

PLANNING COMMITTEE

Tuesday, 25 January 2011

<u>Present:</u>	Councillor	D Mitchell (Chair)	
	Councillors	D Elderton B Kenny E Boulton P Hayes	P Johnson J Keeley D Realey J Salter
<u>Deputies:</u>	Councillors	A Bridson (In place of M Johnston) A Brighthouse (In place of P Gilchrist) R Wilkins (In place of S Kelly)	

139 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on 4 January 2011.

Resolved – That the minutes be received.

140 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 P Johnson declared a prejudicial interest following receipt of legal advice in respect of planning application APP/10/00999 – Melrose 90 Oldfield Road, Heswall – Proposed Extension and Remodelling of the Existing House and Associated Landscaping Works, by virtue of his wife's ownership of adjoining land.

Councillor D Mitchell declared a personal interest in respect of Item No. 11 Liverpool Waters – Consultation by Liverpool City Council Update – Report on Wirral Waters and Section 106 106 Agreement - latest position on RSS and the views of the Secretary of State, by virtue of him being a member of Merseytravel.

141 REQUESTS FOR SITE VISITS

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

The following requests for site visits were unanimously approved:

APP/10/01104 - Change of use to two self contained ground floor apartments with single storey extension and rear staircase – 57 Argyle Street South , Tranmere.

APP/10/10/01323 – Demolition of an existing single storey extension and erection of a two storey part single storey rear extension (amended plan) – 7 Halton Crescent , Greasby

142 **APP/10/01315 -2 TARGET ROAD, HESWALL - DEMOLITION OF EXISTING DWELLING AND ATTACHED GARAGE. CONSTRUCTION OF REPLACEMENT DWELLING AND DETACHED GARAGE.**

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

On a motion by Councillor Mitchell seconded by Councillor Kenny it was:

Resolved (11:1) – 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.**
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.**
- 4. Before any construction commences, samples of the facing and roof 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.**

143 **APP/10/00999 - MELROSE 90 OLDFIELD ROAD, HESWALL - PROPOSED EXTENSION AND REMODELLING OF THE EXISTING HOUSE AND ASSOCIATED LANDSCAPING WORKS.**

(Councillor P Johnson, having previously declared a prejudicial interest, left the meeting during the consideration of this matter).

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

On a motion by Councillor Mitchell seconded by Councillor Salter it was:

Resolved (9:2) – 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

3. Before any construction commences, samples of the external 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.

4. The development hereby approved shall be carried out in accordance with the details shown on the plan(s) received by the Local Planning Authority on 12/11/2010.

5. Prior to the occupation of the extended dwelling hereby approved, the windows in the south elevation shall be obscurely glazed and retained as such thereafter.

144 **APP/10/01104 - 57 ARGYLE STREET SOUTH, TRANMERE - CHANGE OF USE TO TWO SELF CONTAINED GROUND FLOOR APARTMENTS WITH SINGLE STOREY EXTENSION AND REAR STAIRCASE.**

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

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

145 **APP/10/01206 - LAND BOUNDED BY BEDFORD ROAD TO NORTH, NEW CHESTER ROAD TO EAST AND NELSON ROAD TO SOUTH, ROCK FERRY - ERECTION OF 78 HOUSES AND 57 APARTMENTS (EXTENSION TO OUT/2006/7396)**

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

On a motion by Councillor Mitchell seconded by Councillor Salter it was:

Resolved (12:0) – That the application be approved subject to the following conditions:

1. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout**
- (b) Scale**
- (c) Appearance**
- (d) Access and**
- (e) Landscaping**

- 1. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.**
- 2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.**
- 3. Before any construction commences, samples of the 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.**
- 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.**
- 5. Any further submission of details shall include floor levels of the dwellings and relationship to the highway.**
- 7. Details of any security or floodlighting shall be submitted to and agreed in writing with the Local Planning Authority before any such lighting is brought into use. The lighting shall be implemented as agreed and retained as such thereafter.**
- 8. As part of the submission of the reserved matters, finished floor levels shall be provided together with proposed levels within the site and a survey of existing site levels.**
- 9. The remainder of the undeveloped land within the curtilage of the site, all areas shown on plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to commencement of any demolition/construction work on the site, such landscaping work to be completed in accordance with a scheme as agreed by the Local Planning Authority. Such a scheme shall also indicate areas not affected by existing trees and shrubs not directly affected by the buildings and works. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species.**
- 10. Prior to commencement of development a scheme of noise insulation shall be submitted to and approved in writing by the Local Planning Authority for all properties facing adjacent to New Chester Road to the eastern boundary to the site. Upon receipt of written approval from the Local Planning Authority all details shall be implemented in full and retained as such thereafter.**
- 11. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the LPA for the reinstatement of all redundant accesses to**

standard footway levels. Upon receipt of written approval from the LPA all approved details shall be implemented in full prior to the dwellings first being brought into use.

12. Any subsequent reserved matters application submitted to the LPA must comply and be in accordance with all aspects of the content of the accompanying design code to this application hereby approved.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected on any part of the land lying between any main wall of the building fronting a highway and the highway boundary.

146 **APP/10/01205 - LAND BOUNDED BY BEDFORD ROAD TO NORTH, NEW CHESTER ROAD TO EAST AND NELSON ROAD TO SOUTH, ROCK FERRY - ERECTION OF 148 HOUSES(EXTENSION TO OUT/2006/7397)**

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

On a motion by Councillor Mitchell seconded by Councillor Salter it was:

Resolved (12:0) – 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 or two years from the date of the approval of the last of the reserved matters, whichever is the later.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout
- (b) Scale
- (c) Appearance
- (d) Access and
- (e) Landscaping

3. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out

as approved.

