

PLANNING COMMITTEE

Tuesday, 6 July 2010

<u>Present:</u>	Councillor	D Mitchell (Chair)	
	Councillors	D Elderton B Kenny E Boulton P Gilchrist P Hayes	P Johnson J Keeley S Kelly D Realey J Salter
<u>Deputies:</u>	Councillor	R Wilkins (for Cllr Mark Johnston)	

210 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on 1 June 2010.

Resolved – That the minutes be received.

211 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 J Salter declared a prejudicial interest in application APP/10/00240 by virtue of a relative having submitted an objection to the application.

212 REQUESTS FOR SITE VISITS

Members were asked to submit their requests for site visits before any planning applications were submitted.

The following requests for site visits were unanimously approved;

APP/10/00111 – Plough Inn, 90 Hoylake Road, Moreton, CH46 8TH – Demolition of the existing public house (A4) and the erection of a convenience store (A1) with associated parking and servicing details.

APP/10/00441 – 68 Egerton Street, New Brighton, CH45 2LT – Change of use from a single dwelling to 8 self contained flats (amended description).

APP/10/00545 – Panache, 43 Market Street, Hoylake, CH47 2BG – Retention of canopy at rear for seating and storage.

It was moved by Councillor Keeley and seconded by Councillor Hayes that a site visit be arranged for the following application;

APP/09/06038 – 2 Thirlmere Drive, Wirral, CH45 4LW – Erection of a single storey extension, raising roof of existing workshops and installation of spray booth (retrospective application)

Resolved (7:4) (Councillor Bob Wilkins abstaining) – That a site visit be arranged in respect of this application.

It was moved by Councillor Hayes and seconded by Councillor Keeley that a site visit be arranged for the following application;

APP/10/00537 – 18 Mockbeggar Drive, Wallasey Village, CH45 3NN – Erection of front, side and rear extensions.

Resolved – That a site visit be arranged in respect of this application.

213 APP/09/06038 - 2 THIRLMERE DRIVE, WIRRAL, CH45 4LW ERECTION OF A SINGLE STOREY EXTENSION, RAISING ROOF OF EXISTING WORKSHOPS & INSTALLATION OF SPRAY BOOTH (RETROSPECTIVE APPLICATION)

The Director of Technical Services submitted the above application for consideration.

Resolved (7:4) (Councillor Bob Wilkins abstaining) – That a site visit be arranged in respect of this application.

214 APP/09/06528 - 2-4 EUSTON GROVE, BIRKENHEAD, CH43 4TY - RETENTION OF CHANGE OF USE FROM SOLARIUM AND REPAIR OF MG SPORTS CAR TO OFFICES AND STORAGE AND ELEVATIONAL CHANGES (AMENDED DESCRIPTION)

The Director of Technical Services submitted the above application for consideration.

It was moved by Councillor Kelly and seconded by Councillor Hayes –

“That the application be refused on the grounds that it did not comply with HS15 and that it was not appropriate for the surrounding development”

The motion was put and lost (3:9)

It was then moved by Councillor Mitchell and seconded by Councillor Salter –

“That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. Within 3 months of the date of permission the first floor window in the extension elevation facing south shall be fixed and obscurely glazed with frosted glass and shall be retained as such thereafter”.

The motion was put and carried (9:3)

Resolved – (9:3) - That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. Within 3 months of the date of permission the first floor window in the extension elevation facing south shall be fixed and obscurely glazed with frosted glass and shall be retained as such thereafter.

215 **APP/10/00111 - PLOUGH INN, 190 HOYLAKE ROAD, MORETON, CH46 8TH - DEMOLITION OF THE EXISTING PUBLIC HOUSE (A4) AND THE ERECTION OF A CONVENIENCE STORE (A1) WITH ASSOCIATED PARKING AND SERVICING DETAILS.**

Resolved – That the application be deferred for a site visit.

216 **APP/10/00223 - GREAT EASTERN, NEW FERRY ROAD, NEW FERRY, CH62 1BN - DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 10 NO. 2 STOREY SEMI-DETACHED DWELLINGS**

The Director of Technical Services submitted the above application for consideration.

A petitioner addressed the meeting.

A representative of the agent addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor Elderton and seconded by Councillor Mitchell it was –

Resolved – (8:3) (Councillor Salter abstaining) – That the application be approved subject to the following conditions;

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission

2 Before any construction commences, samples of the facing and roofing 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.

