

## PLANNING COMMITTEE

Wednesday, 20 January 2016

Present: Councillor A Leech (Chair)

Councillors D Realey D Elderton  
P Brightmore E Boulton  
S Foulkes K Hodson  
T Johnson D Mitchell  
J Walsh P Cleary  
I Williams

Deputies: Councillors W Clements (for P Hayes)

### 142 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 17 December 2015.

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

### 143 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

No such declarations were made.

### 144 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

**OUT/14/00407: PERSHORE HOUSE SCHOOL PLAYING FIELDS, GLENAVON ROAD, PRENTON – Change of use to a residential development (Outline application with all matters reserved) ( Amended Description)**

**APP/14/01198: LAND ADJACENT TO THE RECTORY, MARK RAKE, BROMBOROUGH, CH62 2DH – Erection of 10 dwellings including construction of access additional information received.**

- 145 **OUT/14/00407: PERSHORE HOUSE SCHOOL PLAYING FIELDS, GLENAVON ROAD, PRENTON - CHANGE OF USE TO A RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION WITH ALL MATTERS RESERVED) (AMENDED DESCRIPTION).**

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

- 146 **APP/14/01198: LAND ADJACENT TO THE RECTORY, MARK RAKE, BROMBOROUGH, CH62 2DH - ERECTION OF 10 DWELLINGS INCLUDING CONSTRUCTION OF ACCESS- ADDITIONAL INFORMATION RECEIVED**

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

- 147 **OUT/15/01129: RIVERSIDE PARK, RIVERWOOD ROAD, BROMBOROUGH, CH62 3QT - OUTLINE APPLICATION (ACCESS ONLY) FOR A RESIDENTIAL DEVELOPMENT OF UP TO 75 APARTMENTS WITH LANDSCAPING, PARKING AND ASSOCIATED WORKS**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

**Resolved (12:0): (with one abstention)** That the application be refused on the following grounds:

1. The proposal would result in residential development on a site within the Wirral International Business Park, a designated Primarily Industrial Area which has been identified as an employment area of strategic importance. Therefore, the development would conflict with the provisions of Policy EM8 in the Wirral Unitary Development Plan which makes provision for employment uses in Use Class B1, B2 or B8 and reconstruction, extension or expansion of existing businesses, and is also contrary to the National Planning Policy Framework (1. Building and strong and competitive environment in particular) and Policy CS17 'Protection of Employment Land' and Policy CS42: Development Management in the Proposed Submission Draft Core Strategy for Wirral because the submitted evidence does not demonstrate that there is no reasonable prospect of the site being used for these purposes.

**2. The proposal would be detrimental to the purpose and character of the area and could set an undesirable precedent that could undermine future sustainable economic growth and employment opportunities if replicated elsewhere within the Primarily Industrial Area. This is contrary to the intentions of Policy EM8: Development within Primarily Industrial Areas and Policy EM6: General Criteria for New Employment Development; the National Planning Policy Framework (1. Building and strong and competitive environment in particular); Policy CS17 'Protection of Employment Land' and Policy CS42: Development Management in the Proposed Submission Draft Core Strategy for Wirral.**

**3. The proposal would undermine the prospects of comprehensive and sustainable employment development on the adjoining land within the Primarily Industrial Area. . This is contrary to the intentions of Policy URN1: Development & Urban Regeneration; Policy EM8: Development within Primarily Industrial Areas and Policy EM6: General Criteria for New Employment Development in the Wirral Unitary Development Plan; the National Planning Policy Framework (1. Building and strong and competitive environment in particular); as well as Policy CS2: Broad Spatial Strategy and Policy CS7: Priorities for Bebington, Bromborough & Eastham and Policy CS17 'Protection of Employment Land' in the Proposed Submission Draft Core Strategy for Wirral.**

**4. Notwithstanding that matters of appearance, landscaping, layout and scale are reserved, the residential development within the scope of the indicative plans would result in an unacceptable form development that would appear over developed with a lack of amenity space and inadequate outlook that would be detrimental to the character of the area and the amenities which the future occupiers could reasonably expect to enjoy. The development would therefore be contrary to the intentions Policy HS4 - Criteria for New Housing Development in the Wirral Unitary Development Plan and Supplementary Planning Document SPD 2 - Designing For Self Contained Flat Development and Conversions, the National Planning Policy Framework (7. Requiring Good Design in particular) and Policy CS42: Development Management in the Proposed Submission Draft Core Strategy for Wirral.**

**5. The site is within a Health & Safety Executive (HSE) consultation zone for development near notifiable hazards at a vacant property in Power Road subject to a hazardous substances consent that has not been revoked and could put the safety of future occupiers and visitors at unacceptable risk if re-used. This is contrary to the advice of the Health & Safety Executive and to Policy PO9: Criteria for Development Near Notifiable Hazards and Policy**

