

PLANNING COMMITTEE

Tuesday, 15 November 2011

<u>Present:</u>	Councillor	D Elderton (Chair)	
	Councillors	E Boulton W Clements P Johnson D Mitchell S Kelly	B Kenny B Mooney J Salter J Walsh
<u>Deputy:</u>	Councillor	I Williams (In place of D Realey)	

104 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on 25 October, 2011.

Resolved – That the minutes be received.

105 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.

106 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/11/01009 – REMPLOY, 24 KELVIN ROAD, SEACOMBE, CH44 4JW – CHANGE OF USE FROM LIGHT INDUSTRIAL BUILDING TO DAYCARE CENTRE (5 WEEKS TO 4 YEARS OF AGE) FOR 35 CHILDREN. (Councillor Salter).

APP/11/01108 – EASTHAM LODGE GOLF COURSE, FERRY ROAD, EASTHAM, CH62 - 0AP – CHANGE OF USE OF LAND IN CONNECTION WITH GOLF COURSE AND RETENTION OF SOIL MOUNDS AROUND THE PERIMETER OF THE AREA AT VARYING HEIGHTS. (Councillor Mitchell).

107 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

108 **APP/10/01105 - CONTINENTAL LANDSCAPES, WHARF STREET, PORT SUNLIGHT, CH62 5HD - CONSTRUCTION OF 12NO. FAMILY HOUSES ON VACANT LAND AT THE JUNCTION OF WATER AND WHARF STREET AND ASSOCIATED LANDSCAPING WORKS (AMENDED PLANS).**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

The applicant addressed the meeting.

A ward Councillor addressed the meeting.

During the course of discussion on the above item it was noticed that a member of the public was filming the proceedings. The Solicitor representing the Director of Law, HR and Asset Management advised that, until matters were clarified, video recording was 'unacceptable'. The Chair of the Committee therefore instructed that video recording must cease and the member of the public ceased filming.

On a motion by Councillor Brian Kenny and seconded by Councillor Peter Johnson it was:

Resolved (7:4)-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, full details and samples of the all the facing, roofing, chimney, window materials and door surrounds including canopies 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. Before any construction commences, full details and plans to a scale of 1:10 showing the eaves to each of the proposed gables shall be submitted to and approved in writing by the Local Planning Authority. The approved eaves details shall then be used in the construction of the development.**
- 4. Notwithstanding the details submitted with the planning application, full details of the access onto Wharf Street and Water Street shall be submitted to and approved in writing by the Local Planning Authority. The access shall be formed in accordance with the approved details and prior tot he first occupation of the development hereby approved.**
- 5. No part of the development shall be brought into use until the existing vehicular access rendered obsolete have been permanently closed off and the footway reinstated. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

6. 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 shall be implemented before the first building is occupied.

7. No development shall commence 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.

8. The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

9. 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 the dwellings or any addition to the roof or the construction of a porch shall be erected unless expressly authorised.

10. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied and the development shall be carried out in accordance with the approved details.

11. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

12. No equipment, machinery or materials are to be brought on the site for the purpose of the development until all the trees to be retained have been protected by fences or other suitable means of enclosure to the distance of the outermost limit of the branch spread or as per recommendations given in BS5837 (2005), 5.2, Table 2, "A Guide for Trees in Relation to Construction" whichever is the further from the tree and with regard to this proposal the protective fencing shall be at least 1.5m high, comprising a scaffolding

framework, as in 9.2.2. of BS5837 (2005), supporting a minimum of 20mm exterior grade ply or other approved robust man-made boards as shown in BS5837 (2005), Figure 2, within which no activities associated with building operations shall take place, such areas also being free of the storage of materials or temporary structures. No fire shall be lit within 10m from the outside of the crown spread of the trees to be retained.

13. No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS 3936 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS4043, 1989, Transplanting root-balled trees; and BS4428, 1989, Code of practice for general landscape operations (excluding hard surfaces).

109 **OUT/11/00017 - VACANT BUILDING, SEABANK ROAD, EGREMONT, CH44 8BB - PROPOSAL: RENEWAL OF PLANNING PERMISSION OUT/2007/6603 FOR ERECTION OF 11 DWELLINGS AND NEW ACCESS ROAD IN THE GROUNDS OF GIBSON HOUSE (OUTLINE).**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor John Salter and seconded by Councillor Joe Walsh it was:

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

1. Approval of the design, external appearance and landscaping (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

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. 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 landscaping works shall be carried out in accordance with the approved details as set out in Condition 3

6. 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.

