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PLANNING COMMITTEE

Thursday, 25 July 2013

Present: Councillor B Mooney (Chair)

Councillors D Realey J Walsh
D Elderton I Williams
S Kelly E Boulton
P Brightmore P Hayes
S Foulkes S Mountney
A Leech

Deputy: Councillors K Hodson (In place of W Clements)

56 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 27 June 2013.

Resolved – That the minutes be amended to include the apologies of Councillor S Kelly.

57 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary or non pecuniary interests in connection with any of the items on the agenda and state the nature of the interest.

Councillor S Foulkes declared a pecuniary interest in respect of item 13 by virtue of being acquainted with the applicant company.

58 REQUESTS FOR SITE VISITS

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

The following request was unanimously approved:

APP/13/00629 - Classic Cars of Wirral Ltd, Wallasey Village, CH45 3LP - construction of retail store (use Class A1) with access, car parking and associated works (Revised Scheme).

59 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

60 **APP/13/00027: THORNTON MANOR, MANOR ROAD, THORNTON HOUGH - EXTENSIONS TO EXISTING MARQUEE**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

In response to concerns of Members regarding the issue of retrospective applications, the Development Control Manager advised that he would raise this issue with the owner.

On a motion by Councillor Boulton and seconded by Councillor Elderton it was:

Resolved (12:1) That the application be approved subject to the following conditions:

1. **The extensions hereby approved, shall be for a temporary period only, expiring on 11th November 2016.**
2. **The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th March 2013 and listed as follows: 186_2012_01 Revision A and 186_2012_02 Revision A.**

61 **APP/13/00393: WOODEND COTTAGE, MARSH LANE, HIGHER BEBINGTON, CH63 5PP - PROPOSED CHANGE OF USE OF EXISTING STABLES AND OFFICE BUILDING TO THREE DWELLINGS**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Walsh and seconded by Councillor Foulkes it was:

Resolved (13:0) 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. **The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the 16 April 2013, 5 June 2013 and 10 June 2013 and listed as follows: SK001, L(90)002, L(91)002 and L(91)001 dated March 2013**
3. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings, other extensions or external alterations to the dwelling units shall be erected or carried out unless expressly authorised.**

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window, dormer window or other opening shall be added to the dwelling units unless expressly authorised.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure under Part 2, Class A shall be erected within any part of the site.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.
7. The development hereby approved shall be carried out in strict accordance with the contents and recommendations of the Revised Bat Roost & Breeding Bird Survey dated 23 May 2013
8. No development shall take place or any works commenced on the conversion of the buildings until a scheme of Biodiversity Enhancements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type and location of bat and bird boxes. The development shall be carried out in strict accordance with the approved details and retained as such at all times thereafter.

62 **APP/13/00471: THE PACIFIC, 476 PRICE STREET, BIRKENHEAD, CH41 8BQ - CHANGE OF USE OF EXISTING VACANT PUBLIC HOUSE; GROUND FLOOR TO BE USED AS D1 (NON RESIDENTIAL INSTITUTION), FIRST FLOOR AND SECOND FLOOR TO BE USED AS C3 (DWELLING HOUSE) PROVIDING 7NO STUDIO FLATS, EACH WITH THEIR OWN MINI KITCHEN AND EN-SUITE BATHROOM AND A DORMER WINDOW EXTENSION (AMENDED DESCRIPTION)**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Leech and seconded by Councillor Walsh it was:

Resolved (13:0) - That the application be approved subject to a Section 106 Legal Agreement and 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 4 April 2013 and 17 June 2013 and listed as follows: PL4, PL5, PL6 (REV 1), EL1 (REV 1) & EL3.

3. The ground floor of the premises shall be used for Education and Training and for no other purpose (including any other purpose in D1 of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.
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.

63 **APP/13/00562: HOYLAKE LAWN TENNIS CLUB, EDDISBURY ROAD, WEST KIRBY, CH48 5DR - PROPOSED ERECTION OF FLOODLIGHTING COLUMNS TO ILLUMINATE 3 NO. EXISTING TENNIS COURTS.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Petitioner addressed the meeting.

The Agent addressed the meeting.

