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PLANNING COMMITTEE

Wednesday, 16 April 2014

Present: Councillor B Mooney (Chair)

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

Deputies: Councillors G Watt (for P Hayes)

246 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 20 March 2014

Resolved – That the minutes be approved.

247 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 items on the agenda and to state the nature of the interest

No such declarations were made

248 REQUESTS FOR SITE VISITS

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

No such requests were made.

249 ORDER OF BUSINESS

The Chair agreed to vary the order of business

250 APP/13/01510 : 10 THE RIDGE, HESWALL, CH60 6SP : CONSTRUCTION OF TWO DETACHED HOUSES.

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

On a motion by Councillor Mountney and seconded by Councillor Brightmore 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 4th December 2013 and listed as follows: A101 Rev B (dated 11.13), A102 Rev A (dated 11.13), A103 Rev A (dated 11.13), A104 Rev B (dated 11.13), A105 Rev A (dated 11.13), A106 (dated 11.13), A107 (dated 02.13) & A108 (dated 02.13).**
- 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. Before the development hereby permitted is brought into use the south facing windows in the first floor of the dwelling located on plot 1 facing 36 Oldfield Way shall be obscurely glazed with frosted glass and non opening and shall be retained as such thereafter.**
- 5. 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.**
- 6. Before development takes place 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) shall be submitted and 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;

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 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)

K; the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).

7. The following activities must not be carried out under any circumstances:

a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.

c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.

d, No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA

e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

8. Prior to any works taking place, the site, and 30m zone around the site should be surveyed for badger setts. This is to be detailed within a

construction environmental management plan which is to be submitted to and agreed in writing prior to commencement on site. The construction environmental management plan shall detail any mitigation measures required as a result of the survey and shall be implemented in full in accordance with the approved scheme.

9. In accordance with the ecological survey (The Tyrer partnership) mitigation measures for the loss of Badger habitat and details of boundary fencing/walls to allow badgers to access the site shall be submitted to and agreed in writing prior to the commencement of development. The approved scheme and shall be implemented in full and retained as such thereafter.

10. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

11. 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.

12. 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.

13. Prior to the first occupation or use of the development, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

251 **OUT/14/00094 : 38 THURSTASTON ROAD, IRBY, CH61 0HF : OUTLINE PLANNING APPLICATION TO CREATE 2 NO. NEW RESIDENTIAL PROPERTIES.**

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

It was moved by Councillor Clements and seconded by Councillor Watt

‘ That the application be refused on the following grounds:

The proposal would result in a form of development having a cramped and overdeveloped appearance and the siting of two additional dwellings on this plot would introduce a pattern of development that would lead to a detrimental change in the character of the area. The proposal is therefore contrary to the guidance within the National Planning Policy Framework and Policy HS4 of the Wirral Unitary Development Plan.'

The motion was put and lost (6:7)

It was then moved by Councillor Realey and seconded by Councillor Foulkes

'That the application be approved'

The motion was put and carried (7:6)

Resolved (7:6) That the application be approved subject to the following conditions:

1. PRIOR TO COMMENCEMENT OF DEVELOPMENT, full details of the proposed vehicular access shall be submitted and approved in writing by the Local Planning Authority. This access should be a minimum of 4.5m wide in order to allow simultaneous access and egress in order to prevent waiting on the highway"

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

3. 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.

4. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

5. No 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.

6. Prior to first occupation or use of the development, 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.

252 **APP/14/00120 : FIELDCREST, THORNTON COMMON ROAD, THORNTON HOUGH, CH63 0LT : TO CONSTRUCT A SMALL SCALE, SINGLE STOREY, LOW IMPACT TIMBER STRUCTURE FOR HORTICULTURAL AND TRAINING PURPOSES ON DESIGNATED HORTICULTURAL LAND.**

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

On a motion by Councillor Foulkes 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 11 February 2014.**
- 3. The building hereby approved shall be used for horticultural training purposes only and for no other purpose (including any other purpose in use class 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 development shall take place until 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.**
- 5. Prior to first occupation or use of the development, 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.**

253 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 10/03/2014 AND 06/04/2014.**

Councillor Realey queried an application that had been approved for 8 Clarence Road, Tranmere. The Councillor spoke of residents concerns that they had not been informed of this development and their dissatisfaction at numbers of flats in the area.

The Head of Regeneration & Planning responded and stated that at present there is no approved Neighbourhood Plan in place to restrict numbers of flats in the area. Work is in progress with local residents to formulate

and adopt policies within the Neighbourhood Plan framework but as yet the Neighbourhood Plan has not been subject to Inspection nor has it been tested through a referendum.

The Head of Regeneration & Planning agreed to formally write to Councillor Realey to clarify the situation.

Resolved – That the report be noted.

254 **PLANNING APPEALS DECIDED BETWEEN 01/01/2014 AND 31/03/2014.**

The Strategic Director of Regeneration and Environment submitted a report detailing planning appeals decided between 01/01/2014 and 31/03/2014.

Resolved – That the report be noted.

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