

PLANNING COMMITTEE

Thursday, 16 December 2021

Present:

Councillor S Kelly (Chair)

Councillors	S Foulkes	P Stuart
	K Hodson	M Jordan
	AER Jones	A Gardner
	B Kenny	B Berry
		H Gorman

39 MINUTES

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

On a motion by the Chair and seconded by Cllr Foulkes it was –

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

40 MINUTES OF THE STRATEGIC APPLICATIONS SUB COMMITTEE

The Director of Governance and Assurance submitted the minutes of the Strategic Applications Sub Committee meetings held on 2 November 2021 for approval.

On a motion by the Chair and seconded by Cllr Foulkes it was –

Resolved – That the minutes of the Strategic Applications Sub Committee meeting held on 2 November 2021 be approved.

41 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.

42 APP/21/00963; SANDIWAYS, 46 HOYLE ROAD, HOYLAKE, CH47 3AQ PROPOSAL: FULL PLANNING APPLICATION FOR DEMOLITION OF EXISTING BUILDING AND THE ERECTION OF A RESIDENTIAL DEVELOPMENT WITH ASSOCIATED MEANS OF ACCESS, SITE INFRASTRUCTURE, CAR PARKING AND LANDSCAPING AT 46 HOYLE ROAD, HOYLAKE CH47 3AQ.

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

The Lead Petitioner addressed the Committee.

The Ward Councillor addressed the Committee.

The Lead Principal Lawyer (Regeneration, Planning and Property), read out a statement submitted by the applicant.

On a motion by the Chair and seconded by Cllr Foulkes it was –

Resolved (9:1) – that the application be approved subject to a section 106 agreement pursuant to the Town and County Planning Act 1990 securing a financial contribution for Off-Site Highway Works and biodiversity credits for offsite compensation works relating to dune grassland and also subject to the following conditions.

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 14/05/2021 and 30/11/2021 (unless otherwise stated) and listed as follows:

**Design and Access Statement: Blueoak
Preliminary Ecological Appraisal: Tyred Ecological Consultants Limited
Desk Survey Results (Bats): Tyres Ecological Consultants Limited
Habitats Regulations Assessment: Tyred Ecological Consultants Limited
Arboricultural Impact Assessment: Tree Solutions**

20-HOYLE-LOC-01

8677/01

20-HOYLE-PL-01 Rev A

20-HOYLE-PL-02 Rev A

20-HOYLE-PL-03 Rev C

20-HOYLE-PL-04 Rev B

20-HOYLE-PL-05 Rev A

20-HOYLE-PL-06

20-HOYLE-PL-07 Rev B

20-HOYLE-PL-08 Rev A

20-HOYLE-PL-101

20-HOYLE-PL-102

LDS491-01

LDS491-LS

The facing materials to be used in the external construction of this development hereby approved and set out in the Design and Access Statement shall then be used in the construction of the development unless agreed otherwise in writing with the Local Planning Authority.

The accommodation hereby permitted shall not be occupied until a detailed scheme for landscaping (including replacement trees and boundary treatment) has been submitted to and agreed in writing with the Local Planning Authority. The approved landscaping provisions shall be completed in full before the apartments are occupied and retained in situ in perpetuity.

Prior to first occupation of the development hereby approved arrangements for the storage and disposal of refuse including recycling facilities, and vehicle access thereto, shall be made within the approved residential curtilage and be retained in situ in perpetuity.

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 hedgehogs.
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 hedgehog should fall in.

vi. All building materials being stored so that hedgehogs 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. Any obvious hedgehog paths to be left clear of obstruction.

viii. All the property boundaries allow for the free movement of wildlife both during & after construction.

ix. Protective fencing being erected surrounding the construction site during the building work to prevent badgers from entering the site

d) A precautionary working method statement requiring removal of invasive species and excavation by hand tools. Corms/root systems and cuttings to be disposed of at a licenced waste management facility.

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**
- J) 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)**

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

The development hereby permitted shall not be occupied until details of bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Prior to the occupation of the development hereby approved, a lighting scheme designed to protect ecology and does not result in excessive light spill onto the habitats in line shall be submitted for approval and implemented in accordance with those details.

Further guidance is available at the Bat Conservation Trust website <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Prior to the occupation of the development hereby approved the series of enhancements listed within PEA (section 9) installation of bat and bird boxes, insect hotels and a green roof on bin/bike store shall be completed.

The tree works methodology hereby approved and set out in Tree Protection Plan in accordance with the Arboricultural Impact Assessment (AIA) shall be adopted and complied with in full unless agreed otherwise in writing with the Local Planning Authority.

Prior to occupation of the development hereby approved, provision of an awareness raising information leaflet in householder information packs for residents promoting the use of suitable alternative natural greenspace and highlighting the sensitivity of national and international sites shall be provided in accordance with the requirements of Natural England.

The side window(s) on plan PL/03 Rev B and PL/03 Rev B marked as obscure glazed shall not be glazed otherwise than with obscured glass. The windows shall be fixed shut up to a height of 1.7m above the floor level of the area they serve and thereafter be permanently retained as such unless actuated by the smoke / fire alarm system in the case of an emergency.

Prior to first occupation of the development hereby approved arrangements for the car and cycle parking, shall be made within the approved residential curtilage and be retained in situ in perpetuity.

43 **APP/21/01371; 11 CALDY ROAD, WEST KIRBY, CH48 2HE PROPOSAL: DEMOLITION OF THE EXISTING DWELLING AND OUTBUILDINGS AND THE ERECTION OF A DETACHED BUILDING CONTAINING 6 APARTMENTS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.**

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

The Lead Petitioner addressed the Committee.

The Ward Councillor addressed the Committee.

The Lead Principal Lawyer (Regeneration, Planning and Property), read out a statement submitted by the applicant.

On motion by Councillor Andrew Gardner, seconded by Councillor Kathy Hodson it was –

Resolved (7:3) – that the application be refused on the following grounds.

The proposed development, due to its scale, hight and siting within the plot, will result in an overbearing form of development and create a poor outlook for the occupiers of the adjacent dwelling at number 9 Caldly Road. For these reasons, the Local Planning Authority considers that the proposal is detrimental to the residential amenities that these occupiers could reasonably expect to enjoy.

The proposal is contrary to the advice contained within HS4 of Wirral Unitary Development Plan and the principles of the national planning policy framework