

# Public Document Pack

## PLANNING COMMITTEE

Thursday, 31 October 2013

<u>Present:</u>	Councillor	B Mooney (Chair)	
	Councillors	D Realey D Elderton S Kelly S Foulkes A Leech	I Williams E Boulton W Clements P Hayes
<u>Deputies:</u>	Councillors	S Whittingham (in place of P Brightmore) G Watt (in place of S Mountney)	
<u>Apologies:</u>	Councillor	Joe Walsh	

### 119 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes held on 26 September 2013.

**Resolved – That the minutes be received.**

### 120 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 Stuart Whittingham declared a personal interest in respect of item 4 by virtue of him having spoken to the developer.

Councillor Geoffrey Watt declared a prejudicial interest in respect of item 15 by virtue of him having had discussions with the objectors and had originally planned to speak to the Committee in opposition to the development before he was called upon to deputise.

### 121 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

**APP/13/00404: Shell Service Station, Church Lane, Woodchurch, CH49 7LR - New single storey retail unit**

**APP/13/00980: The Shieling, 60 Pipers Lane, Heswall, CH60 9HN - Two Storey detached domestic property**

**APP/13/00956: 9 Garden Hey Road, Meols, CH47 5AS - Erection of a single storey rear extension, garage conversion and alterations to existing roof to include a hip to gable and rear dormer**

122 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business

123 **APP/13/00404: SHELL SERVICE STATION, CHURCH LANE, WOODCHURCH, CH49 7LR - NEW SINGLE STOREY RETAIL UNIT**

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

124 **APP/13/00811: LAND AT 37 OLDFIELD DRIVE, HESWALL, CH60 6SS - ERECTION OF A 2 STOREY RESIDENTIAL PROPERTY TOGETHER WITH NEW ACCESS TO OLDFIELD DRIVE AND A DETACHED GARAGE (AMENDED DESCRIPTION).**

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

A Ward Councillor addressed the meeting.

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

**Resolved** (7:4:1) 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8th August 2013 and listed as follows: AD1250 PL02B, AD1250 PL03B, AD1250 PL04B,**

**AD1250 PL05B, AD1250 PL06B, AD1250 PL07B, AD1250 PL08B and AD1250 PL09**

**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. 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.**

**5. 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.**

**6. Before the development hereby permitted is brought into use the first floor windows in the east and west facing elevations serving the en-suite and dressing room of bedroom four shall be fixed and obscurely glazed with frosted glass and shall be retained as such thereafter.**

**7. 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.**

**8. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:**

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.**
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.**

- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- K. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- L. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- M. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- N. the timing of the various phases of the works or development in the context of the tree protection measures.

9. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following

completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

10. In order to protect habitats of special local importance for nature conservation:

- I. Construction work shall only take place between 8am and 6pm.
- II. Any holes or trenches left open overnight must have a means of escape provided.
- III. All construction materials, especially those containing lime, must be stored so that badgers cannot access them, and to the front of the house, not the rear.
- IV. When fencing to the garden is installed, access shall be left for the badgers to move around between gardens.

125 **OUT/13/00826: PADDOCK, KINLOSS ROAD, GREASBY, CH49 3PS -  
OUTLINE APPLICATION FOR DEVELOPMENT OF 4 RESIDENTIAL  
UNITS, AND THE PROVISION OF AMENITY OPEN SPACE.**

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

A Petitioner addressed the meeting.

The Applicant addressed the meeting.

