

PLANNING COMMITTEE

Thursday, 18 March 2021

Present:

Councillor	S Kelly (Chair)		
Councillors	S Foulkes	P Stuart	
	K Hodson	M Jordan	
	G Davies	A Wright	
	S Frost	A Gardner	
	B Kenny		

32 MINUTES

The Director of Law and Governance submitted the minutes of the meeting held on 11 February 2021 for approval.

Resolved – That the minutes of the meeting held on 11 February 2021 be approved.

33 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 A Gardner declared a personal interest in respect of Item 3 – APP/20/00891: Land at Chicken Corner Farm, Raby Mere Road, Raby – by virtue of being acquainted with the applicant's agent (minute 36 refers).

34 ORDER OF BUSINESS

With the consent of the Members of the Committee, the Chair agreed to vary the order of business.

35 OUT/20/01800: RONAN, 4 SANDFIELD PARK, HESWALL, CH60 9HX - OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF TWO DETACHED DWELLINGS

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

The Lead Petitioner addressed the Committee.

The Applicant's Agent addressed the Committee.

It was moved by the Chair and seconded by Councillor S Frost that the application be approved subject to the following conditions.

The motion was put and carried (10:0).

Resolved (10:0) – That the application be approved with the following conditions:

The development hereby permitted shall be commenced either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

NO DEVELOPMENT SHALL COMMENCE ON SITE UNTIL details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority within three years from the date of this permission.

(a) The external appearance of the development;

(b) The landscaping of the site; and

The development shall be carried out in accordance with the approved details.

The development hereby permitted shall be carried out in accordance with the approved plan received by the local planning authority on 09 December and 25 January 2020 and listed as follows:

A102 Rev B – Proposed Massing Elevations

A101 Rev C – Proposed Site Plan and Context Elevation

A100 Rev A – Existing Site Plan

No development hereby approved shall take place (including ground works and vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not limited to the following:

- a) Risk assessment of potentially damaging construction activities**
- b) A pre-commencement check for terrestrial mammals, including a Badger walk-over survey of the site and 30m of adjacent land (access permitting);**
- c) Identification of “biodiversity protection works” / Reason Avoidance Measures (RAMs) including but not limited to:**
 - i. The working area, together with any storage areas, being kept clear of debris, and any stored materials being kept off the ground on pallets to prevent amphibians from seeking shelter or protection within them.**
 - ii. Any open excavations (e.g. foundations / footings / service trenches etc) being covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets being covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them.**

- iii. Any excavation being in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.
- iv. Any open pipes being temporarily capped at the end of each working day to prevent any animals gaining access.
- v. Any holes or trenches left open overnight being either be covered at the end of each working day and/or include a means of escape (sloped banks or ramps) in case any badger should fall in.
- vi. All building materials being stored so that badgers cannot access them.
- vii. The use of chemicals (such as herbicides & fertilisers) being avoided wherever possible. Should any chemicals be used and stored on site these should be kept in secure compounds away from access by animals.
- viii. Any obvious badger paths to be left clear of obstruction.
- ix. All the property boundaries allow for the free movement of wildlife both during & after construction.
- x. Protective fencing being erected surrounding the construction site during the building work to prevent badgers from entering the site
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- e) The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. should only take place between 8am and 6pm daylight working hours and starting one hour after sunrise and ceasing one hour after sunset)
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- h) Use of protective fences, exclusion barriers and warning signs
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

Should badgers or any protected species be at risk at any point a licence may be required from Natural England to proceed lawfully.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details

No development hereby approved shall be occupied until a scheme for hard and soft landscaping of the site and including the means of enclosure and the materials to be used for hard surfacing have been submitted to and approved by the Local Planning Authority. The scheme shall include, but not be limited to:

- a) A plan showing existing vegetation to be retained and safeguarded during construction which shall be consistent with the Construction Ecological Management Plan.
- b) Details of the species, heights and age of the new replacement trees to be planted.

- c) Detailed planting / sowing specifications including species, size, density spacing, cultivation protection (fencing, staking, guards) and methods of weed control
- d) Details of surfacing, boundary treatments and landscaping structures including design, location, size, colour, materials and openings

Development shall be carried out in accordance with the approved scheme and in accordance with the landscape implementation plan. If at any time in the five years following planting any tree, shrub or hedge shall for any reason die, be removed or felled it shall be replaced with another tree, shrub or hedge of the same species during the next planting season to the satisfaction of the Local Planning Authority.

No development hereby approved shall be occupied until details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent protected species using key corridors, forage habitat features or accessing roost sites.

The details shall include, but not limited to, the following:

- a) A drawing showing sensitive areas and/or dark corridor safeguarding areas
- b) Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate.
- c) A description of the luminosity of lights and their light colour
- d) A drawing(s) showing the location and where appropriate the elevation of the light fixings.
- e) Methods to control lighting control (e.g timer operation, passive infrared sensor (PIR)).

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

No development hereby approved shall be occupied until details scheme for biodiversity enhancement, such as:

- a) incorporation of permanent bird boxes;
- b) nesting opportunities for birds;
- c) hedgehog highways (13cm x 13cm holes) within the bottom of any fences in order to allow for movement of species between the new gardens.
- d) hedgehog hibernacula/log pile;
- e) bat boxes; and
- f) invertebrate boxes

have been submitted to and agreed in writing with the Local Planning Authority.

No tree felling, scrub clearance, vegetation management, ground clearance or building works 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 vegetation 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 for approval.

No surface water and/or land drainage shall connect directly or indirectly with the public sewerage network.

No building hereby permitted shall be occupied until details of cycle parking provision are submitted to and approved in writing by the Local Planning Authority.

The approved details must be implemented, retained thereafter and be kept free of obstruction and available for the parking of cycles only.

36 **APP/20/00891: LAND AT CHICKEN CORNER FARM, RABY MERE ROAD, RABY, CH63 4JQ - DEMOLITION AND REMOVAL OF EXISTING COMMERCIAL BUILDINGS AND STRUCTURES (USE CLASSES B1, B2, B8, D2 AND SUI GENERIS) AND THE ERECTION OF SIX DWELLINGS (USE CLASS C3) WITH ALTERATIONS TO EXISTING VEHICULAR ACCESS AND FORMATION OF PARKING AND SITE LANDSCAPING**

Councillor A Gardner declared a personal interest in this matter (minute 33 refers).

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

The Applicant's Agent addressed the Committee.

Ward Councillor Cherry Povall addressed the Committee.

It was moved by Councillor S Frost and seconded by Councillor M Jordan that the application be refused.

The motion was put and carried (10:0).

Resolved (10:0) – That the application be refused for the following reason:

In visual terms the proposal would have a greater impact on the openness of the Green Belt than the existing development due to the height and massing of the submitted scheme. The proposal is therefore inappropriate development in the Green Belt, and as such conflicts with Policy GB2 of the Wirral UDP, and the NPPF, which seeks to safeguard the Green Belt from inappropriate development and impacts on openness.