

# Public Document Pack

## PLANNING COMMITTEE

Thursday, 17 December 2015

Present:

Councillor

Councillors	D Realey	D Elderton
	P Brightmore	E Boulton
	S Foulkes	K Hodson
	J Walsh	P Cleary
	I Williams	

Deputies:

Councillors	M Sullivan ( for A Leech)
	G Watt (for P Hayes)
	P Gilchrist (for D Mitchell)

Apologies:

Councillors	T Johnson
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### 120 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 26 November 2015.

**Resolved – That the minutes be approved**

### 121 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

Councillor M Sullivan declared a prejudicial interest in connection with item 13 by virtue of his previous involvement with the application.

### 122 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

**APP/15/01143 : 78 DAWSTONE ROAD, GAYTON, CH60 8ND : Demolition of existing dwelling and construction of two detached dwellings. Amendment to previously withdrawn application ref APP/15/00061.**

**APP/15/01375 : Cuckoos Flight, 45 CROFT DRIVE EAST, CALDY, CH48 1LX : Remodelling of existing dwelling including, extension, with front dormers and remodelled entrance, loft conversion and internal alterations.**

123 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business.

124 **APP/15/00515 : LAND TO THE NORTH OF COPPER BEECH, 99 ELEANOR ROAD, BIDSTON, CH43 7QW : ERECTION OF 2 NO. FOUR-BEDROOM HOUSES AND 2 NO. FIVE-BEDROOM HOUSES**

The Assistant Chief Executive submitted the above application for consideration.

A Petitioner addressed the Committee.

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

**Resolved (10:2) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be begun before the expiration of 3 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 25th November 2015 and listed as follows: 2383/02/03 rev A (Dated 23/11/15), 2383/02/02, 2383-02-03, 2383-02-04, 2383-02-05, 2383-02-06, 2383-02-07, 2383-02-07, 2383-02-08, 2383-02-09, 2383-02-10, 2383-02-11,2383-02-12, 2383-02-13,2383-02-18, 2383-02-19, 2383-02-20,2383-02-21,2383-02-22,2383-02-23, 2383-02-24, 2383-02-25, 2383-02-26 and 2383-02-27**
- 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. 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.

5. Prior to the first occupation of the dwellings 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 to be submitted to and agreed in writing by the local planning authority. the approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

6. 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.

The detailed landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

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

**Planning Authority and it shall be retained as such thereafter**

**8. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.**

**9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.**

**The Statement shall provide for:**

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.**

**10. No development shall commence on site until full details of the estate road and access onto Eleanor Road, including but not restricted to footways, footpaths, verges, junctions, sewers, drains, service water outfall, visibility splays, carriageway gradients, drive gradients and a timetable for provision of such works, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the details have been constructed and laid out in accordance with the details as approved.**

125 **APP/15/01087 : BEBINGTON SERVICE STATION, 152 KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ : DEMOLITION OF THE EXISTING SERVICE STATION, AND REDEVELOPMENT TO PROVIDE A NEW PETROL FILLING STATION FACILITY, COMPRISING OF CANOPY/FORECOURT, SALES BUILDING WITH ATM, UNDERGROUND STORAGE TANKS, ASSOCIATED PARKING, LANDSCAPING AND OTHER ANCILLARY WORKS.**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

**Resolved (11:1) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th October 2015 and listed as follows: 150515\_PL4C (Dated 09/15), 150515\_PL3D (Dated 09/15) & 150515\_PL5A (Dated 07/15)**
- 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. A scheme of planting to provide a screen along the northern boundary of the site consisting predominantly of evergreens or other suitable plants capable of growth to a height of 5 metres shall be carried out in accordance with details to be submitted to and approved by the Local Planning Authority before any work is commenced and the screen to be provided shall be subsequently maintained to the satisfaction of the Local Planning Authority. The approved scheme shall be fully implemented in the first planting season following commencement of any part of the approved development, and replacement planting shall be provided as necessary until the screen is fully established.**
- 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.**