4. Before any construction commences, samples of the 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. 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.

6. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.

7. Any further submission of details shall include floor levels of the dwellings and relationship to the level of the highway.

8. Details of any security or floodlighting shall be submitted to and agreed in writing with the Local Planning Authority before any lighting is brought into use.

9. The remainder of the undeveloped land within the curtilage of the site, all areas shown on plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to commencement of any demolition/construction work on the site, such landscaping work to be completed in accordance with a scheme as agreed by the Local Planning Authority. Such a scheme shall also indicate areas not affected by existing trees and shrubs not directly affected by the buildings and works. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order)

no walls, fences or other means of enclosure shall be erected on any part of the land lying between any main wall of the building fronting a highway and the highway boundary.

13. Prior to commencement of development a scheme of noise insulation shall be submitted to and approved in writing by the Local Planning Authority for all properties facing adjacent to New Chester Road to the eastern boundary to the site. Upon receipt of written approval from the Local Planning Authority all details shall be implemented in full and retained as such thereafter.

14. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the LPA for the reinstatement of all redundant accesses to standard footway levels. Upon receipt of written approval from the LPA all approved details shall be implemented in full prior to the dwellings first being brought into use.

15. Any subsequent reserved matters application submitted to the LPA must comply and be in accordance with all aspects of the content of the accompanying design code to this application hereby approved.

16. As part of the submission of the reserved matters, finished floor levels shall be provided together with proposed levels within the site and a survey or existing site levels.

147 APP/10/01303 - DERELICT SITE, DOCK ROAD NORTH, BROMBOROUGH - RELOCATION OF PLOTS 12-18 AND 46-54 INCLUSIVE DUE TO EXISTING AND PROPOSED DRAINAGE BASEMENT ROUTES, THE WIDENING OF ALL FOOTPATHS TO 2M AND OMISSION OF GRASSED SERVICE VERGES(MINOR AMENDMENT TO PLANNING PERMISSION APP/2010/00672).

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

On a motion by Councillor Mitchell seconded by Councillor Elderton it was:

Resolved (12:0) – 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision

revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

4. 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.

5. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.

6. Prior to the commencement of development a comprehensive landfill gas site investigation and assessment shall be carried out on the development area to determine whether or not the site is, or would have the potential to be, affected by subterranean landfill gas migration from the nearby landfill site(s). This shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and should the site investigation prove the presence of landfill gas in the development site then no development should take place until it has been demonstrated and agreed in writing with the Local Planning Authority that expert advice has been taken and appropriate designs are to be incorporated in the construction and development area to alleviate any landfill gas associated risks to the development. The development shall be carried out fully in accordance with this advice. Consideration should also be given to long-term methane/carbon dioxide monitoring to ensure integrity is being maintained. Similar conditions should also apply where the site investigation/assessment does not detect significant landfill gas but demonstrates that there is a potential for gas migration through the development site (e.g. permeable substrata) and the nearby landfill is known either to be producing landfill gas, or by the nature of the waste types deposited is likely to produce landfill gas.

7. Before development commences a Residential Travel Plan will be 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 Residential Travel Plan and shall not be varied other than through agreement with the local planning authority.

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

Access to employment, shopping and leisure from the site by residents
Information on existing transport services to the site and travel patterns;
Travel Plan principles including measures to promote and facilitate more sustainable transport;
Realistic targets for modal split;
Identification of a Travel Plan co-ordinator and the establishment of a travel plan

steering group;

Measures and resource allocation to promote the Residential Travel Plan; and
Mechanisms for monitoring and reviewing the Residential Travel Plan, including the submission of an annual review and action plan to the local planning authority.

8. The development shall be carried out in strict accordance with the assessments and recommendations detailed in the Martec Environmental Consultants noise assessment report dated 21st May 2010 unless otherwise agreed in writing with the Local Planning Authority.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

10. The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the Local Planning Authority.

11. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority.

148 **APP/10/01323 - 7 HALTON CRESCENT , GREASBY - DEMOLITION OF EXISTING SINGLE STOREY EXTENSION AND ERECTION OF A TWO STOREY, PART SINGLE STOREY, REAR EXTENSION (AMENDED PLAN).**

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

149 **LIVERPOOL WATERS - CONSULTATION BY LIVERPOOL CITY COUNCIL UPDATE - REPORT ON WIRRAL WATERS AND SECTION 106 AGREEMENT. LATEST POSITION ON RSS AND THE VIEWS OF THE SECRETARY OF STATE.**

The Interim Director of Corporate Services submitted a report advising Members of the submission of the major mixed use planning application for Liverpool Waters upon which Wirral Council was consulted as an adjoining authority. The report addressed a number of issues including the relationship between Liverpool Waters and Wirral Waters, the extent to which a cumulative impact assessment was required between the two schemes, the latest position on Regional Strategies, the views of

the Secretary of State on Wirral Waters, and progress with the drafting of a Section 106 Legal Agreement for Wirral Waters East Float.

Resolved – That the Planning Committee:

(1) Note the decision by the Secretary of State not to intervene further in the planning application W/OUT/2009/06509, the current position in relation to regional planning policy, update of the 106 Legal Agreement, and the submission of the Liverpool Waters application.

(2) Endorse this report which concludes that there are no material considerations arising from the above that give grounds for revising the decision of Planning Committee in relation to planning application W/OUT/2009/06509 or the proposed planning conditions and associated s106 Legal Agreements.

150 **PLANNING APPLICATIONS - DELEGATED DECISIONS**

The Director of Technical Services submitted a report informing members of Planning Applications decided under his delegated powers between 21 December, 2010 and 14 January, 2011.

Resolved – That the report be noted.