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

**Resolved (8:3:1) 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 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**

**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. The remainder of the undeveloped land within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.**

**4. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.**

**5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27th Jun 2013, dated May 2013.**

**6. For the avoidance of doubt, in any subsequent application for the approval of reserved matters, the number of residential dwellings shall not exceed 4.**

**7. No development shall commence until a datum for measuring land levels and full details of existing and proposed ground levels, finished floor levels and the relationship with the highway taken from that datum, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented only in strict accordance with the details agreed and retained as such thereafter.**

**8. No works or development shall take place until a scheme for the protection of retained trees - The Tree Protection Plan (section 5.5, BS 5837:2012, Trees in Relation to Design, Demolition and Construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:**

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.**
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.**

- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.**
- D. An arboricultural method statement (section 6 BS 5837) containing;**
- E. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.**
- F. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).**
- G. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).**
- H. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).**
- I. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.**
- J. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of “No-Dig” construction (section 7.4 BS 5837)**
- K. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.**
- L. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).**
- M. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).**

**The development shall be implemented in strict accordance with the approved scheme.**

**9. The reserved matters application shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for the area of amenity open space indicated on approved drawing 0004/68/MA/04/13 (May 2013). The management plan shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.**

**10. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.**

**11. Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.**

**12. Prior to commencement of the development hereby approved, details of a 2.0 metre wide footway along the northwest boundary of the site between Pump Lane and Frankby Road shall be submitted for approval in writing by the Local Planning Authority. The footway shall be constructed in accordance with the approved details prior to first occupation of the development hereby authorised and shall be retained as such thereafter.**

**13. For the avoidance of doubt, in any subsequent application for the approval of reserved matters, the dwellings shall be single storey.**

**14. 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 or extensions (classes A, B, C, D or E) to the dwellings hereby granted permission shall be erected unless expressly authorised.**

126 **APP/13/00828: TREPASSEY RESIDENTIAL HOME, 26 HILLSIDE ROAD, GAYTON, CH60 0BW - EXTENSION AND REFURBISHMENT OF EXISTING RESIDENTIAL CARE HOME AND GARDENS TO UPGRADE AND IMPROVE ACCOMMODATION (AMENDED).**

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

A replica model was produced for the Committees reference.

On a motion by Councillor Foulkes and seconded by Councillor Boulton 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 1st October 2013 and listed as follows: 1221-AL-101 rev F (Dated 06.06.13), 1221-AL-201 rev F (Dated 06.06.13), 1221-AL-202 rev F (Dated 06.06.13), 1221-AL-203 rev F (Dated 06.06.13), 1221-AL-204 rev G (Dated 06.06.13), 1221-AL-205 rev F (Dated 06.06.13), 1221-AL-206 rev F (Dated 06.06.13), 1221-AL-301 rev F (Dated 10.06.13), 1221-AL-302 rev E (Dated 10.06.13), 1221-AL-303 rev D (Dated 10.06.13), 1221-AL-304 rev D (Dated 10.06.13), 1221-AL-305 rev C (Dated 10.06.13), 1221-AL-306 rev C (Dated 10.06.13), 1221-AL-307 rev B (Dated 10.06.13), 1221-AL-308 rev C (Dated 10.06.13), 13124-PL-500 rev B (Dated 13.06.13) & 13124-PL-600 rev B (Dated 13.06.13)

3. 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.

4. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

5. 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.

6. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to

be removed shall be indicated on this plan.

- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- K. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- L. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- M. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- N. the timing of the various phases of the works or development in the context of the tree protection measures.

7. In order to protect habitats of special local importance for nature conservation:

- I. Work is only allowed between 8am and 6pm.
- II. Any holes or trenches left open overnight to have a means of escape provided.
- III. All materials, especially those containing lime, to be stored so that badgers cannot access them, and to the front of the house, not the rear.
- IV. When fencing to the garden is installed, access left for the badgers to move around between gardens. Badger gates can be installed if necessary. Residents to be reminded that this access cannot be blocked.

8. Before the development hereby permitted is brought into use the south facing bathroom windows serving bedroom G30 on plan reference 1221-AL-203 rev D (dated 06.06.13) and bedroom LG01 1221-AL-202 rev D (dated 06.06.13) shall be fixed up to a distance of 1.7m from finished floor level and obscurely glazed with frosted glass and shall be retained as such thereafter.

9. Those roofs hereby approved marked; planted roof or sedum roof as indicated on plan references: 1221-AL-202 rev F, 1221-AL-203 rev F and 1221-AL-204 rev F shall not be occupied at any time.