**The detailed landscaping plans shall include:**

- (i) details of boundary treatments and hard surfaces**
- (ii) the location, size and species of all trees to be planted**
- (iii) the location, size, species and density of all shrub and ground cover planting**
- (iv) a schedule of implementation**

**6. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.**

**7. 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.**

**8. Prior to the commencement of development arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.**

**9. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 (or any subsequent re-enactment) there shall be no creation of additional floor space, including any additional mezzanine floor space, within the building hereby permitted as shown on the approved plans plan referenced 150515\_PL3D (Dated 09/15). The retail unit, hereby approved, shall have gross internal floor space no greater than 369 sq.m with a net retail floor space no greater than 240sq.m as shown in the approved drawings. Sub division of the unit to form smaller retail outlets is not permitted.**

**10. Notwithstanding the provisions of Class A1 of the schedule to the Town and Country Planning (Use Classes Order) 1987 (or any subsequent re-**

enactment), only convenience goods (other than those ancillary to the principal use of the premises) shall be sold from the premises hereby approved. For the purposes of this condition, "ancillary" is defined as not exceeding 15% of the net retail floor space for unit.

11. No trading shall take place at the premises between the hours of 00:00 midnight - 06:00 hours

12. Servicing and deliveries shall not take place between the hours of 23.00 hours and 07.00 hours Monday to Friday, 23.00 hours and 7.30 hours Saturday, and 23.00 hours and 08.00 on Sunday.

13. Unless otherwise agreed in writing and in line with the surface water manage hierarchy, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt this site must be drained on a separate system combining just prior to connection to the public combined sewerage system. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 10 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

14. Notwithstanding the approved plans details of the vehicle crossings onto Kings Road shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of the development. The approved plan shall be implemented in full prior to first use and retained as such thereafter.

126 APP/15/01143 : 78 DAWSTONE ROAD, GAYTON, CH60 8ND : DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO DETACHED DWELLINGS. AMENDMENT TO PREVIOUSLY WITHDRAWN APPLICATION REF APP/15/00061.

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

127 APP/15/01166 : DALESIDE NURSING HOME, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB : FIRST FLOOR EXTENSION TO PROVIDE THREE BEDROOMS (AMENDED PROPOSAL).

The Assistant Chief Executive submitted the above application for consideration.

A Petitioner addressed the Committee.

A Ward Councillor addressed the Committee.

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

**Resolved (11:1) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16 October 2015 and listed as follows: 2889/2 A.**
- 3. On insertion the windows hereby approved at first floor to the west and south facing elevations shall be fitted with fixed and obscure glazing up to a height of 1.7m from the finished first floor internal floor level and shall be permanently retained in that condition thereafter.**
- 4. Before any construction commences, samples of the facing, windows and roof materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.**

128 **APP/15/01174 : AMENITY OPEN SPACE, ST NICHOLAS ROAD, WALLASEY VILLAGE : CHANGE OF USE TO RESIDENTIAL GARDEN.**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion by Councillor Boulton and seconded by Councillor Walsh 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 29 October 2015 and listed as follows: EL1/PL1 Proposed Boundary Wall Treatment and Location Plan LP1

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

4. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

129 **APP/15/01242 : 32 BERYL ROAD, NOCTORUM, CH43 9RT : RETROSPECTIVE CONSENT FOR A FRONT BOUNDARY WALL WITH PROPOSED EXTERNAL VISUAL CHANGES.**

The Assistant Chief Executive submitted the above application for consideration.

A Petitioner addressed the Committee.

It was moved by Councillor Walsh and seconded by Councillor Foulkes

“That the application be approved”

The motion was put and lost (3:9)

It was then moved by Councillor Sullivan and seconded by Councillor Hodson that the application be refused on the following grounds:

“Having regard to the appearance, scale and siting of the wall, it is the Council's view that the development is inappropriate as it considers the wall dominates the street scene and has a harmful impact on the character and appearance of the character of the area.”

