

PLANNING COMMITTEE

Thursday, 11 March 2010

<u>Present:</u>	Councillor	D Elderton (Chair)	
	Councillors	B Kenny M Redfern P Hayes P Johnson	J Crabtree J George J Salter D Mitchell
<u>Deputies:</u>	Councillors	J Keeley (for S Mountney) C Teggin (for A Jennings)	

161 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

Councillor D Mitchell declared a personal interest in items 5 and 6 - APP/10/00033 and APP/10/00034: Kings Gap Court Hotel, Valentia Road, Hoylake - Renovation of the hotel, demolition of the majority of the extensions including the rear function room and adjoining annex to the hotel on the Kings Gap Frontage and erection of new extensions (see minutes 165 and 166 post) by virtue of him being a member of Mersey Travel Board.

162 REQUESTS FOR SITE VISITS

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

It was moved by Councillor Redfern and seconded by Councillor Teggin that a site visit be arranged for the following application:

Application 2009/06285: Land adjacent to 50 Woodchurch Lane, Prenton - erection of 8 self contained flats and 6 houses).

Resolved (10:0) (Councillor George abstaining) - That a site visit be arranged in respect of this application.

163 APP/09/06285 - LAND ADJACENT TO 50 WOODCHURCH LANE, PRENTON - ERECTION OF 8 NO. SELF CONTAINED FLATS AND 6 NO. HOUSES

The Director of Technical Services submitted the above application for consideration.

Resolved (10:0) - That consideration of this application be deferred for a site visit.

APP/09/06553 - CANDY PARK 1, NEW CHESTER ROAD, BROMBOROUGH - CHANGE OF USE OF VACANT WAREHOUSE TO CREATE AN INDOOR CRICKET CENTRE DEDICATED PREDOMINANTLY TO THE SPORT OF INDOOR CRICKET (WITH ASSOCIATED PRACTICE/TRAINING FACILITIES). THE FACILITY ALSO TO OFFER/INCORPORATE (AT VARIOUS TIMES) INDOOR SPORTS COURTS TO ACCOMMODATE THE PLAYING OF INDOOR HOCKEY, BOWLS, VOLLEYBALL AND FOOTBALL, TOGETHER WITH A VIEWING/ CAFE ZONE, TOILETS, CHANGING /SHOWERING FACILITIES, AND RECEPTION /OFFICE AREA

The Director of Technical Services submitted the above application for consideration.

A ward councillor addressed the meeting.

On a motion by Councillor Mitchell and seconded by Councillor Salter 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 unit shall be used as an indoor cricket centre and for no other purpose, including any other purpose in D2 (Assembly and Leisure) 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, unless otherwise agreed in writing by the Local Planning Authority.**
- 3. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein and shall not be varied other than through agreement with the local planning authority.**

For the avoidance of doubt, such a plan shall include:

- Access to the site by staff, visitors and spectators, including friends and family;**
- Details of off-street parking arrangements and the management of off-street parking;**
- Information on existing transport services to the site and staff, visitors and spectators, travel patterns;**
- Travel Plan principles including measures to promote and facilitate more sustainable transport;**
- Realistic targets for modal shift or split;**
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;**
- Measures and resource allocation to promote the Travel Plan; and**
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.**

4. Prior to the commencement of development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development.

5. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.

165 **APP/10/00033 - KINGS GAP COURT HOTEL, VALENTIA ROAD, HOYLAKE - RENOVATION OF THE HOTEL, DEMOLITION OF THE MAJORITY OF THE EXTENSIONS INCLUDING THE REAR FUNCTION ROOM AND ADJOINING ANNEX TO THE HOTEL ON THE KINGS GAP FRONTAGE, AND ERECTION OF NEW EXTENSIONS**

The Director of Technical Services submitted the above application for consideration.

Councillor Mitchell declared a personal interest in this matter by virtue of being a member of Mersey Travel Board.

On a motion by Councillor Elderton and seconded by Councillor Mitchell 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. 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. Details shall be provided for the manoeuvring, loading and unloading of servicing vehicles including the timetable for implementation, shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The servicing shall be carried out and operated in accordance with the approved details thereafter.

4. Before the development is commenced, precise details to a scale of 1:20 of the extension shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the manner of connection to the original building and alterations to the original building needed as a result of these works. The development shall be carried out in accordance with the

approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

5. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide waiting restrictions at the junction of The Kings Gap and Valentia Road. The occupation of any part of the development shall not begin until those works have been completed in accordance with the approved scheme and have been certified in writing as complete by or on behalf of the local planning authority.

6. Details of the proposed windows and dormers to a scale of 1:20 shall be submitted to and agreed by the Local Planning Authority in writing prior to the commencement of works on site. For the avoidance of doubt, the windows shall be set back within a recess of 60mm, unless otherwise agreed in writing.