On a motion by Councillor Realey and seconded by Councillor Walsh it was:

Resolved (11:2) That the application be approved subject to the following conditions:

1. The floodlighting hereby approved shall only be illuminated between the hours of 15.00 and 21:00 on any day through out the year.
2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th June 2013 and listed as follows: Amended drawing no.s 1306 SD 002 A, 1306 SD 003 A, 1306 SD 004 A- all dated April 2013. Amended lighting specification 'Exterior Court Lighting 244045268 received on 12th of June- Dated 12.06.13.
3. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

64 **APP/13/00598: 2 KIRBY PARK, WEST KIRBY, CH48 2HA - CONVERSION OF EXISTING BASEMENT INCLUDING THE EXCAVATION OF EXISTING LANDSCAPING TO FORM NEW TERRACE AT BASEMENT LEVEL. NEW SINGLE STOREY EXTENSION ON BASEMENT.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Petitioner addressed the meeting.

On a motion by Councillor Foulkes and seconded by Councillor Realey it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16th May 2013.

65 **APP/13/00629: CLASSIC CARS OF WIRRAL LTD, WALLASEY VILLAGE, CH45 3LP - CONSTRUCTION OF RETAIL STORE (USE CLASS A1) WITH ACCESS, CAR PARKING AND ASSOCIATED WORKS (REVISED SCHEME)**

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

66 **DLS/13/00649: FORMER WIRRAL METROPOLITAN COLLEGE, CARLETT PARK, 1061 NEW CHESTER ROAD, EASTHAM, CH62 0AY - APPROVAL OF RESERVED MATTERS FOR CONSTRUCTION OF 55NO RESIDENTIAL DWELLINGS, GARAGES, LANDSCAPING AND ASSOCIATED ROADWORKS**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Boulton and seconded by Councillor Walsh it was:

Resolved (13:0) That the application be approved subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13 May 2013 and 02 July 2013 and listed as follows:

Drawing Number WICP - 02 - 001 Rev A (dated Apr 13) LOCATION PLAN
Drawing Number WICP - 02 - 002 Rev B (dated Apr 13) PLANNING LAYOUT
Drawing Number WICP - 02 - 003 Rev C (dated Apr 13) EXTERNAL WORKS LAYOUT
Drawing Number WICP - 02 - 004 Rev A (dated Apr 13) MATERIALS LAYOUT
Drawing Number WICP - 02 - 005 (dated Apr 13) STOREY HEIGHTS LAYOUT
Drawing Number WICP - 02 - 006 (dated Apr 2013) CROSS SECTIONS
Drawing Number WICP - 02 - 007 (dated Apr 2013) AFFORDABLE HOUSING LAYOUT PLAN & STATEMENT
Drawing Number WICP - 02 - 008 (dated Apr 2013) TYPICAL STREET SCENES
Drawing Number WICP - 02 - 009 (dated Apr 2013) BOUNDARY TREATMENTS
Drawing Number WIRR-TYPE A-S241-01 (dated Mar 13) TYPE A FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE A-S241-02 (dated Mar 13) TYPE A ELEVATIONS
Drawing Number WIRR-TYPE B-S351-01 (dated Mar 13) TYPE B FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE B-02-S351 (dated Mar 13) TYPE B ELEVATIONS

