

PLANNING COMMITTEE

Tuesday, 25 August 2020

Present: Councillor S Kelly (Chair)

Councillors K Hodson S Whittingham
P Cleary I Williams
G Davies B Berry
S Frost I Lewis
B Kenny M Jordan
P Stuart

Deputies: Councillors C Carubia (in place of A Corkhill)

141 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 21 July 2020 for approval.

Resolved – That the minutes of the meeting held on 21 July 2020 be approved.

142 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

No such declarations were made.

143 APP/20/00246; 45-51 ST ALBANS ROAD, LISCARD, CH44 5XH - TO CHANGE USE TO MICRO BAR WITH ANCILLARY COFFEE SHOP WITHIN USE CLASS A4 (DRINKING ESTABLISHMENTS), INSTALL A NEW SHOPFRONT INCLUDING BI-FOLDING DOORS, AN A/C UNIT AND VENTS. (AMENDED DESCRIPTION) AMENDMENT TO PROPOSED HOURS OF OPERATION – SUNDAY TO THURSDAY 08:00 TO 22:00 HOURS AND FRIDAY TO SATURDAY 08:00 TO 23:00 HOURS

The Corporate Director of Regeneration and Place submitted the above application for consideration.

An Objector addressed the Committee.

On a motion by Councillor S Kelly and seconded by Councillor G Davies 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 16th March 2020 and listed as follows:

**DWG 1 (REV A) Existing Floor Plans
DWG 2 (REV A) Existing Elevations
DWG 3 (REV A) Proposed Elevations
DWG 4 (REV A) Proposed Floor Plans**

3. The premises shall not be open to customers outside the following hours:-

**08:00 and 22:00 Sunday to Thursday
08:00 and 23:00 Friday and Saturdays**

4. In so far as this permission relates to the provision of an A4 use, all windows and doors of the premises shall remain in the closed position between 19:00 and 09:00 hours and whenever music is playing, other than use of doors for access to and from the premises.

5. PRIOR TO FIRST USE of the business hereby approved arrangements for the storage and disposal of refuse including recycling facilities, 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.

6. PRIOR TO FIRST USE, an assessment on the potential for noise from the development affecting residential or commercial properties in the area shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include (but not be restricted to) noise from the playing of live and/or amplified music. If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

- 144 **APP/20/00353; 152 - 152A MILL LANE, LISCARD, CH44 3BN - TO CONVERT THE FIRST FLOOR TO OFFICES (WITHIN USE CLASS A2) IN ASSOCIATION WITH THE EXISTING OFFICE AT GROUND FLOOR WITH ASSOCIATED EXTERNAL CHANGES TO THE FRONT AND REAR ELEVATION INCLUDING RENDER, NEW WINDOWS, NEW SHOPFRONT, FRENCH DOORS TO REAR AND 2NO. AIR HANDLING UNITS TO THE REAR. *AMENDED DESCRIPTION, AMENDED PLANS RECEIVED***

The Corporate Director of Regeneration and Place submitted the above application for consideration.

The Applicant addressed the Committee.

An amendment to the motion to approve the application was put by Councillor S Kelly and seconded by Councillor P Cleary as follows:

“The premises shall not be open for business outside the following hours:-

08:00 and 17:00 Monday to Friday”

The amendment was put and carried (13:0)

It was then moved by Councillor S Kelly and seconded by Councillor P Cleary and:

Resolved (13:0) that the application be approved subject to the following conditions as amended:

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 9th July 2020 and listed as follows:

**ELEVS1 (Existing and Proposed Elevations)
EL1/PL1 (Existing and Proposed Ground Floor Plans)
EL2/PL2 (Existing and Proposed First Floor Plans)
LP1 (Location Plan)**

3. The premises shall not be open for business outside the following hours:-

08:00 and 17:00 Monday to Friday

4. Prior to the use commencing details of noise rating or sound power level of the air conditioning units (which should be readily available from

manufacturer), should be submitted and approved in writing by the council. The applicant should then comply with any enclosure or screening deemed necessary by the Planning Authority in the light of those detail.

5. Prior to the use commencing a scheme of sound insulation to the party walls between the office areas and the adjacent houses should be submitted to the Planning Authority for approval and the approved details installed.

6. (a) Details of the storage of waste/recycling bins and their collection arrangements, shall be submitted to and approved in writing by the local planning authority. All waste materials generated by the development, whether to be discarded as refuse or recycled, shall be stored within the curtilage of the premises until the day it is due to be collected.

(b) The waste storage facility and collection arrangements shall be implemented in accordance with the approved details before the development is occupied/brought into use.

145 **APP/20/00883; 52-54 GREENHEYS ROAD, LISCARD, CH44 5UP - DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF AN INDEPENDENT LIVING SCHEME COMPRISING 53 UNITS, ALONG WITH ASSOCIATED CAR PARKING AND HARD AND SOFT LANDSCAPING (RESUBMISSION OF PLANNING APPLICATION APP/19/01575) *AMENDED LANDSCAPING PLAN INCLUDING INCREASE IN NUMBER OF REPLACEMENT TREES***

The Corporate Director of Regeneration and Place submitted the above application for consideration.

