

# Public Document Pack

## PLANNING COMMITTEE

Thursday, 2 June 2016

Present:

Councillor	A Leech (Chair)	
Councillors	D Realey	D Elderton
	P Brightmore	E Boulton
	S Foulkes	P Cleary
	T Johnson	I Lewis
	J Walsh	S Kelly
	I Williams	

Deputies: Councillors B Berry (In place of K Hodson)

### 1 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 20 April 2016.

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

### 2 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.

No such declarations were made.

### 3 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/16/00301: ASHBOURNE HOUSE AVENUE, HESWALL, CH60 4RH – Division of an existing plot of land into 2 plots and the creation of a new dwelling accessed from the Mount.**

**APP/16/00547: THE FARMERS ARMS, 2 NETEHRTON ROAD, MORETON, CH46 7TR- Proposed Installation of new children's play equipment sited in existing walled & fenced garden at side of existing public house building.**

### 4 APP/15/01507: LAND TO THE EAST SIDE OF KINLOSS ROAD, GREASBY - ERECTION OF 2NO. RESIDENTIAL APARTMENT BLOCKS WITH A TOTAL

**NUMBER OF 19 APARTMENTS, WITH ASSOCIATED LANDSCAPING AND CAR PARKING (100% AFFORDABLE HOUSING) - AMENDED CAR PARKING LAYOUT**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

It was moved by Councillor Elderton and seconded by Councillor Berry that the application be refused on the following grounds:

**“The proposed development, by virtue of its overall height, scale, siting and appearance, would result in an over- dominant and visually obtrusive form of development, particularly having regard to adjacent 2-storey dwellings, which would constitute an unneighbourly form of development that would appear incongruous in the street scene and would neither respect nor relate well to the existing pattern of development on Kinloss Road, Hendon Walk and Pump Lane. The proposal is therefore contrary to Policy HS4 of the adopted Wirral Unitary Development Plan as well as the principles of the National Planning Policy Framework.”**

The motion was put and lost (6:7)

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

**Resolved (7:6) 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 19th November 2015 and 19th February 2016 and listed as follows: 14-118-110 rev E (Dated 19/02/16), 14-118-171 rev A (Dated 13/11/15), 14-118-120 rev C (Dated 13/11/15), 14-118-150 rev B (Dated 13/11/15) & 14-118-121 rev B (Dated 13/11/15).**
- 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. 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
- (v) any retaining walls

7. 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.

8. No development shall commence until full details of a scheme for a sustainable drainage system<sup>1</sup> to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in

consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

9. No development shall take place until a scheme of works to provide waiting restrictions at the junction of Kinloss Road, Pump Lane and Hendon Walk has been submitted to and agreed in writing by the local planning authority. The development shall not be first brought into use until such works have been completed and laid out in accordance with the approved details. The approved scheme shall be retained as such thereafter.

10. Before the development hereby permitted is brought into use the windows indicated drawing numbers 14-118-150 Rev B (13-11-2015) and 14-118-121 Rev B (13-11-2015) shall be obscurely glazed with frosted glass and non opening up to a level of 1.8m above finished floor level and shall be retained as such thereafter.

11. No development shall take place until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, tactile paved pedestrian crossings, street furniture and access onto the adjacent highway has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

12. 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 and retained, unless otherwise agreed in writing with the Local Planning Authority in accordance with the approved scheme. The scheme shall include:

- 1) The numbers, type, tenure and location of the site of the affordable housing provision to be made;
- 2) The timing of construction of the affordable housing;
- 3) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy can be enforced.

**13. No development shall take place until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.**

**5 APP/16/00126: NAPPS CROFT, 21 DOWNHAM ROAD NORTH, HESWALL, CH61 6UN - SINGLE STOREY REAR EXTENSION, FRONT EXTENSION AND INTERNAL ALTERATIONS (ADDITIONAL ELEVATION PLANS) AMENDED DESCRIPTION**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (13:0) 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 19 April 2016 and listed as follows: 247\_2015\_02 Revision B.**

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

**6 APP/16/00135: 32 BERYL ROAD, NOCTORUM, CH43 9RT - RETROSPECTIVE CONSENT FOR A FRONT BOUNDARY WALL WITH PROPOSED EXTERNAL VISUAL CHANGES AND REDUCED HEIGHT.**

The Assistant Chief Executive submitted the above application for consideration.

A Lead Petitioner addressed the Committee.

The Agent addressed the Committee.

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

**Resolved (8:5) That the application be refused on the following grounds:**

Having regard to the appearance and scale of the wall, the Council considers that the wall dominates the street scene and results in a harmful impact on the character and appearance of the area. As such, the development is considered to be unacceptable and detrimental to the visual amenities of the area.

7 **APP/16/00212: LAND OFF ARROWE PARK ROAD, UPTON, CH49 0UE - VARIATION OF CONDITION 9 OF APPROVAL 15/01261**

The Assistant Chief Executive submitted the above application for consideration.

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

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

- 1. The development hereby permitted shall be 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 approved under the non-material amendment 16/00033 and listed with that application.**
- 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 more than 30% 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.**

**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.**

**13. 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.**

**14. 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

- 8      **APP/16/00301:ASHBOURNE HOUSE, MOUNT AVENUE, HESWALL, CH60 4RH - DIVISION OF AN EXISTING PLOT OF LAND INTO 2 PLOTS AND THE CREATION OF A NEW DWELLING ACCESSED FROM THE MOUNT.**

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

- 9      **APP/16/00547: THE FARMERS ARMS, 2 NETHERTON ROAD, MORETON, CH46 7TR - PROPOSED INSTALLATION OF NEW CHILDREN'S PLAY EQUIPMENT SITED IN EXISTING WALLED & FENCED GARDEN AREA AT SIDE OF EXISTING PUBLIC HOUSE BUILDING.**

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

- 10     **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 07/04/2016 AND 22/05/2016**

The Assistant Chief Executive submitted a report detailing planning applications decided under delegated powers between 07/04/2016 and 22/05/2016.

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

- 11     **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

The Chair reminded Members that training would be held for all members and deputies of the Committee on Tuesday 28 June, 5:15pm – 8:45pm.

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