

# Public Document Pack

## PLANNING COMMITTEE

Thursday, 20 October 2016

Present: Councillor A Leech (Chair)

|            |              |            |
|------------|--------------|------------|
| Councillor | D Realey     | T Johnson  |
|            | E Boulton    | S Kelly    |
|            | P Brightmore | I Lewis    |
|            | P Cleary     | J Walsh    |
|            | D Elderton   | I Williams |
|            | K Hodson     |            |

Deputies: Councillors A Davies (for S Foulkes)

### 65 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held 15 September 2016.

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

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

The Committee's Legal Advisor drew attention to Item 14 on the agenda – (APP/16/0113: Briarwood, 1 Old Mill Close, Gayton, CH60 2UH – Two storey side extension & rear sun room), an application submitted for consideration by two elected members of the Council, one of which being a member of this Planning Committee.

In response, Councillor D Elderton declared a prejudicial interest in respect of item 14 by virtue of being closely acquainted with the applicant.

Councillor K Hodson declared a prejudicial interest in connection with item 14 by virtue of her owning the property.

Councillors: Brightmore, Boulton, Cleary, Davies, Johnson, Kelly, Leech, Lewis, Realey, Walsh & Williams declared personal interests by virtue of being acquainted with the applicant on a professional level. All declared that they would approach the application with an open mind.

Councillor K Hodson declared a prejudicial interest in respect of item 15 for personal reasons.

### 67 REQUESTS FOR SITE VISITS

The following site visits were unanimously approved:

**APP/16/00527: CEDAR COTTAGE, 10 CROFT DRIVE WEST, CALDY, CH48 2JG – DEMOLITION OF EXISTING COTTAGE AND CONSTRUCTION OF LARGE SINGLE DWELLING INCLUDING ACCESS AND LANDSCAPING WORKD.**

**OUT/16/00706: 83 SAUGHALL MASSIE LANE, UPTON, CH49 6LZ – OUTLINE CONSENT FOR A DORMER BUNGALOW WITH SOME MATTERS RESERVED (AMENDED DESCRIPTION)**

**APP/16/00823: ASHTON COURT, BANKS ROAD, WEST KIRBY CH48 0RJ – DEMOLITION OF EXISITING BUILDINGS AND ERECTION OF 14 NO. NEW BUILD RESIDENTIAL PROPERTIES.**

**APP/16/01089: LAND ADJACENT TO 3 DALE GARDENS, HESWALL, CH60 6TQ – NEW BUILD DWELLING WITH ACCESS FROM OLDFIELD ROAD.**

68 **ORDER OF BUSINESS**

The Chair agreed to vary the order of business.

69 **APP/16/00108: BURTONS FOODS, PASTURE ROAD, MORETON, CH46 8SE - DEMOLITION OF EXISTING INDUSTRIAL BUILDINGS AND HYBRID PLANNING APPLICATION, SEEKING FULL PLANNING PERMISSION FOR ACCESS TO MANUFACTURING UNITS TO THE EAST OF THE SITE; SECURITY BUILDING; WEIGHBRIDGE; CAR & CYCLE PARKING; LANDSCAPED BOUNDARY TREATMENT; AND ASSOCIATED INFRASTRUCTURE FOR BURTON'S BISCUIT COMPANY. OUTLINE PLANNING APPLICATION FOR 299 RESIDENTIAL DWELLINGS, ASSOCIATED OPEN SPACE AND INFRASTRUCTURE WITH ALL MATTERS EXCEPT FOR ACCESS RESERVED FOR FUTURE DETERMINATION.**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (13:0) That the application be approved subject to a section 106 legal agreement and the following conditions:**

- 1. The development hereby granted full planning permission shall be commenced before the expiration of three years from the date of this**

permission.

2. The development hereby granted outline planning permission 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. No development for the residential scheme hereby approved in outline shall commence on site until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority within three years from the date of this permission.

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development; and
- (d) The landscaping of the site.

The development shall be carried out in accordance with the approved details.

4. No phase of development shall take place until samples of the facing/roofing/window materials to be used in the external construction relevant to that phase 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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23rd March 2016 and listed as follows: 4439\_003 and 006 and the principles contained within the "Design Parameters" (July 2016) received by the Local Planning Authority on 11th August 2016

6. Full details of a scheme (including the calculations) showing that each dwelling unit will be constructed so as to provide noise attenuation to not exceed, 35dB LAeq16hour (7.00 hrs to 23.00hrs) and 30dB LAeq8hour (23.00hrs to 7.00hrs) with the windows open, against external noise source particularly from the industrial/commercial units to the railway line site and Pasture Road adjacent to the site shall be submitted as part of the reserved matters application in relation to appearance, landscaping, layout and scale for consideration by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of each dwelling unless otherwise agreed in writing with the Local Planning Authority.

