

# PLANNING COMMITTEE

Thursday, 22 March 2018

Present:

Councillor A Leech (Chair)

Councillors

S Foulkes

E Boulton

P Cleary

D Elderton

P Hackett

K Hodson

T Johnson

S Kelly

I Lewis

D Realey

J Walsh

I Williams

## 147 MINUTES

The Director for Business Services submitted the minutes of the meeting held on 15 February 2018.

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

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

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

Councillor S Foulkes declared a pecuniary interest in Agenda Item 8 by virtue of being a Board Director for Magenta Living, the Company sold the building to the private developer.

## 149 REQUESTS FOR SITE VISITS

No Site Visits were requested.

## 150 ORDER OF BUSINESS

The Chair sought and received approval from the Committee to alter the order of the consideration of the agenda.

## 151 OUT/15/00249: LAND AT 26 CORNELIUS DRIVE, IRBY, CH61 9PR: DEMOLITION OF EXISTING BUNGALOW, FORMATION OF VEHICULAR ACCESS ONTO LAND, ERECTION OF TEN DWELLINGS

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

The agent for the applicant addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion of approval moved by Councillor S Foulkes and seconded by Councillor D Realey it was lost (5:8)

On a motion for refusal moved by Councillor S Kelly and seconded by Councillor I Lewis it was:

**Resolved- (8:5) That the following application be refused on the following grounds:**

**The proposal would result in a form of development having a cramped and overdeveloped appearance, which the Local Planning Authority considers would be detrimental to the general character of the area.**

152     **APP/17/01217: LORD STREET & CLEVELAND STREET, BIRKENHEAD, CH41 6BL: ALTERATION OF THE EXISTING BUILDING TO CREATE A ROOF AND A SIDE EXTENSION. CONVERSION OF THE EXISTING BUILDING TO CREATE 200 STUDENT UNITS WITH ASSOCIATED FACILITIES, INCLUDING EXTERNAL LANDSCAPING AND RECREATIONAL AREA AND INTERNAL COMMUNAL AREAS.(SUI GENERIS)**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor D Realey and seconded by Councillor S Foulkes 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 units of student accommodation hereby permitted shall not be occupied until, 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.**
- 3. The units of student accommodation hereby permitted shall not be occupied until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.**
- 4. The units of student accommodation hereby permitted shall not be occupied 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.

5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th December 2017 and listed as follows: Location Plan (dwg. number 01); Existing Block Plan (dwg. number 02); Proposed Block Plan (dwg. number 03); Existing Basement Plan (dwg. number 04); Existing Ground Floor Plan (dwg. number 05); Existing First Floor Plan (dwg. number 06); Existing Second Floor Plan (dwg. number 07); Existing Roof Plan (dwg. number 08); Existing External Elevations (dwg. number 09); Existing Courtyard Elevations (dwg. number 10); Proposed Basement Plan (dwg. number 11); Proposed Ground Floor Plan (dwg. number 12)

6. The development shall not be occupied until details of the acoustic fence to be provided between the application site and those properties on Brunswick Mews has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full and retained in perpetuity

7. The units of student accommodation hereby permitted shall not be occupied until details of a tenant management plan has been submitted to and agreed in writing by the LPA. The approved plan shall be implemented in full.

8.1 The units of student accommodation hereby permitted shall not be occupied until an assessment is carried out in accordance with authoritative technical guidance (CLR11), has been submitted to and approved in writing by the Local Planning Authority.

8.2 If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority. The end use of this site is considered residential for the purpose of land contamination risk assessment and management.

8.3 The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.

8.4 If, during the course of development, any contamination posing unacceptable risks is found, which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority.

9. The units of student accommodation hereby permitted shall not be occupied until acoustic details of the mechanical ventilation equipment including installation shall be submitted to and approved by the Local Planning Authority. The equipment shall be operated and maintained in accordance with the approved scheme for the duration of the use hereby permitted.

10. The units of student accommodation hereby permitted shall not be occupied until details of a building management scheme have been submitted to and agreed in writing with the LPA. The agreed scheme shall include arrangements for the permanent presence of a manager and formal procedures for engaging with local

residents in the event of disputes relating to the operation of the use. This should include, but not limited to :-

details of how the management team will liaise with local residents generally  
should provide a telephone helpdesk, available 24 hours per day, 365 days per year, to all members of the local community as well as the residents to deal with all issues relating to the day to day management and reporting and possible general Anti-Social Behaviour (e.g. noise, general disturbance).

Time limit on the use of the proposed outdoor space to protect the residential amenities of adjacent residential occupiers

Compliance with the actions detailed on the submitted manufacturers specification for the noise measuring equipment

Details of the management strategy for dealing with any possible issues of anti-social behaviour.

The scheme shall be fully implemented upon the first occupation of any of the units of student accommodation hereby permitted and continued for the full duration of the use.

11. All windows fitted to the units of student accommodation hereby permitted shall only open to a maximum of 100mm and shall continue for the full duration of use.

12. The units of student accommodation hereby permitted shall not be occupied until 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.

13. The units of student accommodation hereby permitted shall not be occupied until a full landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

14. The units of student accommodation hereby permitted shall not be occupied until a full scheme of works for the reinstatement to standard footway levels of any existing vehicle accesses from the highway that are rendered obsolete by the development shall be submitted and approved in writing by the LPA. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

15. The development hereby permitted by this planning permission shall be carried out in accordance with the principles and details specified in the following approved submissions, including limiting discharge rate and storage volumes:

Flood Risk Assessment – Works at the proposed Hamilton Hub (*Revision B – January 2018 & Response to LLFA January 2018 in 99-Revised Submission Jan 2018*).