Drawing Number WIRR-TYPE C-P302-01 (dated Mar 13) TYPE C FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE C-P302-02 (dated Mar 13) TYPE C ELEVATIONS
Drawing Number WIRR-TYPE D-P303-01 (dated Mar 13) TYPE D FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE D-P303-02 (dated Mar 13) TYPE D ELEVATIONS
Drawing Number WIRR-TYPE D-P303-03 (dated Mar 13) TYPE D ELEVATIONS
Drawing Number WIRR-TYPE E-P307-01 (dated Mar 13) TYPE E FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE E-P307-02 (dated Mar 13) TYPE E ELEVATIONS
Drawing Number WIRR-TYPE F-P404-01 (dated Mar 13) TYPE F FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE F-P404-02 (dated Mar 13) TYPE F ELEVATIONS
Drawing Number WIRR-TYPE F1-P404-01 (dated Mar 13) TYPE F1 FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE F1-P404-02 (dated Mar 13) TYPE F1 ELEVATIONS
Drawing Number WIRR-TYPE G-P409-01 (dated Mar 13) TYPE G FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE G-P409-02 (dated Mar 13) TYPE G ELEVATIONS
Drawing Number WIRR-TYPE H-C525-01 (dated Mar 13) TYPE H FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE H-C525-02 (dated Mar 13) TYPE H ELEVATIONS
Drawing Number WIRR-TYPE H-C525-03 (dated Mar 13) TYPE H ELEVATIONS
Drawing Number WIRR-TYPE J-P502-01 (dated Mar 13) TYPE J FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE J-P502-02 (dated Mar 13) TYPE J ELEVATIONS
Drawing Number WIRR-TYPE K-A444-01 (dated Mar 13) TYPE K FLOOR & ROOF PLANS
Drawing Number WIRR-TYPE K-A444-02 (dated Mar 13) TYPE K ELEVATIONS
Drawing Number WIRR-GAR-01 Rev A (dated Mar 13) SINGLE GARAGE/TANDEM GARAGE
Drawing Number WIRR-GAR-02 (dated Mar 13) DOUBLE GARAGES
Drawing Number WIRR-GAR-03 (dated Mar 13) TRIPLE GARAGES
Drawing Number WICP - 03 - 081 Rev A (dated 19.04.13) LANDSCAPE PROPOSALS: TREE RETENTION & REMOVAL PLAN
Drawing Number WICP - 03 - 083 Rev A (dated 19.04.13) LANDSCAPE PROPOSALS: TREE RETENTION PROTECTION PLAN
Drawing Number WICP - 03 - 100 Rev A (dated 02.05.13) LANDSCAPE MASTERPLAN: PLOT LANDSCAPE PROPOSALS SHEET 1 of 2
Drawing Number WICP - 03 - 100 Rev A (dated 02.05.13) LANDSCAPE MASTERPLAN: PLOT LANDSCAPE PROPOSALS SHEET 2 of 2
Drawing Number WICP - 03 - 101 Rev A (dated 02.05.13) LANDSCAPE PROPOSALS: SCHEDULES & SPECIFICATIONS
Drawing Number WICP - 03 - 102 (dated 02.05.13) BARE ROOT SOFT TREE PIT DETAIL
Drawing Number WICP - 03 - 103 (dated 02.05.13) BARE ROOT SOFT TREE PIT DETAIL
Drawing Number WICP _ 01 _ 501 (dated 01.05.13) PROPOSED LEVEL AND DRAINAGE STRATEGY SHEET 1
Drawing Number WICP _ 01 _ 502 (dated 02.05.13) DRAINAGE AREA PLAN SHEET 1

Drawing Number JKK7803 _Figure 01.01 (dated 18 February 2013) TREE CONSTRAINTS PLAN

Drawing Number JKK7803 _Figure 01.02 (dated 18 February 2013) TREE CONSTRAINTS PLAN

Drawing Number JKK7803 _Figure 01.03 (dated 18 February 2013) TREE CONSTRAINTS PLAN

67 **APP/13/00654: 7 GORDON AVENUE, BROMBOROUGH, CH62 6AL - SINGLE STOREY REAR AND SIDE EXTENSION**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Boulton it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 26 June 2013 and listed as follows: G./CS/01 dated April 2013.
3. The proposed extension shall be built concurrently with the development approved under reference APP/13/00544.

68 **ANT/13/00757: MORETON WEST AND SAUGHAL MASSIE - ADOPTED FOOTPATH ON HOYLAKES ROAD, CLOSE TO THE JUNCTION WITH MILLHOUSE LANE, OUTSIDE TESCO EXPRESS, MORETON, WIRRAL - REMOVAL OF THE EXISTING 11.8M SLIM-LINE STREETWORKS COLUMN SUPPORTING 3 ANTENNAS. INSTALLATION OF A REPLACEMENT 15M SLIM-LINE STREETWORKS COLUMN SUPPORTING 6NO ANTENNAS, 2 ADDITIONAL EQUIPMENT**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Hodson and seconded by Councillor Brightmore it was:

Resolved (12:1) That the application be approved.

69 **APP/13/00773: 4 HOLM LANE, OXTON, CH43 2HP - DEMOLITION OF EXISTING RESIDENTIAL PROPERTY, CONSTRUCTION OF A 2 STOREY CHILDREN'S NURSERY FOR 36 CHILDREN WITH SECURE REAR TEACHING AREA, PARKING FOR 10 SPACES IN FORECOURT**

Councillor S Foulkes declared a pecuniary interest in this matter and left the room during its consideration.