10. No development shall take place until a method statement for the construction of the development hereby approved has been submitted to, and approved in writing by, the local planning authority. The construction works shall be carried out in accordance with the approved method statement.

Details submitted in respect of the method statement shall provide for site preparation and construction phases of the development. The method statement shall also include:

- a. details of the provision of parking facilities for contractors, site personnel & visitors during all stages of development;
- b. details of loading and unloading of plant & materials;
- c. details of on-site storage of plant & materials;
- d. details of a programme of works (including measures for traffic management and times of access to the site by heavy goods vehicles);
- e. details of boundary hoarding(s) behind any visibility zones; and
- f. details of the provision of wheel-cleaning facilities during the excavation, site preparation and construction stages of the development to prevent the deposit of mud and other materials onto the highway.

**REPLACEMENT BUILDINGS AND STRUCTURES, COMPRISING: PROPOSED RELOCATED RESTAURANT (543M<sup>2</sup>), PROPOSED REPLACEMENT TOILETS (75M<sup>2</sup>), PROPOSED REPLACEMENT WILDLIFE, PETS AND AQUATICS BUILDING (292M<sup>2</sup>) PROPOSED ATRIUM BUILDING (106M<sup>2</sup>), PROPOSED OPEN-SIDED CANOPY (327M<sup>2</sup>), PROPOSED WALKWAY (122M<sup>2</sup>), PROPOSED BIRD HIDE (9M<sup>2</sup>) ALTERATIONS TO ELEVATIONS OF AN EXISTING STRUCTURE, REMOVAL OF AREAS OF HARDSURFACING, NET REDUCTION 230M<sup>2</sup>; ALTERATIONS TO OPEN SALES AREA ALTERATIONS TO CAR PARKING LAYOUT, PROVISION OF CYCLE PARKING (15 NO.), PROVISION OF A PETROL INTERCEPTOR, ALTERATIONS TO SERVICE ROAD AND SERVICE AREA; CREATION OF A KITCHEN GARDEN AND DISPLAY GARDENS; CREATION OF A SURFACE WATER ATTENUATION POND (708M<sup>2</sup>); REPLACEMENT SEWAGE TREATMENT PLANT; INSTALLATION OF PHOTOVOLTAIC CELLS; LANDSCAPIN**

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

On a motion by Councillor Realey and seconded by Councillor Boulton 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. The development hereby permitted shall not be commenced until such time as a scheme for the provision and implementation of a surface water scheme has been submitted to, and approved in writing by, the Local Planning Authority.**

**The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.**

- 3. 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 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed building Finished Floor Levels.**

**The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.**

**4. 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.**

**5. No trees or hedges to be retained shall be cut down, uprooted or destroyed, or have surgery undertaken, without the written approval of the Local Planning Authority within 5 years from the completion of the development. Any such tree to be removed or dying shall be replaced with trees of a size and species to be agreed with the Local Planning Authority, in writing.**

**6. Before the development is commenced, a landscaping scheme covering the land subject of this application shall be submitted to and approved in writing by the Local Planning Authority, including**

**existing and proposed levels or contours  
proposed and existing services above and below ground  
details of boundary treatment and hard surfaces  
the location, size and species of all trees to be planted  
the location, size, species and density of all shrub and ground cover planting  
a schedule of implementation**

**7. All hard and soft landscaping works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed 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 as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.**

**8. Before the development is commenced a scheme of mitigation measures contained within the submitted Phase 1 Habitat Survey, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full in an agreed time scale.**

**9. Prior to the commencement of development, details of any external lighting shall be submitted to and agreed in writing with the Local Planning Authority.**

**10. No trees are to be removed between March and August inclusively, if this is not possible, an appointed ecologist must be present to oversee all vegetation removal.**

**11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town & Country Planning (General Permitted Development Order 1995, (or any order revoking and re-enacting those Orders with or without modification), the development hereby approved shall only be used as Garden Centre including ancillary café and retail facilities in association with Carr Farm, as shown on plan ref: G1106-81A and for no other purpose within Uses Classes A1, A2, or A3.**