12C Pro Ground.pdf Proposed Ground Floor Plan Drawing Number 12C

**16. Prior to the occupation of any properties the applicant must submit 'as built' drainage design/layout drawings and a confirmed Management and Maintenance Plan.**

**17. If the approved sustainable drainage system is not adopted by a public body or statutory undertaker then, prior to the first occupation, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include:**

- **The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.**
- **A schedule for on-going inspections relating to performance and condition.**
- **Details for planned maintenance and a mechanism for remedial and urgent repair works.**

**18. No live music, amplified music or live entertainment shall take place within or outside the premises.**

**153 APP/17/01388: 42 CAVENDISH DRIVE, ROCK FERRY, CH42 6RQ: REAR GROUND FLOOR EXTENSION (RETROSPECTIVE).**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor S Foulkes and seconded by Councillor D Realey it was:

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

**1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 21/11/17 and listed as follows: Drawing No. 02.**

**154 APP/17/01489: 4 MILL LANE, GREASBY, CH49 3NU: DEMOLITION OF EXISTING SINGLE AND TWO STOREY REAR OUTRIGGERS, AND CONSTRUCTION OF 2 STOREY REAR OUTRIGGER. ALTERATION TO FRONT AREA OF PROPERTY AND FORMATION OF DROPPED KERB AND PAVEMENT CROSSING TO PROVIDE OFF STREET PARKING WITHIN SITE BOUNDARY.**

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor I Lewis and seconded by Councillor K Hodson it was lost.(6:7)

On a motion moved by Councillor D Realey and seconded by Councillor S Foulkes it was:

**Resolved (7:6) That the following 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 amended plan received by the local planning authority on 29 January 2018 and listed as follows: Job No.1732, Drawing No.03, Rev.B.**
- 3. All new first floor windows in the north-east facing elevation shall be non-opening and obscurely glazed up to a height of 1.7 metres from the internal finished floor level and shall remain as such thereafter.**

- 155     **APP/17/01493: 1 CHARTER HOUSE, CHURCH STREET, EGREMONT, CH44 8AS:PROPOSED EXTERNAL FLOODLIGHT FITTINGS TO EXISTING RESIDENTIAL BLOCK OF FLATS(AMENDED).**

The Managing Director for Delivery submitted the above application for consideration.

Councillor S Foulkes left the room for this item.

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

**Resolved (12:0) That the application be refused on the following grounds.**

- 1.The proposal would result in an unneighbourly form of development in that it would lead to light nuisance which the Local Planning Authority considers would be detrimental to the amenities which the occupiers of surrounding properties could reasonably expect to enjoy.**

- 156     **APP/17/01514: 277 TELEGRAPH ROAD, HESWALL, CH60 6RN: DEMOLITION OF EXISTING DETACHED HOUSE TO BE REPLACED WITH NEW BUILD APARTMENT BLOCK CONTAINING 5 APARTMENTS WITH PROVISION FOR RESIDENT PARKING AND BIKE STORAGE. NEW ACCESS POINT FROM TELEGRAPH ROAD TO IMPROVE ACCESS TO AND FROM THE SITE.**

This Item was withdrawn from the Agenda.

157     **APP/17/01363: LAND NORTH OF OLD CROFT, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NE: ALTERATIONS TO REDUCE SIZE OF EXISTING NEWLY CONSTRUCTED BARN FOLLOWING PLANNING APPEAL**

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor I Lewis and seconded by Councillor K Hodson it was:

**Resolved: (12:0 1 abstention) that the application be refused on the following grounds:**

1. The proposed building is disproportionately large in comparison to the original building which it replaces and constitutes inappropriate development. This results in an obtrusive structure which is out of character with the surrounding area and rural nature of the site and has an adverse impact on the openness of the Green Belt. The proposals are therefore contrary to the National Planning Policy Framework paragraph 89 and Policy GB2 of the Wirral Unitary Development plan.

158     **APP/18/00018: 13 PRENTON WAY, PRENTON, CH43 3DU: CHANGE OF USE TO DOG HOTEL AND DAY CARE**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor D Elderton and seconded by Councillor D 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 documents received by the local planning authority on 15th January 2018.
3. When the hereby permitted use ceases, the use of the premises shall revert back to its original use for B1, B2 and/or B8 purposes.
4. The use hereby permitted shall be discontinued and the land restored to its former condition on or before ten years of the approval date in accordance with a scheme of work(s) to be submitted to and approved in writing by the Local Planning Authority.

159     **ADV/18/00024: 2 GRANGE ROAD, WEST KIRBY, CH48 4HA: 1 - HERITAGE STYLE TIMBER PROJECTING SIGN WITH EXTERNAL ILLUMINATION 2 - HERITAGE STYLE TIMBER FASCIA WITH EXTERNAL ILLUMINATION 3 - POST SIGN TO REPLACE EXISTING 4 - WINDOW VINYL**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor S Foulkes and seconded by Councillor P Hackett it was:

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

**1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 04/01/18 and 14/03/18 and listed as follows:**

**Drawing No.**

**216113.LOC (received on 04/01/18)**

**216113/EX (received on 04/01/18)**

**216113.PRO (received on 04/01/18)**

**216113/3.2 (received on 14/03/18)**

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

**4. 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.**

**5. 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).**

**6. 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.**

**7. This consent shall expire after a period of 5 years from the date of this permission.**

160     **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 06/02/2018 AND 12/03/2018**

The Managing Director for Delivery submitted a report detailing planning applications decided under delegated powers between 06/02/2018 and 12/03/2018.



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

161     **JUDICIAL REVIEW UPDATE**

A verbal update was given by the Solicitor regarding the Judicial Review proceedings relating to Thornton Manor- The Committee were informed that Judgement is to be handed down shortly and members will be notified.