7. The development hereby permitted shall not begin until the Local Planning Authority has approved in writing a full scheme of works for the provision of:

- Vehicle access onto Maddock Road, including tactile paving and pedestrian visibility splays of 2.4m x 2.4m;
- The provision of tactile paving at the pedestrian refuge crossing point on Seabank Road fronting the development site.

The occupation of the development shall not begin until these works have been completed in accordance with the Local Planning Authority's approval and have been certified in writing as complete by or on behalf of the Local Planning Authority.

8. The development hereby approved shall be carried out in accordance with the details shown on plan 3503/SK31 Revision C, received by the Local Planning Authority on 07/12/2007

9. The approved scheme shall be implemented in full concurrently with planning application APP/2011/00018 for the conversion of Gibson House into 34 apartments and the erection of two bin stores

10. 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, including the erection of a porch or additions to the roof.

110 APP/11/00018 - GIBSON HOUSE, SEABANK ROAD EGREMONT, CH44 8BR - RENEWAL OF PLANNING PERMISSION 2007/6602 FOR CONVERSION INTO THIRTY FOUR APARTMENTS AND ERECTION OF TWO NEW DETACHED BIN STORES.

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor John Salter and seconded by Councillor Bernie Mooney it was:

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. Before any construction commences, samples of all 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 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 landscaping works shall be carried out in accordance with the approved details as set out in Condition 3

6. The development hereby permitted shall not begin until the Local Planning Authority has approved in writing a full scheme of works for the provision of:

- Vehicle access onto Maddock Road, including tactile paving and pedestrian visibility splays of 2.4m x 2.4m;
- The reinstatement of to standard footway levels of the vehicle access at the junction of Maddock Road and Seabank Road, including tactile paving;
- The provision of tactile paving at the pedestrian refuge crossing point on Seabank Road fronting the development site.

The occupation of the development shall not begin until these works have been completed in accordance with the Local Planning Authority's approval and have been certified in writing as complete by or on behalf of the Local Planning Authority.

7. Conservation rooflights shall be installed into the main roof of the development, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the scheme. The development shall be carried out in accordance with the approved details and retained as such thereafter.

8. The development hereby approved shall be carried out in accordance with the details shown on plan 3503/SK11 Revision B, received by the Local Planning Authority on 15/10/2007

9. 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.

10. 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, education, 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.

111 **OUT/11/00397 - 91 BERMUDA ROAD, MORETON, CH46 6AU - ERECTION OF 6 NO. DWELLINGS.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

The applicant addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor Eddie Boulton and seconded by Councillor Dave Mitchell it was:

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 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 matter 'Landscaping' shall be submitted to the Local Planning Authority for approval within three years from the date of this permission. 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.

3. No part of the development shall be brought into use until visibility splays of 2.4m by 2.4m at the proposed junction with Bermuda Road have been provided clear of obstruction to visibility at or above a height of 0.6 metres above the carriage way level of Bermuda Road. 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 the existing vehicular access on to Bermuda Road between no.s 83 and 85 Bermuda Road has been permanently closed off and the footway reinstated to existing footway levels. For the avoidance of doubt, the access shall be for pedestrian use only, and shall not be used for vehicular access.

5. No part of the development shall be brought into use until a means of vehicular and/or pedestrian access to the site/development has been constructed. These works shall be in accordance with a detailed scheme of works, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. For the avoidance of doubt, the access shall make provision for two way flow at the junction with Bermuda Road and for 5m from the back of pavement into the site, unless otherwise agreed by the Local Planning Authority.

6. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i. A preliminary risk assessment which has identified;**
 - all previous uses;**
 - potential contaminants associated with those uses;**
 - a conceptual model of the site indicating sources, pathways and receptors;**
 - potentially unacceptable risks arising from contamination at the site.**
- ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- iii. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

7. Prior to the commencement of development, a scheme for the provision and management of an undeveloped buffer zone alongside Arrowe Brook shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

- plans showing the extent and layout of the undeveloped buffer zone
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

8. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied and the development shall be carried out in accordance with the approved details.

9. The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the local planning authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

10. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed finished floor levels. The development shall be implemented in accordance with the approved scheme.

11. No development shall commence until a scheme for bat roost provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full in accordance with the approved scheme prior to the first occupation of the development hereby granted permission.