**12. The maximum Garden Centre sales area including any mezzanine floor space shall be no more than a 6,914m<sup>2</sup> comprising:**

**1.3,447m<sup>2</sup> in the covered, enclosed area (shown in orange on drawing number G1106-81A) for the sales only of;**

**a) Composts, peats, chemicals and other goods associated with plant/garden care, tools, watering equipment and garden machinery up to the maximum floor area of 3,447m<sup>2</sup>**

**b) Plants and houseplants, dried, artificial and cut flowers and goods associated with their care and maintenance up to the maximum floor area of 3,447m<sup>2</sup>**

**c) Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories, Christmas trees, decorations, lighting and gifts up to a maximum floor area of 1,000m<sup>2</sup>**

**d) Garden clothing and footwear 150m<sup>2</sup>**

**e) Pets, pet foods, pet cages, fish and accessories including ponds, pet care advice and care products, bird care and feed up to a maximum floor area of 500m<sup>2</sup>**

**f) Other goods falling within Use Class A1, including an exhibition area for crafts up to a maximum floor area of 800m<sup>2</sup>**

**g) Seasonal products up to a maximum floor area of 100m<sup>2</sup>**

**h) Ancillary café up to a maximum floor area of 543m<sup>2</sup>. Notwithstanding the provisions of Use Class A of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, the cafe hereby permitted shall not be utilised for purposes within Use Classes A1 or A2.**

**2.1,230m<sup>2</sup> in the covered, open-sided accommodation (shown in blue on drawing number G1106-81A) for the sales only of:**

**a) Trees and plants of all kinds, rockery and statuary, ponds, pools, fountains**

and accessories including cold water fish, compost, peat and other garden care products. Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories up to a maximum floor area of 1,230m<sup>2</sup>

b) Pets, birds, fish and accessories including aviaries, cages and ponds up to a maximum floor area of 200m<sup>2</sup>

c) Garden buildings, greenhouses, conservatories, gazebos, summerhouses, swimming pools, spas with all accessories, landscape and building materials, fencing and timber products up to a maximum floor area of 1,000m<sup>2</sup>

3 2,237m<sup>2</sup> in the external open areas (shown blue on drawing number G1106-81A): for the sales only of:

a) Trees and plants of all kinds, rockery and statuary, ponds, pools, fountains and accessories including cold water fish, compost, peat and other garden care products. Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories up to a maximum floor area of 2,237m<sup>2</sup>

b) Pets, birds, fish and accessories including aviaries, cages and ponds up to a maximum floor area of 200m<sup>2</sup>

c) Garden buildings, greenhouses, conservatories, gazebos, summerhouses, swimming pools, spas with all accessories, landscape and building materials, fencing and timber products up to a maximum floor area of 1,000m<sup>2</sup>

4 The enclosed courtyard buildings (shown pink on drawing number G1106-81): shall only be used for the sale ancillary goods in association with the Garden centre use falling within Use Class A1., The maximum amount of Use Class A1 retail floor space in each building as identified on drawing number G1106-72D shall not exceed;

- a) Building annotated no 3 - 117m<sup>2</sup>
- b) Building annotated no 4 - 51m<sup>2</sup>
- c) Building annotated no 10 - 100m<sup>2</sup>
- d) Building annotated no 28 - 55m<sup>2</sup>
- e) Building annotated no 29 - 138m<sup>2</sup>
- f) Building annotated no 34 - 57m<sup>2</sup>

13. Notwithstanding the above in Conditions 12 and 13, no part of the site shall be used for the sale of the following goods or services: carpets, vinyl and floor tiles, electrical goods (other than electric garden tools and machinery, and electrical products for garden features and small items of kitchenware), equestrian products, chemists, medical products, newspapers

and magazines, (other than gardening magazines), caravans, vehicles and cycles and parts and accessories, photographic goods, musical instruments, DIY goods and decorators supplies and hardware (other than products for garden construction, improvement and maintenance) and Post Office services.