3 The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the alteration of the highway required by the development; including the removal of redundant vehicle accesses, the provision of new accesses and kerbs, resurfacing of the footway, alterations to street lighting and the provision of a traffic regulation order prohibiting waiting at the junction of New Ferry Road / Shorefields. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified as complete by or on behalf of the local planning authority.

4 The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide pedestrian dropped kerbs at the junction of New Ferry Road / Shorefields, New Ferry. The occupation of any part of the development shall not begin until those works have been completed in accordance with the local authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

5 Prior to the commencement of development details of the proposed public art designation-focal point relating to the Great Eastern and IK Brunel as indicated on Drawing No. 09-103-10 shall be submitted to and agreed in writing with the Local Planning Authority and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full within a time frame to be agreed with the Local Planning Authority.

6 The development hereby approved shall be carried out in accordance with the details shown on drawing number 09-103-10.

7 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas, including the levels and contours to be formed and showing the relationship of proposed mounting to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included where appropriate. The development shall be carried out in strict accordance with the approved details.

8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

9 The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 14th May 2010.

10 No development shall commence until details of the proposed measures to be incorporated within the building to achieve 10% of the predicted energy requirements of the site from renewable sources have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and operated as such thereafter.

217 **APP/10/00240 - 33A CAITHNESS DRIVE, EGREMONT, CH45 7PN - CONVERSION OF EXISTING GARAGE TO CREATE LOFT AND INTRODUCTION OF TWO ROOF DORMER EXTENSIONS FACING LINCOLN DRIVE.**

Councillor Salter declared a prejudicial interest by virtue of a relative having submitted an objection to the application.

The Director of Technical Services submitted the above application for consideration.

A petitioner addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor Kelly and seconded by Councillor Realey it was moved that the application be refused for the following reasons;

1 That the proposed development would form a visually obtrusive feature by reason of the introduction of dormer windows, which the Local Planning Authority considers would be detrimental to the general character of the street scene.

2 In the opinion of the Local Planning Authority the proposed development would introduce an element which is unsympathetic and alien to the design of the building and would thereby appear incongruous in the street scene and would detract from visual amenity.

Resolved – That the application be refused for the following reasons:

1 That the proposed development would form a visually obtrusive feature by reason of the introduction of dormer windows, which the Local Planning Authority considers would be detrimental to the general character of the street scene.

2 In the opinion of the Local Planning Authority the proposed development would introduce an element which is unsympathetic and alien to the design of the building and would thereby appear incongruous in the street scene and would detract from visual amenity.

218 **APP/10/00275 - QUARRY BANK HOSTEL, QUARRY BANK, TRANMERE, CH41 2XF - REFURBISHMENT OF EXISTING BLOCK OF 45 BEDSITS INTO 12NO. SELF CONTAINED FLATS AND ASSOCIATED WORK.**

The Director of Technical Services submitted the above application for consideration.

On a motion by Councillor Mitchell and seconded by Councillor Elderton it was;

Resolved – That the application be approved subject to the following conditions:

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2 Before any construction commences, samples of the facing/roofing/window 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.

3 No part of the development shall be brought into use until visibility splays of 2.4 metres by 2.4 metres at the proposed junction with *Quarry Bank* have been provided clear of obstruction to visibility at or above a height of 0.6 metres above the carriageway level of *Quarry Bank*. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

4. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

219 **ADV/10/00373 - TESCO SUPERSTORE, TELEGRAPH ROAD, HESWALL, CH60 7SE - PROPOSED SIGNAGE FOR PROPOSED AMENDMENTS TO CARPARK (SUBMITTED SEPERATELY FOR FULL PLANNING APPLICATION). NEW TESCO BRANDING SIGNS TO TROLLEY BAYS, FASCIA SIGNS AND VARIOUS CARPARK SIGNAGE**

The Director of Technical Services submitted the above application for consideration.

A petitioner addressed the meeting.

On a motion by Councillor Realey and seconded by Councillor Mitchell it was-

Resolved (8:4)

1 That the application relating to Advertisement Signs as shown on Plan reference 52.19.01 labelled TES, G1 and three EPB be refused as they are unacceptable by reason of clutter and visual appearance and the detrimental impact to the character of the Conservation Area and area in general. The signs are therefore unacceptable in terms of visual amenity having regard to PPG19.

2 That the remaining application be approved subject to the following conditions:

a) Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

c) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

d) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

- e) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- f) This consent shall expire after a period of 5 years from the date of this permission.