**CS42: Development Management in the Proposed Submission Draft Core Strategy for Wirral.**

**6. Insufficient information has been submitted to ascertain the effect of the development on the Old Hall Road Woods and Eastham Woods Sites of Biological Importance and on any species protected by law. Consequently, the Local Planning Authority is unable to determine whether or not significant harm to local wildlife and habitat would occur and if so how this would be mitigated contrary to the intentions of Policy EM7: Environmental Criteria for New Employment Development, Policy NC5: The Protection of Sites of Local Importance for Nature Conservation; Policy NC7: Species Protection in the Wirral Unitary Development Plan, the National Planning Policy Framework (paragraph 118 in particular) and Policy CS33: Biodiversity and Geodiversity in the Proposed Submission Draft Core Strategy for Wirral.**

148 **APP/15/01143: 78 DAWSTONE ROAD, GAYTON, CH60 8ND - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO DETACHED DWELLINGS.AMENDMENT TO PREVIOUSLY WITHDRAWN APPLICATION REF APP/15/00061**

The Assistant Chief Executive submitted the above application for consideration.

Members of the Committee were advised that an amendment had been made to condition 9 of the report to include “fencing shall be maintained in a satisfactory manner until the development is completed.”

A Ward Councillor addressed the Committee.

On a motion by Councillor Walsh and seconded by Councillor Foulkes 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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on August 13th 2015 and listed as follows:A102, A100, A106, A105, A103 and A104**
- 3. Before any construction commences, samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The**

**approved materials shall then be used in the construction of the development.**

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

**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 commencement of development arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion 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 before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.**

**7. 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.**

**8. Before the demolition commences a dusk emergence survey shall be carried out during the appropriate season and the results, together with a scheme of protection measures, shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Local Planning Authority.**

**9. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan ref:**

**A103 Rev A. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.**

149 **DLS/15/01306: LAND AT NEW CHESTER ROAD, NEW FERRY, CH62 4RE - DETAILS OF RESERVED MATTERS APPLICATION FOR THE ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR THE ERECTION OF 98 DWELLINGS, LAYING OUT OF PUBLIC OPEN SPACE AND ASSOCIATED WORKS, PURSUANT TO OUTLINE PLANNING PERMISSION OUT/12/00002.**

The Assistant Chief Executive submitted the above application for consideration.

On a motion by Councillor Mitchell 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 either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**
- 2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the 23 September 2015 listed as follows: BHNW041/PL01 (Rev G), BHNW041/PL03, BHNW041/11 (Rev B), BHNW041/12 (Rev B), BW/NW/MS-VR-S/001, BH/WL/SD/FD001 (Rev A), BH/WL/SD/FD051, BH/WL/SD/FD014, BH/WL/SD/FD023 (Rev B), BH/WL/SD/FD035, 09110-T-01, 09110-T-02, 09110-T-03, 09110-T-04, 09110-T-05, ENDSS0016C, LDS357-01 (Rev A) and LDS357-02 (Rev A) dated September 2015.**
- 3. Before any construction commences, samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**
- 4. Prior to the commencement of development details of the type of barrier, for example, bollards to restrict vehicular access to the rear of the houses on New Chester Road shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number and position of the**

barrier and shall be constructed and retained as such at all times in accordance with the approved details, prior to the occupation of the properties hereby approved.

5. No development shall take place until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

6. No development shall take place until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, cycle routes, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the Local Planning Authority written approval prior to occupation of the development.

7. Prior to the first occupation of the residential units, 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.

8. No development shall take place until a Site Waste Management Plan, confirming how 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. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1<sup>st</sup> March to 31<sup>st</sup> August inclusive unless otherwise agreed in writing by the Local Planning Authority.

10. Having regard to the sites location adjacent to the A41, no development

shall commence until a noise survey in relation to the impact of road traffic noise on the proposed dwellings has been submitted to and approved in writing by the Local Planning Authority. If such a survey identifies dwellings being in Noise Exposure Categories B or C (between 55 and 72 LAeqT dB between 0700 and 2300 and between 45 and 66 LAeqT dB between 2300 and 0700) then details of a scheme of works to minimise noise pollution and disturbance to the new dwellings, including details of acoustic glazing, shall be submitted to and approved in writing by the Local Planning Authority and once approved shall only be carried out in full accordance with such details and all implemented measures (including any acoustic glazing) shall be permanently retained thereafter.

11. No development shall take place before a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Green Travel Plan shall be implemented upon commencement of the development hereby approved and operated in accordance with the provisions and timescales contained therein unless otherwise agreed in writing with the Local Planning Authority.