7. Details of all external lighting shall be submitted to and approved in writing prior to the commencement of development. The details shall confirm the location, levels of illumination and proposed shading to prevent the spread of direct light or glare over the public highway or into neighbouring properties.

8. 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.

9. A scheme of works shall be submitted to and agreed in writing with 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 and power levels for each piece of equipment. All approved works to be completed before the extensions hereby approved are brought into use and operated in accordance with the agreed scheme.

10. Pedestrian visibility splays of 2.4 metres by 2.4 metres shall be provided at the junction of the proposed access with The Kings Gap before any part of the development is brought into use. These splays shall be retained thereafter.

11. Vehicular sight lines of 2.4m x 43m in both directions shall be provided at the junction of Kings Gap before the development hereby approved is brought into use. The sight lines shall be retained thereafter.

12. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally approved unless agreed in writing with the Local Planning Authority.

13. The approved landscaping scheme shall be carried out within the first planting season of the completion of the extensions hereby approved.

14. Details of the type of foundations, method, type and programme to be adopted shall be submitted to and agreed with the Local Planning Authority

before any work is commenced and shall not be varied unless agreed in writing with the Local Planning Authority.

15. No trees indicated in the approved plan(s) or documentation to be retained shall be cut down, uprooted or destroyed, nor shall any trees be pruned other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any agreed pruning shall be carried out in accordance with British Standard 3998 (Tree Works).

16. 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. 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.

17. No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the LPA:

A; a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

B; the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule.

C; a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.

E; the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).

F; the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

G; the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).

H; the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).

I; the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

J; the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, surfacing)

K; the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees.

L; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction.

M; the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

N; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

O; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837).

P; the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

Q; the timing of the various phases of the works or development in the context of the tree protection measures.

18. 21 days before any development is commenced resulting in any alteration of existing ground levels, demolition or alteration of the structure, written notice shall be given to the local planning authority whereupon the local planning authority, within 21 days of receipt of such notice, shall specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site to inspect tree protection measures and construction of driveways / access near trees, for the purpose of arboricultural investigation.

19. All redundant vehicle crossings adjacent to the boundary of the site shall be reinstated as footway to match the existing footway immediately adjacent before the development hereby approved is brought into use.

20. The proposals shall be carried out in accordance with the approved plans submitted on 2/3/10 and retained as such thereafter.

21. No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The details shall include the construction of a sample panel of proposed surface materials on site. The development shall be carried out in accordance with the approved materials and sample panel detailing. The approved sample panel shall be retained on site until removal is authorised by the local planning authority.

166 **CON/10/00034 - KINGS GAP COURT HOTEL, VALENTIA ROAD, HOYLAKE - RENOVATION OF THE HOTEL, DEMOLITION OF THE MAJORITY OF THE EXTENSIONS INCLUDING THE REAR FUNCTION ROOM AND ADJOINING ANNEX TO THE HOTEL ON THE KINGS GAP FRONTAGE, AND ERECTION OF NEW EXTENSIONS**

The Director of Technical Services submitted the above application for consideration.

Councillor Mitchell declared a personal interest in this matter by virtue of being a member of Mersey Travel Board.

On a motion by Councillor Mitchell and seconded by Councillor Salter 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. Works for the demolition of the building or any part thereof shall not be carried out other than as part of the implementation of development for which planning has been granted through planning approval 2010/00034. The demolition shall be carried out without interruption and in complete accordance with the plans approved through this consent and any associated planning permission.
3. The demolition work shall not be commenced until a contract has been signed for the redevelopment works and a copy submitted to and agreed by the LPA.

167 **DPP3/10/00069 - CREMATORIUM, LANDICAN CEMETERY, ARROWE PARK ROAD, WOODCHURCH - MERCURY ABATEMENT AND FURNACE ROOM EXTENSION**

The Director of Technical Services submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Redfern 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. 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.

168 **REPORT TO INFORM MEMBERS OF CHANGES TO NATIONAL PLANNING POLICY BROUGHT ABOUT THROUGH THE PUBLICATION OF PLANNING POLICY STATEMENT 4, AND TO OUTLINE THE IMPLICATION OF THESE CHANGES TO THREE PLANNING APPLICATIONS THAT HAVE PREVIOUSLY BEEN PRESENTED TO THE PLANNING COMMITTEE FOR WHICH A DECISION NOTICE HAS NOT BEEN ISSUED**

The Director of Technical Services submitted a report informing Members of the change to national planning policy and outlining the implications of these changes to previous planning applications.

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

Resolved (11:0) -

- (1) That the change in national planning policy brought about by the publication of PPS4: Planning for Sustainable Economic Growth be noted.**
- (2) That this Committee endorses the report now submitted which concludes that there are no issues arising from the publication of National Planning Policy Statement 4: Planning for Sustainable Economic Growth that give grounds for revising the decision of planning committee in relation to applications APP/2008/6821 and APP/2009/5109 OUT/2009/5110 or the proposed planning conditions and associated Section 106 Legal Agreements**