**Resolved (9:3) That the application be refused on the following grounds:**

**Having regard to the appearance, scale and siting of the wall, it is the Council's view that the development is inappropriate as it considers the**

wall dominates the street scene and has a harmful impact on the character and appearance of the character of the area.

130 APP/15/01261 : LAND OFF ARROWE PARK ROAD, UPTON, CH49 0UE : RESIDENTIAL-LED MIXED USE DEVELOPMENT COMPRISING THE DEMOLITION OF THE EXISTING RFCA BUILDINGS AND ERECTION OF A NEW PURPOSE BUILT RFCA FACILITY (USE CLASS D1) TOGETHER WITH A RESIDENTIAL DEVELOPMENT (USE CLASS C3) WITH ASSOCIATED LANDSCAPING, OPEN SPACE PROVISION TOGETHER WITH PEDESTRIAN LINKAGES AND ASSOCIATED CAR PARKING; ACCESS ARRANGEMENTS OFF ARROWE PARK ROAD AND THE CONSTRUCTION OF A NEW UNCONTROLLED PEDESTRIAN CROSSING ON ARROWE PARK ROAD.

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved** (11:1) That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed as follows: 15071-001,15071-007,15071-101-A,15071-102,15071-103, PB3036/SK008, SK219/001 Rev B,14132-001-C, 14J147/001 A Sheet 1, 14J147/002 Sheet 2, SK219/Block A / 02, SK219/Block B / 02, SK219/Block C / 02, S14/82/3ET/S-600, HFB-105-4MT-34, 14-70(AT)-2MT-601, SK219/501, S14-90-3ET-600, S14-101A-4D-600, S14-90-3D-600, S14-97-3ET-600, S14-97-3D-600, S14-111-4D-600, S14-117-4D-600, SK219/SS/UPU/101, SK219/SS/UPU/102, SK219/SS/UPU/103, W0999-2FG-02, W0999-2FG-01, S14-126-4D-600, S14-130-4D-600, S14-140-4D-610, S14-140-4D-600, S14-148-5D-610, S14-148-5D-600, S14-150-5D-610, S14-150-5D-600, S14-110, S14-SD-05-32, S14-SD-05-36, S14-SD-05-38, S14-SD-05-100, E11-108-4D9SA)-36, PB4103/SK003 Rev A, K219/001 Rev C
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. Detailed drawings shall be submitted to and approved by the Local

Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. (Note: The gradients of any new road or turning area should not exceed 1:25 and those of parking or loading bays should not exceed 1:40).

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. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment, including acoustic fencing, to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwellings hereby approved are occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

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

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 with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- K. 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)
- L. 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.

- 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 new Reserve Forces and Cadets Association training building and car parking area, detailed in drawing 15071-101-A shall be completed and available for use before any of the dwellings hereby approved are occupied.

10. Foul and surface water shall be drained on separate systems.

11. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details

12. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:

- A. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- B. The drainage strategy should demonstrate that the surface water run-off

must not exceed the pre-development greenfield runoff rate which has been calculated at 25 litres per second in the submitted Flood Risk Assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- C. Any works required off-site to ensure adequate discharge of surface water without causing flooding or;
- D. Flood water exceedance routes, both on and off site;
- E. A timetable for implementation, including phasing as applicable.

The scheme shall be implemented in accordance with the approved details prior to occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

13. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

14. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to the local planning authority which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior

to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

15. The Flood Risk Assessment identifies that attenuation will be provided through the construction of swales and ponds / basins. All attenuation basins and flow control devices/structures are to be constructed and operational prior to the commencement of any other development and prior to any development phase.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

17. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

18. No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are subsequently identified to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

19. No development shall commence on site until full details of works relating to the access onto Arrowe Park Road together with the estate road(s) has

been submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be restricted to, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including a timetable for the provision of such works. No part of the development shall be first occupied until the details have all been constructed and laid out in accordance with the approved details.