112 APP/11/01009 - REMPLOY, 24 KELVIN ROAD, SEACOMBE, CH44 4JW - CHANGE OF USE FROM LIGHT INDUSTRIAL BUILDING TO DAYCARE CENTRE (5 WEEKS TO 4 YEARS OF AGE) FOR 35 CHILDREN.

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

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

- 113 **APP/11/01108 - EASTHAM LODGE GOLF COURSE, FERRY ROAD, EASTHAM, CH62 0AP - CHANGE OF USE OF LAND IN CONNECTION WITH GOLF COURSE AND RETENTION OF SOIL MOUNDS AROUND THE PERIMETER OF THE AREA AT VARYING HEIGHTS.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

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

- 114 **APP/11/01122 - SEWAGE FARM, UPTON PARK DRIVE, UPTON, CH49 6JW - INSTALLATION OF A 17.5 METRE HIGH CU PHOSCO MK3 STREETPOLE, ACCOMMODATING 3 NO. VODAFONE 3G ANTENNAS AND 3 NO. O2 3G ANTENNAS WITHIN A 480MM GRP SHROUD, WITH ONE RADIO EQUIPMENT CABINET AND AN ELECTRICAL METER CABINET HOUSED WITHIN ENCLOSED COMPOUND.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor John Salter and seconded by Councillor Dave Mitchell it was:

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. Prior to commencement of development, the colour of the mast and ancillary equipment hereby permitted shall be agreed in writing with the Local Planning Authority and shall be retained as such thereafter.

- 115 **APP/11/01187 - LAND ADJACENT EAST VIEW FARM, PARK ROAD, MEOLS, CH47 7BE - REMOVAL OF CONDITION 5 OF PLANNING APPLICATION APP/05/06316 (WHICH READS "THE CARAVANS SHALL NOT BE OCCUPIED EXCEPT DURING THE PERIOD OF 1ST MARCH ONE YEAR AND 14TH JANUARY OF THE SUBSEQUENT YEAR") TO ALLOW YEAR ROUND OPERATION OF THE SITE AS A HOLIDAY PARK.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor John 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. All caravans shall be occupied for holiday purposes only and not as any person's sole or main place of residence

3. The owners/occupiers of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses. The register shall be made available at all reasonable times for inspection by officers of the Local Planning Authority.

4. No more than 27 caravans shall be on the land at any one time.

5. 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.

6. 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.

7. All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 5. The works shall be carried out in accordance with a scheme to be submitted to and approved in writing by the local planning authority and shall be completed within 3 months of the first occupation of the site.

116 **ANT/11/01235 - PAVEMENT NORTH OF HOYLAKE ROAD, OUTSIDE TESCO EXPRESS, MORETON, WIRRAL CH46 6DG - THE INSTALLATION OF AN 11.8M VODAFONE MONOPOLE HOUSING 3NO. ANTENNAS, EQUIPMENT CABINET AND ELECTRICAL METER PILLAR.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A ward Councillor addressed the meeting.

On a motion by Councillor Dave Mitchell and seconded by Councillor John Salter it was:

Resolved (10:1)-That the application be approved.

117 **APP/11/01098 - 270 CONWAY STREET, BIRKENHEAD, CH41 3JA - FIRST FLOOR FIRE ESCAPE STAIRCASE TO REAR OF 270 CONWAY STREET.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Peter Johnson it was:

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. The development hereby approved shall be carried out in accordance with the details shown on the plan received by the Local Planning Authority on 21/10/2011.

118 **APP/11/01163 - 6 ST SEIRIOL GROVE, CLAUGHTON, CH43 1UP - SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH PITCHED ROOF OVER EXISTING FLAT ROOF EXTENSION.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Eddie Boulton and seconded by Councillor Dave Mitchell it was:

Resolved (11:00)-That the application be approved subject to the following condition;

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

119 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 13/10/2011 AND 02/11/2011.**

The Acting Director of Regeneration, Housing and Planning submitted a report detailing applications delegated to him and decided upon between 13/10/2011 and 02/11/2011.

Resolved – That the report be noted.

120 **PLANNING APPEALS DECIDED BETWEEN 13/10/2011 AND 02/11/2011.**

The Acting Director of Regeneration, Housing and Planning submitted a report detailing a Planning Appeal decided upon between 13/10/2011 and 02/11/2011.

Resolved – That the report be noted.
