall be carried out within the service area south of the store as indicated in approved drawing 0180NES100 Rev K, dated 18<sup>th</sup> February 2010.**

**6. Deliveries to the store shall be carried out in strict accordance with the Aldi Stores Ltd. letter submitted 23<sup>rd</sup> March 2010 and Servicing Regime Statement received by the Local Planning Authority 7<sup>th</sup> April 2010. For the avoidance of doubt servicing shall be undertaken in accordance with the following unless otherwise agreed in writing by the Local Planning Authority:**

- **All loading and unloading shall take place internally within a delivery vehicle 'docked' within the enclosed service bay canopy;**
- **No waste, products or pallets shall be stored externally;**
- **Prior to entering the store site or car park, all refrigeration plant and reverse sounder units shall be switched off and deactivated.**

**7. A scheme of works to be submitted to and agreed in writing by the Local Planning Authority showing details of all mechanical extraction/ventilation units, air conditioning units, chillers and cooler systems. The scheme should include the sound power levels for each piece of equipment. All works to be completed in accordance with the approved scheme prior to the commencement of business.**

**8. Notwithstanding the submitted details, and having regard to the submitted Design Out Crime Advice, the development authorised by this permission shall not begin 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:**

- **ANPR and CCTV cameras to be installed to the building and car park;**
- **Roller shuttering to be installed to glazed areas;**
- **A grade 2/3 European Standard alarm with grade 4 signalling system (Duel Comm).**

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

**9. The remainder of the undeveloped land within the curtilage of the site shall be suitably landscaped in accordance with a scheme to be submitted to and**

approved by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to the first use of the building hereby permitted and thereafter maintained to the satisfaction of the Local Planning Authority. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species.

10. 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 use in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

11. All existing trees which are not directly affected by the building(s) and works hereby approved shall be clearly located and described in the required landscaping scheme. 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 demolition/construction the trees to be retained on the site shall be protected by chestnut paling fences 1.5 metres high erected to the full extent of their canopies or such lesser extent as may be approved by the Local Planning Authority, the fencing to be removed only when the development (including pipelines and other underground works) has been completed; the enclosed areas shall at all times be kept clear of excavated soil, materials, contractors' plant and machinery.

12. Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall 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 risk 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 remediation measures required and how they are to be undertaken
- 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 long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

**13. No development shall commence until details of the proposed measures to be incorporated within the building to achieve 10% of the predicted energy requirements of the site from renewable sources have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and operated as such thereafter.**

**14. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 (or any subsequent re-enactment) there shall be no creation of additional floor space, including any mezzanine floor space, within the building hereby permitted as shown on the approved plans. The retail unit shall have gross internal floor space no greater than 1,342m<sup>2</sup> with a net trading area no greater than 900m<sup>2</sup>, as shown in the approved drawings. Sub division of the unit to form smaller retail outlets is not permitted.**

**15. Notwithstanding the provisions of Class A1 of the schedule to the Town and Country Planning (Use Classes Order) 1987 (or any subsequent re-enactment), only convenience goods (other than those ancillary to the principal use of the premise) shall be sold from the premises hereby approved.**

**16. The development shall be implemented in accordance with the approved plans, drawing numbers: 180NES 100K; 180NES 102C; 180NES 103G; 180NES**

**105E; 180NES 106E; 180NES 110B; VLO180 L01D, and; 2240/G/102.**

**30 APP/2005/5735: LAND NORTH OF 1 ROCK PARK BOUNDED BY ROCK LANE EAST AND THE ESPLANADE, ROCK FERRY, WIRRAL, CH42 1PJ**

This item had been withdrawn following agenda publication.

**31 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 23/05/2015 AND 11/06/2015**

The Strategic Director for Regeneration and Environment submitted a report detailing planning applications decided under delegated powers between 23/05/2015 and 11/06/2015.

**Resolved – That the report be noted.**