150 **APP/15/01375: CUCKOOS FLIGHT, 45 CROFT DRIVE EAST, CALDY, CH48 1LX - REMODELLING OF EXISTING DWELLING INCLUDING, EXTENSION, WITH FRONT DORMERS AND REMODELLED ENTRANCE, LOFT CONVERSION AND INTERNAL ALTERATIONS**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

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

- 1. The development hereby permitted shall be begun before the expiration of 3 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 1 December 2015.**
- 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. On insertion, the three oriel windows as shown on the hereby approved plans shall contain fixed and obscure glazing to the north-west panel and retained as such thereafter.

5. No development shall commence on site until details of the stopping up of all existing accesses rendered obsolete by the development hereby approved, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. Such stopping up shall include for all footways to be reinstated to standard footway levels. The stopping up shall take place in accordance with the approved details within three months of the first occupation of the development.

151 **APP/15/01458: LAND EAST OF TARRAN WAY WEST, MORETON, CH46 4TT - CONSTRUCTION OF REPLACEMENT WASTEWATER PUMPING STATION COMPOUND, CONTROL KIOSK AND ASSOCIATED NEW ACCESS.**

The Assistant Chief Executive submitted the above application for consideration.

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

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

1. The development hereby permitted shall be begun before the expiration of 3 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 3 November 2015 and listed as follows: 6435/80029465/00/97/2001 D

3. Prior to the commencement of development, full details of any mitigation measures relating to the protection of Great Crested Newt(s) during construction, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and the mitigation measures shall be carried out in accordance with the approved scheme.

4. No development (including any demolition, earthworks or vegetation clearance) shall take place before a scheme of landscaping which shall include details of both hard and soft landscape works and earthworks has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, 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 the Local Planning Authority gives prior written permission for any variation.

5. No part of the development or use hereby permitted shall be occupied or the use commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with a scheme of details that shall be submitted to and approved in writing by the Local Planning Authority.

152 **APP/15/01475: ALDI SUPERMARKET, 9 MAY ROAD, HESWALL, CH60 5RA - REFURBISHMENT PROJECT COMPRISING OF; REPLACEMENT PLANT EQUIPMENT, RENEWAL OF EXTERNAL CLADDING AND ROOF COVERING, INSTALLATION OF NEW SHOP FRONTAGE AND RENEWAL OF TROLLEY BAY CANOPY. RENDER TO LOADING BAY WALLS AND ALTERATION OF CAR PARK LAYOUT.**

The Assistant Chief Executive submitted the above application for consideration.

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

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

**1. The development hereby permitted shall be begun before the expiration of 3 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 9 November 2015 and listed as follows: M1679NES 101, M1679NES 102, M1679NES 105, M1679NES 106, SD-EX 017 and M1679NES 100**

**3. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or**

destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

4. 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.

5. 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.

6. No deliveries shall take place outside the hours of 0800 and 1800 on any day.

7. Delivery vehicles entering the site shall ensure that any refrigeration units on board the vehicle are switched off before arriving at the premises i.e. the car park.

8. All engines of all delivery vehicles shall be switched off in the car park whilst loading and unloading.

9. There shall be no more than 4 delivery vehicles a day to the premises.

10. The premises shall be closed between 2200 hours and 0800 hours Monday to Saturday, between 1700 hours and 1000 hours on Sundays and between 1700 hours and 0900 hours on Bank Holidays.

153 **ADV/15/01476: ALDI SUPERMARKET, 9 MAY ROAD, HESWALL, CH60 5RA - NEW FASCIA TO FRONT AND SIDE ELEVATIONS. ERECTION OF VINYL SIGNAGE TO ENTRANCE, DUEL POSTER DISPLAY AND TOTEM SIGN.**

The Assistant Chief Executive submitted the above application for consideration.

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

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

- 1. 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.**
- 2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**
- 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.**

154 **APP/15/01482: 34 GREENVILLE CLOSE, BEBINGTON, WIRRAL, CH63 7SD - TWO STOREY SIDE EXTENSION AND REAR/SIDE SINGLE STOREY EXTENSION TO HOUSE.**

The Assistant Chief Executive submitted the above application for consideration.

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

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

**1. The development hereby permitted shall be begun before the expiration of 3 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 09 November 2015 and listed as follows: W01, W02, W03 and Site Location Plan**

**3. The first floor rear elevation window(s) shown on drawing No. W03 shall not be glazed otherwise than with obscured glass and non-opening up to 1.7 metres from the internal finished floor level and thereafter be permanently retained as such.**

**155 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 07/12/2015 AND 10/01/2016**

The Assistant Chief Executive submitted a report detailing planning applications decided under delegated powers between 07/12/2015 and 10/01/2016.

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

**156 PLANNING APPEALS DECIDED BETWEEN 01/10/2015 AND 31/12/2015**

The Assistant Chief Executive submitted a report detailing planning appeals decided between 01/10/2015 and 31/12/2015.

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