128 **APP/13/00980: THE SHIELING, 60 PIPERS LANE, HESWALL, CH60 9HN - TWO STOREY DETACHED DOMESTIC PROPERTY**

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

129 **APP/13/01005: SAFE HARBOUR NURSING HOME, 1 ABBOTS DRIVE, BEBINGTON, CH63 3BW - TWO STOREY EXTENSION AND LAYOUT OF ALTERNATIVE PARKING PROVISIONS**

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

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

**Resolved** (11:0:1) – 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 31 July 2013 and listed as follows: 1 Rev A (06.2013), 2 Rev A (06.2013), 3 Rev A (06.2013).
3. On insertion, the window to the north east elevation at first floor shall be fixed and shall be of obscure glazing and shall be retained as such thereafter.

130 **APP/13/01021:THE COTTAGE, REST HILL ROAD, STORETON, CH63 6HL - PROPOSED ALTERATIONS/EXTENSIONS TO EXISTING COTTAGE WITH ASSOCIATED EXTERNAL WORKS - AMENDMENT TO APP/12/00848**

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



On a motion by Councillor Boulton and seconded by Councillor Leech 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8 August 2013 and listed as follows: TD/851 03 Rev.C (03.2012), TD/851 04 Rev.C (03.2012), TD/851 14 Rev.C (03.2012), TD/851 11 Rev.C (03.2012), TD/851 13 Rev.C (03.2012) and TD/851 12 Rev.C (03.2012).**
- 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 shall be erected or carried out unless expressly authorised.**

131 **APP/13/01061: CAR PARK, WHARF STREET, PORT SUNLIGHT, CH62 5HD - ERECTION OF 58 APARTMENTS (100% AFFORDABLE HOUSING) AND ASSOCIATED INFRASTRUCTURE.**

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

On a motion by Councillor Foulkes and seconded by Councillor Whittingham 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. No development shall commence until full details of the proposed facilities for collection and storage of waste, including recyclable materials, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented in full prior to the first use of the development, and retained as such thereafter.**
- 3. No developments shall commence until samples of the facing, roofing and 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.

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 to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

5. A detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment, must be prepared, and is subject to the approval in writing of the Local Planning Authority. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 after remediation.

6. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation works.

7. Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.

8. In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5 which is subject to the approval in writing of the Local Planning Authority.

Following completion of the remedial works identified in the approved remediation strategy a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5 above.

9. 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 in writing. The approved scheme shall be implemented in full before the building is occupied.

10. No development shall take place on the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

11. The hard and soft landscaping scheme shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British standards or other recognised standards of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of a species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

12. Prior to the commencement of demolition/ construction the trees to be retained on the site shall be protected by chestnut paling fences 1.5 metres high erected to the full extent of their canopies or such lesser extent as may be approved by the Local Planning Authority, the fencing to be removed only when the development (including pipelines and other underground works) has been completed; the enclosed areas shall at all times be kept clear of excavated soil, materials, contractors' plant and machinery.

13. No development shall commence until details and sections at a scale of 1:5 of the proposed eaves, window reveals, window designs, doors, and junctions between the contrasting materials shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full.

14. The existing redundant access within the Wood Street frontage shall be made up to existing levels, the details of which shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development, including a timetable for completion of the works.

15. This approval shall relate to the original submission as amended by drawing no's 13053-112A, 13053 - 113B, 13053 - 114B, 13053 - 116B, 13053 - 117A, 13053-118A, 13053-120B, 13053-121B, 13053 - 122B, 13053-123B and 13053-124C received by the Local Planning Authority on 10th October 2013.