220 APP/10/00401 - LAND OFF NEW CHESTER ROAD, BROMBOROUGH, WIRRAL - RESUBMISSION OF APPLICATION REF. APP/2009/6529 - PROPOSED REPLAN TO FINAL PHASE (PLOTS 60-99 / 112-122 + 129-146) - CONSTRUCTION OF 69NO DWELLINGS TOGETHER WITH ASSOCIATED WORKS. (OMISSION OF PLOTS 147 TO 192) ORIGINAL PLANNING APPROVAL REF. APP/2007/5272

The Director of Technical Services submitted the above application for consideration.

Resolved (11:00) – That the application be approved subject to the following conditions:

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

3 No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features.

4 Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

5 All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 3. The works shall be carried out:

- In accordance with a programme to be agreed with the Local Planning Authority;

6 Details of a Method Statement of Arboricultural Works and the Arboricultural site supervision shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The development hereby permitted shall only be carried out in accordance with these approved details.

7 Development works must comply with the Council's Supplementary Planning Guidance for Trees and Development and British Standard Guide for Trees in Relation to Construction Sites (BS 5837) (1991).

8 The development hereby approved shall not commence until a scheme for the translocation of the Bluebells (*Hyacinthoides non-scripta*) and Purple Ramping-Fumitory (*Fumaria purpurea*) identified in the Phase 1 Habitat Survey has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the future management of the species and their recreated habitat, together with post-translocation monitoring for a period

of 5 years following the translocation. The scheme shall also include details of the site ecologist who will be responsible for undertaking the translocation works. No deviation shall be made from the approved details without the written approval of the local planning authority. The agreed scheme shall be implemented within the first available harvesting/translocation period following the approval of the development hereby permitted.

9 No trees shall be lopped, topped, felled or uprooted without the prior written permission of the Local Planning Authority, nor shall any trees be wilfully damaged.

10 Prior to the commencement of the development, a noise survey, as outlined in Planning Policy Guidance Note 24, shall be submitted to and approved in writing by the Local Planning Authority, in relation to the impact of traffic noise on the future residents of the proposed dwellings. If such a survey identifies any dwelling as being within noise exposure categories B or C then, prior to the commencement of development, a scheme of noise insulation to those dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full concurrently with the erection of the dwellings to which it relates.

11 No development shall take place within 5 metres of the River Dibbin corridor.

12 Before the development hereby permitted 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.

13 No development shall take place until a scheme of land drainage has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the occupation of any of the dwellings hereby approved.

14 Development shall not to be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein and shall not be varied other than through agreement with the local planning authority.

For the avoidance of doubt, such a plan shall include;

- a) Access to the site by staff and visitors;
- b) Information on existing transport services to the site and staff and visitor travel patterns;
- c) Travel Plan principles including measures to promote and facilitate more sustainable transport;
- d) Realistic targets for modal shift or split;
- e) Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- f) Measures and resource allocation to promote the Travel Plan; and Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

15 No development shall commence until full details of an emergency vehicular access, including its location, has been submitted to and approved in writing by the Local Planning Authority. The first use of the development shall not

commence until such works have been completed in accordance with the Local Planning Authority's written approval and shall thereafter be retained.

16 No development shall commence until a further bat survey has been carried out within the site between the months of October, November and December. The survey shall be carried out by a suitably qualified ecologist and shall be submitted to and approved in writing by the Local Planning Authority.

17 Before development commences, details of numbers and locations of bat boxes to be erected on the trees within the adjacent woodland(s) shall be submitted to and approved in writing with the Local Planning Authority. Any boxes as may be approved shall thereafter be retained.

18 No development approved by this permission shall be commenced until: -

a) A desk top study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall then be produced.

b) A site investigation has been designed using the information from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to the investigation being carried out on the site.

c) The site investigation and associated risk assessment have been undertaken in accordance with details approved by the local planning authority.

d) A Method Statement and Remediation Strategy, based on the information obtained from (c) above, have been submitted to and approved in writing by the local planning authority.

e) Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy, referred to in (d) above, and to a timetable agreed in writing by the local planning authority; unless otherwise agreed in writing by the local planning authority.

19 No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation and risk assessment should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

20 A Scheme of acoustic double glazing to all habitable rooms of the proposed new dwellings fronting onto New Chester Road (Plots 141-154) and those facing the existing Lever Faberge site to the North (Plots 60, 61-62, 71-82, 83-84, 85-93, 161, 188-192, 181-187) shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full, concurrently with the erection of the dwelling hereby approved.