7. An acoustic barrier shall be erected along the north and east boundary of the development site, full details shall be submitted to and approved by the Local Planning Authority before building works commence on site. The approved details shall be implemented in full to the satisfaction of the Local

**Planning Authority.**

**8. No phase of development for the access to manufacturing units, security building, weighbridge, car & cycle parking, landscaped boundary treatment; and associated infrastructure for Burton's biscuit company shall take place until full details of soft and hard landscaping relevant to that phase have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the relevant phase hereby permitted, unless otherwise agreed in writing by the Local Planning Authority. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.**

**9. The detailed landscaping scheme submitted as part of the reserved matters shall include:**

- (i) full details of all boundary treatments;**
- (ii) full details of all hard surfaces;**
- iii) the location, size and species of all trees to be planted;**
- (iv) the location, size, species and density of all shrub and ground cover planting;**
- (v) the location of public open space at a rate of 60 square metres per dwelling including provision for safe children's play, and**
- (v) a schedule of implementation and maintenance.**

**The development shall be carried out and in accordance the approved scheme and shall be maintained as such thereafter.**

**10. Prior to first occupation of the residential development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.**

**11. Full details of secure covered cycle parking and/or storage facilities for the residential phase shall be submitted as part of the reserved matters relating to appearance, layout and scale for consideration 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 occupation of the residential development hereby permitted and shall be retained for use at all times thereafter.**

**12. No phase of development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

**A preliminary risk assessment which has identified:**

- **all previous uses**
- **potential contaminants associated with those uses**
- **a conceptual model of the site indicating sources, pathways and receptors**
- **Potentially unacceptable risks arising from contamination at the site.**

**A site investigation scheme shall provide information as follows:**

- **a detailed assessment of the risk to all receptors that may be affected, including those off site**
- **site investigation results and detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken**
- **a verification plan providing details of the data that will be collected in order to demonstrate that the works set out above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.**

**13. No phase of development shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy relevant to that phase and the effectiveness of the remediation has been 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, and for the reporting of this to the local planning authority.**

**14. 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.**

**15. Full details of a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, shall be submitted as part of the reserved matters relating to appearance, layout and scale for consideration by the Local Planning Authority. The approved Site Waste Management Plan shall be implemented concurrently with the development hereby approved in full unless otherwise agreed in writing with the Local Planning Authority.**

**16. No phase of development shall take place (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development of that phase hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details. Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.**

**17. No tree, shrub or hedgerow felling/scrub clearance/ground clearance/building works/vegetation management/cutting operations is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required to be submitted to and approved in writing by the Local Planning Authority.**

**18. No phase of developments shall take place until a scheme for the disposal of foul and surface water drainage relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. No phase of the development shall be brought into use until the drainage system for that phase has been constructed and completed in accordance with the approved plans.**

**19. Full details of the arrangements for the storage and disposal of refuse, and vehicle access thereto, within the curtilage of each dwelling on the site, shall be submitted as part of a reserved matters application for the residential development relating to appearance, landscaping and scale for consideration by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of each dwelling unless otherwise agreed in writing with the Local Planning Authority.**

**20. No development for the access to manufacturing units; security building; weighbridge; car & cycle parking; landscaped boundary treatment; and associated infrastructure for Burton's Biscuit Company 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, including any arrangement for the adoption by any public body or statutory undertaker and any other arrangements required to secure the operation of the system, 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.**

**21. As part of an application for the approval of reserved matters for layout, appearance, landscaping and scale of the residential development full details of a scheme for a sustainable drainage system to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development, including any arrangement for the adoption by any public body or statutory undertaker and any other arrangements required to secure the operation of the system, shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority.**

**22. The detailed plans submitted as reserved matters shall include a survey of existing and proposed ground levels, sections across the site, details of all highway levels and finished slab level for each property in relation to ground levels on adjoining land within and outside the site including the railway, highway and River Birket. The ground levels across the site and finished slab and highway levels shall be finished concurrently with each phase of development and maintained as such thereafter in accordance with the approved plans.**

**23. No development for the access to manufacturing units and the security building; weighbridge; car & cycle parking; landscaped boundary treatment; and associated infrastructure for Burton's Biscuit Company shall take place until full details of existing ground levels, earthworks excavations and proposed finished levels in relation to exiting levels on adjoining land within and outside the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**24. No phase of development shall commence until full details and a timetable of works to provide two accesses onto Pasture Road together with the new roads within the site relevant to that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include, but shall not be limited to, carriageways, footways and footpaths,**

verges, cycle routes, street furniture, sewers and surface water drainage. The works shall be completed in accordance with the approved details and timetable to the written satisfaction of the Local Planning Authority.

25. No development shall commence until details of works to provide a pedestrian refuge on Pasture Road have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details, to the written satisfaction of the Local Planning Authority, prior to first occupation of the development hereby approved.

26. No development shall commence until details of works to upgrade two bus stops on Pasture Road to the latest standards have been submitted to and agreed in writing by the Local Planning Authority (including repositioning as required and all necessary highway works, road markings and traffic signs). The works shall be completed in accordance with the approved details, to the written satisfaction of the Local Planning Authority, prior to first occupation of the development hereby approved.