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

A Petitioner addressed the meeting.

The Applicant's representative addressed the meeting.

Councillor Kelly expressed his concerns regarding the potential for noise disturbance for local residents.

On a motion by Councillor Kelly and seconded by Councillor Hayes it was:

Resolved (7:5) That the application be refused for the following reason:

The development proposed would be unsatisfactory having regards to the close proximity of the residential properties adjoining the site (particularly 8 Holm Lane and Woodbine Cottage, Holmside Lane) with the likely result of unreasonable noise, nuisance and disturbance to the prejudice of the amenities of the occupants of those properties. To allow the proposed development would be contrary to Policies HS12 and HS15 of Wirral's Unitary Development Plan and the approved SPD note 12, Pre-School Child Day Care Facilities.

70 **APP/13/00544: 5 GORDON AVENUE, BROMBOROUGH, CH62 6AL - SINGLE STOREY SIDE AND REAR EXTENSION**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Boulton and seconded by Councillor Elderton it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 21 May 2013 and listed as follows: 65_2013_01 and 02 Rev.A dated 17 April 2013.**
- 3. The proposed extension shall be built concurrently with the development approved under reference APP/13/00654.**

71 **APP/13/00663: 20 MARKET STREET, HOYLAK, WIRRAL CH47 2AE - CHANGE OF USE OF PAVEMENT TO A PAVEMENT CAFE.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Hodson it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 30 May 2013 and listed as follows: drawing numbers 135_2011_01 and 135_2011_02 (dated 28.10.2011)**
- 3. The pavement cafe shall not be used except between the hours of 10:00 hours and 21:00 hours**
- 4. Before the pavement eating area is brought into use, details of the removable barriers to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the development, and retained thereafter.**
- 5. No live music, amplified music or live entertainment shall be played in the outside area at any time.**

72 APP/13/00670: 162 BANKS ROAD, WEST KIRBY, CH48 0RH - LOFT ALTERATION AND PROVISION OF FRONT AND REAR DORMERS.

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Mountney it was:

Resolved (13:0) That the application be refused for the following reason:

- 1. The proposal is considered unacceptable in scale and design and is detrimental to the character of the Key Town Centre. The proposal complies with policy SH1 Criteria for Development in the Key Town Centre of the adopted Wirral Unitary Development Plan, and the National Planning Policy Framework.**

73 APP/13/00680: VITTORIA MOTOR SERVICES VITTORIA STREET, BIRKENHEAD, CH413NT - NEW BUILD MOTOR VEHICLE REPAIR WORKSHOP

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Kelly and seconded by Councillor Hodson it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 21 May 2013 and listed as follows: drawing number 67_2013_01 (dated 16.05.2013)
3. No part of the development shall be brought into use until the existing vehicular access on to Hilbre Street has 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.
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. Before any construction commences, samples or details 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.
6. 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 vehicle repair workshop is brought into use. Development shall be carried out in accordance with the approved details.

74 **APP/13/00740: THE TIXALL BOWLING AND SOCIAL CLUB, HEATHFIELD ROAD, OXTON, CH43 5RT - PROVISION OF TIMBER CABIN, WEATHER SHELTER AND FLOOD LIGHTING TO BOWLING GREEN.**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

Resolved - That the application be deferred in order that further consultation may be undertaken.

75 **APP/13/00784: 20 BYRNE AVENUE ROCK FERRY WIRRAL CH42 4PQ - DOUBLE STOREY REAR EXTENSION**

The Strategic Director for Regeneration and Environment submitted the above application for consideration.

On a motion by Councillor Boulton and seconded by Councillor Kelly it was:

Resolved (13:0) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19th June 2013 and listed as follows: 64_2012_01 (dated: 11.04.2012) & 64_2012_02 (dated: 11.04.2012).**

76 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 17/06/2013 AND 14/07/2013

The Strategic Director for Regeneration and Environment submitted a report detailing planning applications decided under delegated powers between 17 June and 14 July 2013.

Resolved – That the report be noted.

77 PLANNING APPEALS DECIDED BETWEEN 01/04/2013 AND 30/06/2013

The Strategic Director for Regeneration and Environment submitted a report detailing planning appeals decided between 1 April and 30 June 2013.

Resolved – That the report be noted.

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