20. No development shall commence on site until a full scheme of works for the construction of details shown on Drawing No SK219/001 Rev C has been submitted to and approved in writing by the Local Planning Authority. Such a scheme of works shall include for:

- i. the provision of a pedestrian refuge island on Arrowe Park Road and any associated works as may be required;
- ii. details of traffic calming measures/features and road widths as appropriate; and
- iii. details of the proposed emergency access facility between the site and Sainsbury's service road.

No part of the development shall be first occupied until the works have been constructed and laid out in accordance with the approved details.

21. No development shall commence on site until a full scheme of works to include for the upgrading of the existing bus stop on the west side of Arrowe Park Road adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first occupied until the works have been constructed and laid out in accordance with the approved details.

22. No development shall take place until full details of arrangements for a cycle route within the site and secure cycle parking provision to serve the self-contained flats have been submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full before the buildings to which it relates are occupied and shall be maintained as such, unless agreed otherwise in writing by the Local Planning Authority.

23. No development shall take place until full details of arrangements for the storage and disposal of refuse, and vehicle access thereto to serve the



development have been submitted to and agreed in writing by the Local Planning Authority. The approved arrangements shall be implemented in full before the buildings to which it related are occupied and shall be maintained as such, unless agreed otherwise in writing by the Local Planning Authority.

24. No tree felling, scrub clearance, hedgerow removal, vegetation management or ground clearance shall take place during the period of 1 March to 31 August inclusive unless otherwise agreed in writing by the Local Planning Authority. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows shall be checked by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected shall be submitted to and agreed in writing by the Local Planning Authority.

25. A scheme for the provision of bird boxes on site to mitigate for the potential loss of breeding bird habitat, shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The boxes shall be installed before the first dwelling is occupied.

26. A survey of potential foraging habitat for badgers and appropriate mitigation measures shall be submitted to and agreed with the Local Planning Authority before any development commences. The development shall be carried out in accordance with the agreed measures.

27. No development shall take place until a detailed Construction Environment Management Plan for the construction phase of the development and a Construction Code of Practice shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall provide details of measures proposed for the storage of all plant, machinery and materials to be used in connection with the remodelling and construction of the development and for controlling any escape of noise and/or fumes during the works. The development shall be carried out in accordance with the Construction Environment Management Plan. The scheme shall in particular include:-

1. locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development;
2. details of all bunds, fences and other physical protective measures to be placed on the Site in connection with such storage including the time periods for placing and retaining such bunds, fences and measures (as the

- case may be);
3. provision for the on-going maintenance of any such bunds, fences and other measures;
  4. the control and removal of spoil and wastes;
  5. measures to prevent the pollution of surface and ground water arising from the storage of plant and materials.

The code of practice shall indicate:

- a. the proposed hours of operation of remodelling and construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production;
- c. sound attenuation measures incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development. The development shall only be implemented in accordance with the Construction Environment Management Plan, provided that this may be amended in accordance with details expressly submitted to and approved in writing by the Local Planning Authority for such purpose

131 **APP/15/01267 : 336 HOYLAKES ROAD, MORETON, CH46 6DF : ERECTION OF A SINGLE STOREY EXTENSION TO THE EXISTING GARAGE AND CHANGE OF USE TO A PHYSIOTHERAPY TREATMENT ROOM AND HOME OFFICE FACILITY.**

Councillor J Walsh was not present for consideration of this item

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (11:0) That the application be resolved subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of 3 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 October 2015 and listed as follows: 191\_2015\_01 (dated 04.09.2015)

3. The physiotherapy business hereby approved shall be closed between 20:00 hours and 08:30 hours Monday to Friday, between 14:00 hours and 09:00 hours on Saturdays and closed on a Sunday and Bank Holidays.

4. There shall be no more than one customer at any given time and the use shall be operated on an appointments basis only.

5. The use hereby permitted shall be used as a physiotherapy business only and for no other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

6. The use hereby permitted shall be carried on only by Miss G Dabek (the applicant) for the period during which the premises are occupied by the applicant. When the premises cease to be occupied by Miss G Dabek (the applicant), the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed.