16. No development shall take place until a Site Waste Management Plan

(SWMP), confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved SWMP shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

17. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider, or the management of the affordable housing (if no RSL involved);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

132 **APP/13/01081: MORETON WASTE PUMPING STATION, LAND OFF TARRAN WAY WEST, MORETON, CH46 4TT - CONSTRUCTION OF REPLACEMENT WASTEWATER PUMPING STATION COMPOUND, CONTROL KIOSK AND ASSOCIATED WORKS.**

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

On a motion by Councillor Elderton and seconded by Councillor Clements 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. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16th August 2013 and listed as follows: 6435/80029465/00/97/2001, 6435/80029465/00/97/2010 and G3000.003a

4. Prior to commencement of development, full details of the mitigation measures relating to the protection of GCN during construction, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and the mitigation measures shall be carried out in accordance with the approved scheme.

133 **APP/13/01139:HESWALL SQUASH RACQUETS CLUB, BRIMSTAGE ROAD, BARNSTON, CH60 1XG - DEVELOPMENT OF AN EXTENSION TO THE EXISTING BUILDING OCCUPIED BY HESWALL SQUASH RACQUETS CLUB, COMPRISING NEW SPORTS HALL, GYM AND CHANGING FACILITIES AND CAFE. REALIGNMENT OF EXISTING CAR PARK**

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

On a motion by Councillor Elderton and seconded by Councillor Realey 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. No development shall take place before 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. The approved materials shall then be used in the construction of the development.

3. Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details,

**that is:**

- a. a plan showing the location of, and allocating a reference number to, each existing tree on site which has a stem with a diameter, measured over the bark at a point of 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;**
- b. details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;**
- c. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;**
- d. details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree, or any tree on land adjacent to the site; and**
- e. details of the specification and position of fencing [and of any measures to be taken] for the protection of any retained tree from damage before or during the course of the development hereby permitted.**

**4. No development (including any demolition, earthworks or vegetation clearance) shall take place before a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.**

**5. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show existing and finished ground levels, eaves and ridge heights of surrounding property. The development shall be carried out as approved.**

**6. The windows to be created in the south-east facing elevation (fronting onto Chester Road) shall be in tinted glass (to a level to be agreed with the Local Planning Authority) and shall be non-opening. The windows shall not thereafter be altered in any way without prior written approval of the Local Planning Authority.**

**7. There shall be no use of the new Sports Hub and other sporting facilities**

outside the hours of 07:30 and 23:00 Monday to Saturday and between the hours of 08:30 and 22:00 on Sundays and Bank Holidays.

8. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to and approved in writing by the Local Planning Authority. Any external lighting that is installed shall accord with the details as may be so approved.

9. The development hereby permitted shall be used for the leisure and sporting facilities set out in the application and supporting documents and for no other purpose (including any other purpose in Class D2 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.

10. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 30 August 2013 and listed as follows: Drawing Number 8793/01/P1 (dated April 2012); Drawing Number 8793/02/P1 (dated April 2012); Drawing Number 8793/03/P1 (dated April 2012); Drawing Number 8793/04/P1 (dated April 2012) and Drawing Number 8793/05/P1 (dated April 2012)

11. No development shall commence until full details of the proposed facilities for collection and storage of waste, including recyclable materials, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented in full prior to the first use of the development, and retained as such thereafter.

12. No development shall take place until a Site Waste Management Plan (SWMP), confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved SWMP shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

134 **APP/13/01144: CO OPERATIVE FOOD STORE, FRANKBY ROAD, NEWTON, CH48 9UU -THE INSTALLATION OF A NEW ATM AND SHOPFRONT SECTIONS.**

*Having previously declared a prejudicial interest Councillor Geoffrey Watt left the meeting during consideration of this item.*

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

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

**Resolved (11:0) 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 10th September 2013 and listed as follows: "2240.02", "2240.03" and "2240.01" (all dated August 2013).**
- 3. Before development commences, a scheme showing the details of a painted cash machine privacy area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and retained as such thereafter.**
- 4. Before development commences, a scheme showing the details of CCTV to be installed at the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details and retained as such thereafter.**
- 5. Before use of the ATM commences, the bollard included in the plans shall be securely installed and retained as such thereafter.**
- 6. Before development commences, a scheme showing the means of illumination shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and retained as such thereafter.**

135 **APP/13/01185:VACANT LAND, NEW HEY ROAD, WOODCHURCH, CH49 5LE - ERECTION OF A SINGLE STOREY SCHOOL WITH CAR PARKING AND LANDSCAPING.**

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

On a motion by Councillor Clements and seconded by Councillor Boulton 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. No development (including any demolition, earthworks or vegetation clearance) shall take place before a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

3. No development shall commence until full details of materials for all external work, including samples, have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

4. Development shall not 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 unless otherwise agreed in writing with the Local Planning Authority.