21 Notwithstanding the approved plans all boundary treatment between garden plots; 141-and 151 and New Chester Road shall be constructed of a 1.8m solid timber fence of a minimum thickness of 18mm, details of which shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

22 The development hereby approved shall be carried out in accordance with the details of the plans received by the Local Planning Department on 8th June 2010

- 221 APP/10/00441 - 68 EGERTON STREET, NEW BRIGHTON, CH45 2LT - CHANGE OF USE FROM A SINGLE DWELLING TO 8 SELF CONTAINED FLATS (AMENDED DESCRIPTION).**

The Director of Technical Services submitted the above application for consideration.

Resolved – That the application be deferred for a site visit.

- 222 APP/10/00537 -18 MOCKBEGGAR DRIVE, WALLASEY VILLAGE, CH45 3NN - ERECTION OF FRONT, SIDE AND REAR EXTENSIONS**

Resolved – That the application be deferred for a site visit.

- 223 APP/10/00544 - LAND ON SOUTH SIDE OF WHARF STREET, PORT SUNLIGHT - EXTENSION OF PLANNING PERMISSION APP/2007/6248 FOR ERECTION OF 48 APARTMENTS IN A THREE STOREY DEVELOPMENT.**

The Director of Technical Services submitted the above application for consideration.

On a motion by Councillor Mitchell and seconded by Councillor Elderton it was –

Resolved – That the application be approved subject to the following conditions:

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2 No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The details shall include the construction of a sample panel of proposed brickwork and pointing on site. The development shall be carried out in accordance with the approved materials and sample panel detailing. The approved sample panel shall be retained on site until removal is authorised by the local planning authority.

3 No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

4 The site of the proposed development has been identified as a site of archaeological interest. No development shall take place until at least 14 days notice of the commencement of the works has been given in writing to the Local Planning Authority and the Director of National Museums and Galleries on Merseyside, William Brown Street, Liverpool, L3 8EN. Access shall be afforded at all reasonable times to allow an archaeologist nominated by the Director of Museums to carry out a watching brief throughout the development.

5 No development shall take place until details of landfill gas monitoring of the site, together with a scheme for gas exclusion control relating to the

construction of the building and/or the application site, have been submitted to, and, in the case of the scheme, approved by the Local Planning Authority. The approved scheme be implemented before the building is occupied.

6 No development shall take place until a ground contamination survey has been undertaken, taking into account any potential contaminants from all known previous land uses. Should this survey identify any such contaminants, then a scheme of remediation to render the site suitable for use shall be submitted to and approved in writing by the Local Planning Authority prior to such works being undertaken. A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall also be submitted to and approved in writing by the Local Planning Authority

7 The erection of fencing for the protection of trees shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of 1.5 metre high chestnut paling fence (or other approved fence) erected at the full extent of each tree. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority.

8 No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing grassed and hard surfaced areas and any other natural or proposed feature.

9 Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

10 All hard and soft landscaping works shall be carried out in accordance with the approved details as set out in Condition 8. The works shall be carried out:

- Prior to occupation of any part of the development.

224 **APP/10/00545 - PANACHE, 43 MARKET STREET, HOYLAKE, CH47 2BG - RETENTION OF CANOPY AT REAR FOR SEATING AND STORAGE**

Resolved – That consideration of this item be deferred for a site visit.

225 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 19/05/2010 AND 25/06/2010**

The Director of Technical Services submitted a report detailing applications delegated to him and decided upon between 19 May 2010 and 25 June 2010.

Resolved that the report be noted.

226 **ANY OTHER BUSINESS**

ANY OTHER BUSINESS – APP/09/06430- TESCO SUPERSTORE, TELEGRAPH ROAD, HESWALL – INSTALLATION OF CHP UNIT AND RELOCATION OF TWO EXISTING CONTAINERS (AMENDED DESCRIPTION)

Further to Minute 139 28/01/2010 the Director of Technical Services submitted a report that informed members of the progress of the above application since consideration by the Planning Committee on the 28 January, 2010.

On a motion by Councillor Mitchell and seconded by Councillor Johnson it was-

Resolved –

1 That additional time be permitted to the applicant for submission of accurate information to allow members to be satisfied that the proposed CHP unit and relocated container would not impede servicing operations within the service yard.

2 That a noise impact assessment be requested from the applicant in relation to the CHP unit, to demonstrate the acceptability of noise that would be given out from the development.

3 That officers of the Development Control team issue a further request for this information, setting a deadline of 25 July 2010 to allow consideration of the application by members of the Planning Committee at the next scheduled meeting on 10 August 2010.