132 **APP/15/01270 : LAND AT BEAUFORT ROAD ADJOINING TO CORPORATION ROAD, BIRKENHEAD, WIRRAL : ERECTION OF AN INDUSTRIAL UNIT CONSISTING OF TWO SMALL WORKSHOPS ON THE GROUND FLOOR WITH RESIDENTIAL ACCOMMODATION ABOVE.**

Councillor J Walsh was not present for consideration of this item.

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (11:0) That the application be approved subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of 3 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 25th September 2015 and listed as follows: SG/CR/2/A (Dated 29/07/15), SG/CR/3/A (Dated 29/07/15), SG/CR/4/A (Dated 29/07/15), SG/CR/5/A (Dated 29/07/15), SG/CR/6/A (Dated 29/07/15) & SG/CR/7/A (Dated 29/07/15).**

**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 occupation of the first floor residential apartment hereby approved shall be limited to persons solely or mainly employed in or own/occupy the industrial premises allowed on the lower ground floor of the building hereby approved.**

**5. Prior to the first occupation of the dwellings 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 to be submitted to and agreed in writing by the local planning authority. the approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.**

**6. No doors on the external elevations of the development hereby permitted shall open outwards onto the public pavement.**

**7. Prior to commencement a suitable noise insulation scheme between ground floor and the residential accommodation above should be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and retained as such thereafter.**

**8. 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.**

**NO. DWELLINGS WITH SOME MATTERS RESERVED (AMENDED DESCRIPTION).**

Having previously declared a prejudicial interest, Councillor Sullivan left the room during consideration of this item.

Councillor Walsh was not present for consideration of this item.

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (10:0) That the application be approved subject to the following conditions:**

**1. The development hereby permitted shall be commenced either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, 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) Scale**
- (b) Appearance**
- (c) 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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 17 September 2015, 5 November 2015 and 24 November 2015 and listed as follows: 01 Preliminary Tree Constraints Plan, L(80)001 Existing Site Plan, SCP/15049/F01 Rev B Access Design & Swept Path Analysis, 111 Rev B Site Layout Street Elevation and Site Location Plan**

**4. Before any construction commences, samples 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.

5. The detailed plans submitted as reserved matters shall include a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.

6. The detailed landscaping plans submitted as reserved matters shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

7. Prior to commencement of development details of a surface water management plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in full in accordance with the agreed plan and retained as such thereafter.

8. 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.

9. No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.

11. Notwithstanding the provisions of the Town and Country Planning

(General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

12. Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion within the curtilage of the site, in accordance with details to be submitted with the detailed planning application for reserved matter. The approved details shall be implemented in full before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.

13. No development shall commence until a scheme of works containing details of modifications required to the public highway adjacent to the development site along its boundary with Downham Road North has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for footway improvements, tactile paving and pedestrian dropped kerbs and the relocation and/or renewal of street furniture as may be required. No part of the development shall be first occupied until the details have been constructed and laid out in accordance with the approved details.

134 **APP/15/01288 : 10 WHEATLAND ROAD, BARNSTON, CH60 1XY : REDEVELOPMENT OF HOUSE TO INCLUDE GROUND AND FIRST FLOOR EXTENSIONS, DORMER WINDOWS AND A BALCONY.**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (11:0) That the application be approved subject to the following conditions:**

**1. The development hereby permitted shall be begun before the expiration of 3 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 17 November 2015 and listed as follows: 166\_2015\_02 Revision B (16.11.2015).**

135 **APP/15/01317 : ELECTRONIC SURGERY, 12A THE VILLAGE, BEBINGTON, CH63 7PW : CONSTRUCTION OF A FIRST FLOOR REAR**

**EXTENSION ABOVE EXISTING GROUND FLOOR SHOPS TO CREATE TWO RESIDENTIAL UNITS.**

Councillor Walsh was not present during consideration of this item.