5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16th September 2013 and listed as follows: FF\_L\_001, 002, 007, 008, 009, 010, 011 and FF\_A\_001, 002, 002a, 002b, 003, 004, 005 and 020.

6. No development shall take place until a Site Waste Management Plan (SWMP), confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved SWMP shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) September 2013/326809.WTD.MCH.002.A.06/Mott MacDonald and the following mitigation measures detailed within the FRA:

1. Location of special educational needs school development solely within Flood Zone 1 (low risk).
2. Limiting the discharge of surface water from the proposed development to the equivalent 'greenfield' run-off rate, based on current site usage,

to 11.6 litres/per second (QBAR).

3. Estimated provision of 670 cubic metres of attenuated storage based on a 30-year design standard.
4. An additional estimated 320 cubic metres of attenuated storage based on a 100-year 20% design standard.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

8. The development hereby permitted shall not be commenced until such time as a surface water regulation scheme has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

9. The development hereby permitted shall not be commenced until such time as a scheme to acceptably deal with overland flood flow routing (from exceedence events) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

10. The external pitches and sports facilities proposed as part of this application shall be completed and available for use before the first use of the school commences, unless an alternative timescale has previously been submitted to the Local Planning Authority and approved in writing.

11. The premises shall only be open between the hours of 0700 and 2300 Mondays-Saturdays and 0900 and 1900 Sundays, and shall be closed at all other times.

12.

a) No development shall take place before the following documents have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]:

- i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and
- ii) Based on the results of the assessment to be carried out pursuant to i) above, a detailed scheme which ensures that the playing field will be

provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

13. Use of the development shall not commence until a community use agreement has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The agreement shall apply to all internal and external sports facilities forming part of the development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

136 **APP/13/01120: WYNYARDS, 46 DELAVOR ROAD, HESWALL, CH60 4RS - TWO-STOREY SIDE EXTENSION, INTERNAL ALTERATIONS, ROOF ALTERATIONS AND ALTERATIONS TO EXISTING DORMER.**

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

On a motion by Councillor Elderton and seconded by Councillor Clements 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 11 October 2013 and listed as follows: 115\_2013\_01 Revision B (08.10.13) 115\_2013\_02 Revision B (08.10.13).**
- 3. On insertion, the windows to the side elevation of the extension hereby approved at first floor to the west facing side elevation, shall be fitted with**

fixed and obscure glazing (minimum level 3) up to a height of 1.7m from the finished first floor internal floor level and shall be permanently retained in that condition thereafter.

137 **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.

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

**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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 05 June 2013 and listed as follows: drawing number 68\_2013\_04 (dated 23.05.2013). For clarity, the position of the head of the proposed floodlight shall be in accordance with drawing number 68\_2013\_04.**
- 3. The proposed floodlights shall not be illuminated between the hours 21:00 hours until 09:00 hours.**
- 4. No development shall commence until full details of luminaire accessories including any cowls (or similar) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and subsequently maintained as such thereafter.**

138 **APP/13/00956: 9 GARDEN HEY ROAD, MEOLS, CH47 5AS - ERECTION OF A SINGLE STOREY REAR EXTENSION, GARAGE CONVERSION AND ALTERATIONS TO EXISTING ROOF TO INCLUDE A HIP TO GABLE AND REAR DORMER**

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

139 **APP/13/00966: LAND ADJACENT TO 13 HALL DRIVE, GREASBY, CH49 1RW - ERECTION OF A DETACHED DWELLING AND GARAGE WITH VEHICULAR ACCESS**