The Applicant addressed the Committee.

On a motion by Councillor Kelly and seconded by Councillor S Whittingham 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 following plans and supporting document received on 6 July 2020 (unless specified):

PL003C Site Plan

PL004, Ground floor plan
PL005, First Floor plan
PL006, Second floor plan
PL007, Proposed elevations
PL008, Proposed elevations
PL009, Proposed site elevation and section
PL011. Unit plans
D&A STATEMENT REV D

Ecological Survey Summary
Landscape Layout – 3477/101 Revision D
Hydrock Drainage Strategy
Vectos – Swept Path Analysis – Ambulance – VN81194-TR101
Planning Statement including Affordable Housing Statement

3. Before the development hereby approved is first commenced a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.

4. Prior to any works above above ground floor level taking place, details of the facing/roofing/windows and door 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.

5. Before the development hereby approved is first commenced, a scheme for the protection and enhancement of biodiversity within the development site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- **A bat box that shall be installed on a suitably mature tree or on the extra care building;**
- **Bird nesting boxes (indicating the number, type and location on an appropriately scaled plan);**
- **An external lighting scheme that protects ecology and does not result in excessive light spill onto habitats, and;**
- **A timetable for the implementation of the biodiversity protection and enhancement.**

The scheme shall thereafter be implemented in full accordance with the approved details and timetable.

6. No tree felling, scrub clearance or hedgerow removal 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 and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted and approved prior to the commencement of such works.

7. The development hereby approved shall be carried out in accordance with the submitted Landscaping Layout 3477/101 Revision D received electronically on 8 July 2020.

All planting, seeding or turfing comprised in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the soonest. Any trees or plants which within a period of five years from the completion of the 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.

8. Construction of the development authorised by this permission shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle access from the highway and any amendments to the existing highway made necessary by this development, including details of the new vehicle access in accordance with LPA commercial crossing specifications, tactile paved pedestrian crossing to the junctions of Leominster Rd/Greenheays Rd and Love Lane/Oxton Rd, details of a new TRO and any necessary amendments to the footway. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of the development.

9. Prior to the commencement of site clearance, demolition, storage of plant (non-tree related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall conform to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection. The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles

shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

Prohibited Activities. The following activities must not be carried out under any circumstances: a, No fires to be lit within 20 metres of existing trees and shrubs to be retained. b, Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping. c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree. d, No builders debris or other materials to be stored within the Root Protection Areas. e, No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be a used and located not within 10 metres of any Root Protection f, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA. g, No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

Arboricultural Method Statement: The development should be carried out strictly in accordance with the approved Arboricultural Method Statement received .

10. Prior to the commencement of site clearance, demolition, storage of plant, materials, machinery, including the siting of site huts and WCs a precommencement site meeting shall be held and attended by the site manager, the demolition contractor, the arboricultural consultant and a representative from the local planning authority to discuss all the details of the tree protection measures as specified and any other site operations that have implications for trees. At this time it shall be agreed the intervals at which the arboricultural consultant shall carry out subsequent site visits to sign off installation of tree protection measures and supervise sensitive operations in relation to trees. It is the responsibility of the site foreman to inform all employees, contractors and sub-contractors visiting and or working on the site of the details specified and to raise the importance of the tree protection measures so as to avoid causing damage to retained trees.

Tree works: All tree pruning and felling associated with site handover shall be carried out as the first operation on site, in accordance with the specification in any Tree Tables. Work shall comply with BS3998:1989 Recommendations

for Tree Work and current Best Practice.

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection during construction by a suitably qualified and pre-appointed tree specialist.

11. Foul and surface water shall be drained on separate systems.

12. The affordable housing shall be provided within the development in accordance with the submitted Affordable Housing Statement submitted and prepared by Hive Land and Planning as part of an overarching Planning Statement received electronically on 26th February 2020.

13. Before the development hereby approved is first commenced, a Construction and Environmental Management Plan (CEMP), which shall also include a Site Waste Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to for the duration of the construction of the development.

14. No residential development shall commence until the final detailed sustainable drainage design, for the management and disposal of surface water from the site based on the principles and details identified in the following documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Sycamore Lodge, Greenheys Road, Wallasey – Drainage Strategy (24-02-20/
Ref: SLW-HYD-XX-XX-DR-C-0600/ rev: P02/ Hydrock)
- Email titled: “RE: Initial Consultation for Application App/19/01575” (including attachments)
From: Richard Baker (RichardBaker@hydrock.com)
To: Regen-LLFA (LLFA@wirral.gov.uk)
Email sent: 24 February 2020 13:45

15. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. ‘As built’ drainage design/layout drawings and

a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

16. PRIOR TO FIRST OCCUPATION of the dwellings hereby approved arrangements for the storage and disposal of refuse including recycling facilities, 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.

17. PRIOR TO FIRST OCCUPATION of the dwellings hereby approved, full details of secure covered & lockable cycle parking and/or storage facilities shall be 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.