

PLANNING COMMITTEE

Thursday, 19 April 2018

Present: Councillor A Leech (Chair)

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

Deputies: Councillors T Jones

162 MINUTES

The Director for Governance & Assurance submitted the minutes of the meeting held on 22 March 2018.

Resolved- That the minutes be approved.

163 CHAIRS ANNOUNCEMENT

Members will be aware that, with regards to the Judicial Review application relating to Thornton Manor Hotel, the High Court made an Order on 23 March 2018 that the time for filing the claim form be extended, that permission be granted to proceed with the claim and that Planning Permission reference APP/10/00445 dated 20 December 2011 be quashed. Members have been sent a copy of the Judgement of the Court. Officers are meeting with Counsel tomorrow to consider the implication of the decision and an update report will be brought to the next meeting of this Committee.

164 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.

None were declared.

165 REQUESTS FOR SITE VISITS

No Site Visits were requested.

166 APP/16/01088: LAND AT CONWAY STREET, BIRKENHEAD, CH61 6EN - A MIXED USE COMMUNITY/ COMMERCIAL/ SHOP/ FINANCIAL SERVICE AND PUBLIC SPACE TO THE GROUND FLOOR, WITH 132 ONE AND TWO BED

**APARTMENTS TO UPPER STOREYS WITH PRIVATE GARDEN TERRACES.
(FURTHER INFORMATION PROVIDED)**

This item was withdrawn from the Agenda.

- 167 **APP/18/00139: MELVERLEY, 147 CALDY ROAD, CALDY, CH48 1LP - DEMOLITION OF EXISTING TIMBER AND BRICK GREENHOUSE TO REAR OF THE PROPERTY AND ERECTION OF TWO-STOREY SIDE AND REAR EXTENSIONS, SINGLE-STOREY EXTENSION TO REAR HOUSING A SWIMMING POOL AND 3 CAR GARAGE WITH BEDROOM OVER LINKED TO MAIN HOUSE WITH GLAZED LINK**

The Assistant Director for Environmental Services submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

The Agent for the applicant addressed the Committee.

On a motion moved by Councillor D Realey and seconded by Councillor J Walsh it was:

Resolved (9:4) 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 26th January 2018 and listed as follows: 17/051-01; 17/051-02; 17/051-03 and the amended plans received on 20th March 2018 and listed as: 17/051-04; 17/051-05; 17/051-06 and 17/051-07**
- 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no external alterations to the front elevation (including altering or changing the windows) or demolition of the chimneys shall be carried out without the express permission of the Local Planning Authority**
- 5. Before any construction commences, details of the windows and doors (elevations at a scale 1:20 and vertical and horizontal cross sections at a scale 1:5 or 1:2) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the construction of the development.**

6. Prior to first occupation of the dwelling, full details of all hard landscaping, including (but not limited to) the proposed materials for the front driveway and turning area, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and remain thereafter unless otherwise agreed in writing by the Local Planning Authority.

168 **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.**

The Assistant Director for Environmental Services submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor K Hodson and seconded by Councillor E Boulton it was lost (5:8)

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

Resolved (8:5) 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 26 March 2018 and listed as follows: B105 Rev B, B106 Rev B, B107 Rev B, B108 Rev B & B109 Rev B.

3. Before any construction commences, samples of the facing 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. No part of the development shall be brought into use until the existing vehicular and/or pedestrian access on to Telegraph Road has been permanently closed off and the footway reinstated. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

6. Provision is to be made for the parking of 5 cars on the forecourt of the property and for suitable landscaping, in accordance with a scheme to be submitted to and approved by the Local Planning Authority, before the development hereby approved is commenced. Such parking and landscaping is to be provided prior to occupation of the premises and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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. 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.

9. 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.

10. The first floor bedroom window on the side elevation adjacent to 275 Telegraph Road shall be obscurely glazed and non-opening, up to a height of 1.7m above the bedroom floor level. This shall be installed prior to the first occupation of the flats hereby approved, and retained as such thereafter.

169 **APP/17/01555: 34 - 38 CONWAY STREET, BIRKENHEAD, CH41 6JD - CHANGE OF USE FROM CLUB INTO A LAP DANCING CLUB/BAR (RETROSPECTIVE)**

The Assistant Director for Environmental Services submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

Resolved (13:0) That the application be refused on the following grounds.

The continued use as a lap dancing club on a primary commercial frontage constitutes a development which does not promote a positive image of the area and would be in conflict with the Council's proposals for the regeneration and vitality of Birkenhead Town Centre including any future residential

proposals and is thereby contrary to Unitary Development Plan Policy SH1 Criteria for Development in key Town Centres.

170 PLANNING APPEALS DECIDED BETWEEN 01/01/2018 AND 31/03/2018

The Assistant Director for Environmental Services submitted a report detailing planning appeals between 01/01/2018 and 31/03/2018.

Resolved – That the report be noted.

171 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 12/03/2018 AND 09/04/2018

The Assistant Director for Environmental Services submitted a report detailing planning applications decided under delegated powers between 12/03/2018 and 09/04/2018.

Resolved – That the report be noted.