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 (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. Details of materials for all external work, including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced. The materials shall be used in the subsequent development and retained as such thereafter.**
- 3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23 September 2013 and listed as follows: 106\_2013\_02 Revision B**

140 **APP/13/01024:TRANFOODS MAINTENANCE AND STORAGE, KNOX STREET, BIRKENHEAD, CH41 5HH - INSTALLATION OF A VEHICULAR ACCESS, DROPPED KERB AND ROLLER SHUTTER DOOR**

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

On a motion by Councillor Clements and seconded by Councillor Kelly 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th August 2013 and listed as follows: 66\_2013\_02 Rev A (dated 17.07.2013)**
- 3. Prior to commencement of development the construction details of the**

vehicular access hereby approved shall be submitted to and agreed in writing with the Local planning Authority. The approved details shall implemented in full and retained as such thereafter.

141 **APP/13/01066: 20 MARKET STREET, HOYLAKE, CH47 2AE - ERECTION OF A CONSERVATORY TO COVER THE EXISTING AREA OF THE STREET CAFE AND ENCLOSED REAR AREA TO REAR YARD.**

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

It was moved by Councillor Watt and seconded by Councillor Boulton

'That the application be refused'

The motion was put and lost (5:7)

It was then moved by Councillor Kelly and seconded by Councillor Whittingham

'That the application be approved'

The motion was put and carried (7:5)

**Resolved (7:5) 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 10 September 2013 and listed as follows:  
drawing numbers 13\_2013\_01 and 13\_2013\_02 (dated 18.01.2013)**

**3.The seating area hereby approved shall not be used except between the hours of 09:00 hours and 23:00 hours**

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

- 142 **APP/13/01077: 33 ST AUSTELL CLOSE, MORETON, CH46 6FG - ERECTION OF A TWO-STOREY SIDE/REAR EXTENSION, SINGLE STOREY REAR EXTENSION AND FORMATION OF ADDITIONAL PARKING SPACE TO FRONT GARDEN AREA.**

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

On a motion by Councillor Elderton and seconded by Councillor Clements 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 9th September 2013 and listed as follows: drawing number 116\_2013\_01 (dated 05.08.2013).**

- 143 **APP/13/01089: 57 THINGWALL DRIVE, IRBY, CH61 3XN - CONSTRUCTION OF A NEW PORCH ALONG WITH NEW ROOFING MATERIAL AND RENDERING TO MAIN DWELLING**

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

On a motion by Councillor Boulton and seconded by Councillor Clements 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th August 2013 and listed as follows: drawing number 105\_2013\_02 (dated 10.07.2013).**

144 **APP/13/01095:BRICK KILN COTTAGE, 2 HARGRAVE LANE, RABY, CH64 1RX - ERECTION OF A DETACHED GARAGE FOLLOWING DEMOLITION OF OLD STABLE BUILDING**

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

On a motion by Councillor Hayes and seconded by Councillor Clements 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 3rd September 2013 and listed as follows: 63\_2013\_01 (dated 05.04.2013)**
- 3. 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.**

145 **APP/13/01117: PIPERS COTTAGE, 42 DELAVOR ROAD, HESWALL, CH60 4RS - DETACHED GARAGE**

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

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

**Resolved (12:0) That the application be refused on the following grounds:**

**The proposed development would form a visually obtrusive feature by reason of its siting, scale and design which the Local Planning Authority considers would be detrimental to the general character of the streetscene. The proposal is therefore contrary to Policy HS11 of the Wirral Unitary Development Plan and the National Planning Policy Framework.**



146 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 16/09/2013 AND 20/10/2013**

The Strategic Director for Regeneration and Environment submitted a report detailing planning applications planning applications decided under delegated powers between 16 September and 20 October.

**Resolved – That the report be noted**

147 **PLANNING APPEALS DECIDED BETWEEN 01/07/2013 AND 30/09/2013**

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

**Resolved – That the report be noted.**

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