

# PLANNING COMMITTEE

Thursday, 8 September 2022

Present:

Councillor S Kelly (Chair)

Councillors	S Foulkes	M Jordan
	G Davies	B Kenny
	T Elzeiny	P Martin
	H Gorman	J McManus
	K Hodson	

Deputy:

Councillor S Powell-Wilde (for Councillor P Stuart)

Apologies:

Councillor A Wright

## 80 WELCOME AND INTRODUCTION

The Chair welcomed Members of the Planning Committee, Officers and viewing members of the public to the meeting.

## 81 MINUTES

The Director of Law and Governance submitted the minutes of the meeting held on 4 August 2022 for approval.

On a motion by the Chair and seconded by Councillor Steve Foulkes it was -

**Resolved – That the minutes of the meeting held on 4 August 2022 be approved.**

## 82 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.

## 83 APP/21/02227 6 DEE LANE, WEST KIRBY CH48 0QA

The Principal Planning Officer presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

Lead Petitioner Kerry Northfield addressed the Committee.

The Applicant's Agent, Nicole Roe addressed the Committee.

On a motion by the Chair and seconded by Councillor S Foulkes, it was -

**Resolved (unanimously) – that the application be approved subject to a planning obligation to secure a commuted sum of £4,135.05 for the planting of nine replacement trees within the surrounding area and the following conditions:**

**1. The development hereby permitted shall begin not later than [3] years from the date of this decision.**

**Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990**

**2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23 November 2021 and listed as follows: PL.001, PL.002, PL.003, PL.004, PL.006**

**Transport Statement**

**Reason: For the avoidance of doubt and to define the permission.**

**3. No development involving the use of any facing materials shall take place until samples of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area.**

**4. Notwithstanding the indicative detail shown on the approved drawings, no development above ground floor slab level shall take place until full details of all new windows and doors, including all sill, lintel, and jamb/reveal detail drawings, at 1:20 scale with cross sections at 1:2 (or similar) have been submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure a satisfactory appearance to the development.**

**5. No structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be placed on the balconies at any time.**

**Reason: In the interests of preserving the character of the proposed building having regards to the National Planning Policy Framework**

**6. PRIOR TO FIRST OCCUPATION of the dwellings hereby approved, full details of secure, lockable and covered cycle parking and/or storage facilities for at least eight bicycles 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.**

**Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.**

**7. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS OR COMMERCIAL UNITS 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.**

**Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to policies WM8 and WM9 of the Waste Local Plan**

**8. No above ground construction shall begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle accesses from the highway and any amendments to the existing highway made necessary by this development, including details of the temporary vehicle crossing access, the new permanent vehicle access in accordance with LPA concrete crossing specifications and amendments to the footway at Dee Lane for pedestrian safety. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of the development.**

**Reason: In the interest of highway safety and to comply with UDP Policy**

**9. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by The Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: In the interest of highway safety**

**10. Prior to first occupation, a “lighting design strategy for biodiversity” for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall: a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.**

**Reason: To protect important wildlife species having regards to NC7 in Wirral Unitary Development Plan**

**11. No vegetation management or demolition works are 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 buildings 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.**

**Reason: To protect birds during their breeding season**

**12. Prior to implementation including any demolition, groundworks, scrub clearance and tree removal, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and include details of ecological mitigation and pollution prevention.**

**The CEMP should include (but not be limited to) the following; details of any tree or scrub removal (for the avoidance of doubt this should not be between 1 March and 31 August inclusive unless informed by a suitably qualified ecologist); details of construction lighting (for the avoidance of doubt this should be directed away from sensitive ecological receptors, in this instance the adjacent gardens); details of pollution control measures, particularly in relation to airborne pollutants during demolition and a full specification of site hoarding with a minimum height of 2.4 m. The approved Construction Environmental Management Plan shall be adhered to throughout the construction period for the development. The CEMP should be accessible to site managers, all contractors and sub-contractors working on site**

**Reason: These details are required prior to commencement of works to ensure the environmental impacts of construction are prevented or minimised in accordance with Policy EN5**

**13. A homeowner sales/information pack which highlights the location of, and promotes the use of, alternative recreational spaces within the area (such as Ashton Park or the raised promenade) and explains 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.**

**Reason: To protect European Sites from excessive recreational pressure**

**14. 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.**

**Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Wirral Unitary Development Plan**

**15. The ground floor commercial units shall only be open for customers between the following hours:**

**0700 – 2200 Mondays - Fridays**

**0800 - 2300 Saturdays**

**0800 – 2200 Sundays**

**Reason: In the interests of neighbouring amenity**

**16. The building hereby permitted shall not be occupied until the windows on the rear elevation shown on drawing No. PL.004 have been fitted with obscured glazing, and no part of that/those window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.**

**Reason: In the interests of neighbouring amenity.**

**84 SILENT TRIBUTE TO HER MAJESTY THE QUEEN**

Following the sad announcement of the death of Her Majesty the Queen Members stood in silent tribute for 2 minutes.

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