

PLANNING COMMITTEE

Thursday, 12 September 2019

Present: Councillor S Kelly (Chair)

Councillors S Foulkes P Stuart
K Hodson S Whittingham
S Hayes B Berry
G Davies I Lewis
S Frost M Jordan
B Kenny A Corkhill

Deputy: Councillor J Walsh (In place of I Williams)

59 MINUTES

The Director of Governance and Assurance submitted the minutes held on the 15 August 2019 for approval.

Resolved – That the minutes of the meeting held on 15 August 2019 be approved subject to the amendments outlined at the meeting.

60 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.

No such declarations were made.

61 APP/17/01606: ROCK STATION HOTEL, HIGHFIELD ROAD, ROCK FERRY, CH42 2BU DEMOLITION OF EXISTING 3 STOREY PUBLIC HOUSE AND ADJACENT BUILDING AND ERECTION OF PART 3 STOREY, PART 4 STOREY APARTMENT BLOCK CONTAINING 25 SELF-CONTAINED FLATS

The Interim Director for Economic and Housing Growth submitted the above application for consideration.

On a motion by the Chair and seconded by G Davies it was –

Resolved (14:0) – 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 21 June 2019 and 11

September 2019 and listed as follows: B101 Rev. B, B102 Rev. B, B103 Rev. B, B104 Rev.D and B106 Rev A.

3. Prior to any development above ground level approval of the following details shall be obtained from the local planning authority;

i. Samples or details of all facing materials including all new windows and doors

The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

4. Prior to first occupation approval of the following details shall be obtained from the local planning authority

i. Details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development

The stated details shall be implemented in full prior to first occupation and thereafter be permanently retained and maintained.

5. A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include mitigation measures as advised by the Council's ecologist such as the integration of suitable hedgerow (hawthorn, holly, hazel, dog rose, elder blackthorn, birch, alder, ash, rowan, aspen, field maple and honeysuckle allowed to a height and spread of 2 metres) and tree (birch, alder, rowan, aspen, field maple being allowed to a height of 5 metres) species alongside full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained.

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

6. No tree felling, scrub clearance, hedgerow removal, vegetation management, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, the appropriate measures specified by the licensed ecologist are to be undertaken

7. A sales/information pack highlighting the location of, and promoting the use of, alternative greenspaces within the area and explaining the importance, sensitivities and vulnerabilities of protected European Sites to recreational impacts, shall be provided to every new home buyer for the development hereby permitted.

8. Before any approved phase of development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase 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 development shall take place until a full scheme of works for the reinstatement (to standard footway levels) of the existing vehicle accesses from the highway in Highfield Road that are rendered obsolete by the development and any other amendments to the existing highway made necessary by this development have been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

10. The cycle parking area shown on drawing No. B101 Rev. B shall be implemented in full prior to first occupation of the proposed development and be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

11. No development shall commence until detailed plans and particulars of the sustainable drainage system, in the form of a 'Confirmed/Final' Sustainable Drainage Strategy, for the management and disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The details of the 'Confirmed/Final' Sustainable Drainage Strategy must be based on the principles and details identified in Flood Risk Assessment/Drainage Strategy <21-03-18/BWR/1376/Shape Consulting Engineers>, be accompanied by a completed Sustainable Drainage Operation and Maintenance Plan and meet all requirements, including submission requirements, of Wirral Council's 'Sustainable Drainage Technical Guidance'

12. Prior to occupation of any properties the applicant must submit 'as built' drainage design/layout drawings. The plans should be accompanied by an updated Operation and Maintenance Plan, if required.

13. Prior to commencement, a Noise Survey in relation to the impact of rail and road traffic noise on the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, if such a survey identifies any dwellings as being in Noise Exposure Categories B or C then a scheme

of noise insulation to the dwellings shall be agreed in writing by the Local Planning Authority.

14. NO DEVELOPMENT SHALL TAKE PLACE until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. 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 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.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and additional measures for remediation shall be submitted to and approved in writing by the Local Planning Authority.

16. Prior to first occupation, details of a screen to be erected along the southern axis of the first floor amenity area as shown on drawing No. B102 Rev. B shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include its location, height and finished materials. The screening shall be completed before the amenity area is brought into use and shall be retained as such thereafter.

62 **APP/19/00941: QUEST INTERNATIONAL, DOCK ROAD SOUTH, BROMBOROUGH, CH62 4SQ ADDITIONAL USE, TO ALLOW A CHANGE OF USE FOR BUILDING 4 FROM B2 CLASS TO D2 USE CLASS**

The Interim Director for Economic and Housing Growth submitted the above application for consideration.

On a motion by the Chair and seconded by Councillor K Hodson it was –

Resolved (14:0) – 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 3rd July 2019 and listed as follows: J397 MW/02 & J416/01**
- 3. The unit hereby approved shall be used as a performance dance school with ancillary on line costume hire in accordance with the details of the application, and for no other purpose (including any other purpose in D2 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.

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.

63 **TREE PRESERVATION ORDER NO WR0392 20 & 22 FARR HALL DRIVE, HESWALL, CH60 4SH**

A report by the Interim Director for Economic and Housing Growth informed the Committee of an objection to Wirral Borough Council Tree Preservation Order No WR0392 and recommended that the order should be confirmed.

On a motion by the Chair and seconded by Councillor K Hodson it was -

Resolved (14:0) – That the Council Tree Preservation Order No WR0392 be confirmed.

64 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

Resolved – That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraphs 1 and 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test had been applied and favoured exclusion.

65 **BELFORD DRIVE ENFORCEMENT REPORT**

The Interim Director for Economic and Housing Growth submitted a report outlining the options available to the Council to resolve a longstanding breach of planning control. The breach of planning control consisted of the erection of a two storey side extension without the benefit of planning permission and the subsequent failure of the registered owners of the land to comply with an enforcement notice requiring the removal of the first floor element of the extension.

The appendix to the report contained exempt information falling within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972 therefore the press and public were excluded from the meeting during its consideration due to the sensitive and personal nature of the details outlined within it.

The Legal Advisor to the Committee provided details of further information received to Members of the Committee.

On a motion by the Chair and seconded by Councillor B Berry it was –

Resolved (14:0) – That the Council take the steps outlined in option C as set out in the confidential appendix to the report, to exercise its powers under section 178 of the Town and Country Planning Act 1990 to enter the land and carry out the steps required by the notice.

66 **BELFORD DRIVE ENFORCEMENT REPORT - APPENDIX 1 [EXEMPT INFORMATION - NOT FOR PUBLICATION]**

Appendix 1 to the Belford Drive Enforcement Report was exempt by virtue of paragraphs 1 and 3.

67 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

Councillor K Hodson requested an update in respect of Thornton Manor and Hillbark House Hotel.

The Interim Director for Economic and Housing Growth advised that in respect of Thornton Manor, the applicant had appealed against the Council's refusal of the application therefore an Enforcement Notices had been served and the applicant was in the process of appealing these. In respect of Hillbark House Hotel, the applicant had appealed against the refusal for planning consent.