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

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

**Resolved (11:0) That the application be approved subject to the following conditions:**

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.**
- 3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23rd September 2015 and listed as follows: LB151/01; LB151/02; LB151/03; LB151/04**
- 4. Prior to commencement of development, a suitable noise insulation scheme between the ground floor and residential accommodation (adhering to 'Building Regulations Approved Document E - Resistance to the passage of sound') shall be submitted in writing to and approved by the Local Planning Authority, and the approved scheme shall be implemented in full prior to first occupation of the accommodation hereby permitted.**

136 **APP/15/01318 : SHELL PETROL STATION, 157 HOYLAKES ROAD, MORETON, CH46 9PZ : APPLICATION TO VARY CONDITION 2 ATTACHED TO PLANNING APPROVAL APP/92/05293 TO ALLOW 24 HOUR OPENING.**

Councillor Walsh was not present during consideration of this item.

The Assistant Chief Executive submitted the above application for consideration.

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



**Resolved (8:3) – That the application be approved subject to the following condition:**

The amplified tannoy system shall not be used between the hours of 23:00 and 07:00.

137 **APP/15/01349 : 26 CAULFIELD DRIVE, GREASBY, CH49 1SN : DOUBLE STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION.**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (11:0) That the application be approved subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of 3 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 09/10/2015 and listed as follows: Amended plan 207\_2015\_01 revision C, 09.10.2015, Amended plan 207\_2015\_02 revision E, 05.11.2015.

138 **APP/15/01375 : CUCKOOS FLIGHT, 45 CROFT DRIVE EAST, CALDY, CH48 1LX : REMODELLING OF EXISTING DWELLING INCLUDING, EXTENSION, WITH FRONT DORMERS AND REMODELLED ENTRANCE, LOFT CONVERSION AND INTERNAL ALTERATIONS.**

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

139 **APP/15/01467 : 12 ENNERDALE ROAD, NEW BRIGHTON, CH45 0LY : LOFT CONVERSION FOR AN ADDITIONAL SELF-CONTAINED FLAT WITH ASSOCIATED OFF STREET PARKING.**

The Assistant Chief Executive submitted the above application for consideration.

A Lead Petitioner addressed the Committee

The Applicant addressed the Committee.

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

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

1. The development hereby permitted shall be begun before the expiration of 3 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 November 2015 and listed as follows: 2346/1a and Site Location Plan 1:1250
3. Prior to first occupation the second floor side elevation window(s) shown on drawing No. 2346/1a shall not be glazed otherwise than with obscured glass and non-opening up to 1.7 metres from the internal finished floor level and thereafter be permanently retained as such.
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.

140 **COMX/15/01470 : THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG : NOTIFICATION FOR PRIOR APPROVAL FOR A CHANGE OF USE FROM STORAGE OR DISTRIBUTION BUILDINGS (CLASS B8) AND ANY LAND WITHIN ITS CURTILAGE TO 6 FLATS (CLASS C3).**

The Assistant Chief Executive submitted the above application for consideration.

Members were advised that late representations had been received from Environmental Health to advise that it was their contention that development (if approved) would contribute to noise and disturbance for future occupiers of the proposed flats. Having regard to this representation, Members were further advised that the Local Planning Authority could not be satisfied that the development would have no impact in terms of noise and disturbance for future occupiers, therefore, the Local Planning Authority recommended that the application be refused

It was moved by Councillor Elderton and seconded by Councillor Foulkes it was:

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

Having regards to the proposed developments close proximity to commercial premises that have unrestricted hours of operation and immediately adjoin the application proposals, the Local Planning Authority is not satisfied that the development would have no impact in terms of noise and disturbance on future occupiers of the proposed flats and insufficient information has been provided by the applicant(s) to enable the Local Planning Authority to establish that no such impact(s) would arise.

141 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 13/11/2015 AND 06/12/2015.**

The Assistant Chief Executive submitted a report detailing planning applications decided under Delegated Powers between 13/11/2015 and 06/12/2015.

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

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