27. No development shall commence until details of works to provide two vehicle activated Signs on Pasture Road have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details, to the written satisfaction of the Local Planning Authority, prior to first occupation of the development hereby approved.

28. Surface water drainage works shall be carried out in accordance with the details contained within the submitted Drainage Strategy approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The surface water drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

29. No development shall commence until details of an appropriate management and maintenance plan for the surface water sustainable drainage system, comprising all components of the surface water drainage system, for the lifetime of the development have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority. 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 surface water sustainable drainage system shall be managed and maintained in accordance with the approved details.



**OUT/16/00439: 3 BARKER ROAD, IRBY, CH61 3XH - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 3 NO. DETACHED DORMER BUNGALOWS WITH GARAGES/PARKING (AMENDED DESCRIPTION)**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (10:3) 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. The development hereby permitted shall be carried out in accordance with the amended plans received by the local planning authority on 05 October 2016.**
- 3. No development shall commence on site until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority within three years from the date of this permission.**
  - (a) The scale of the development;**
  - (b) The external appearance of the development; and**
  - (c) The landscaping of the site**

**The development shall be carried out in accordance with the approved details.**

- 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. 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

7. 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

8. Details of the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected prior to the occupation of the dwellings.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

10. Surface water drainage works shall be carried out in accordance with the details contained within the submitted Flood Risk Assessment and Drainage Strategy (July 2016, Reference: w10097-160718-FRA & Drainage Strategy). The surface water drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

11. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system including any storage and pumping arrangements for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority.

Details shall include:

i. the arrangements for adoption by a statutory undertaker or management and maintenance by a Residents' Management Company

ii. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical, electrical and pumping components) and will include elements such as:

a. on-going inspections relating to performance and asset condition assessments;

b. 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;

iii. means of access for maintenance.

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.

71 **APP/16/00527: BARLEYFIELD HOUSE, BARLEYFIELD, PENSBY, WIRRAL - 14 NO NEW BUILD RESIDENTIAL PROPERTIES (AMENDED LAYOUT OF PLOTS 3-6 INC)**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

On a motion by Councillor Realey 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 as amended received by the local planning authority on the 15 June 2016 and 23 August 2016 and listed as follows: EX01 dated 26/01/2016, EX02 dated 07/04/2016, EX03 (Rev G) dated 26/01/2016, EX04 dated 31/03/16, GA10, GA11, GA12, GA13, GA14, GA15 dated 15/02/2016 and R/1866/1 dated May 16**

**3. No development shall take place until 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.**

**4. Prior to first occupation of the development details of a scheme for all boundary treatment shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented in full and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.**

**5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.**

**6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.**

**7. No development shall take place until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.**

**8. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local**

**Planning Authority.**

**9. No development shall take place until 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 plans. The development shall be carried out in accordance with the approved details.**

**10. No development shall take place until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.**

**11. 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.**

**12. 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.**

**13. No development shall take place (including any demolition works) until a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details. Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.**

**14. No development shall commence on site until full details of works to**

**construct the new highway in addition to amendments to the existing highway made necessary by the development 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 and timetable.**

**15. Surface water sustainable drainage works, comprising all components of the surface water drainage system, shall be carried out in accordance with the details contained within the submitted Drainage Impact Assessment (Oct 2016 : Ref 13375-5026-DIA Issue 1) and further information supplied - Drainage Calculations & Simulations Results (metEngineers Ref 13375-5026 Rev A October 2016) approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The surface water sustainable drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Surface Water Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.**

**16. No development shall commence until full details of a scheme for a surface water sustainable drainage system 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 surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.**

**17. No development shall commence until details of an appropriate management and maintenance plan for the surface water sustainable drainage system, comprising all components of the surface water drainage system, for the lifetime of the development have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority. 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 surface water sustainable drainage system shall be managed and maintained in accordance with the approved details.**

- 72 **APP/16/00633: CEDAR COTTAGE, 10 CROFT DRIVE WEST, CALDY, CH48 2JG - DEMOLITION OF EXISTING COTTAGE, AND CONSTRUCTION OF LARGE SINGLE DWELLING, INCLUDING ACCESS AND LANDSCAPING WORKS**

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

- 73 **OUT/16/00706: 83 SAUGHALL MASSIE LANE, UPTON, CH49 6LZ - OUTLINE CONSENT FOR A DORMER BUNGALOW WITH SOME MATTERS RESERVED (AMENDED DESCRIPTION)**

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

- 74 **APP/16/00823: ASHTON COURT, BANKS ROAD, WEST KIRBY CH48 0RJ - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 14 NO. NEW-BUILD RESIDENTIAL PROPERTIES.**

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

- 75 **APP/16/00888: 4 BERESFORD ROAD, LISCARD, CH45 0JJ - RETROSPECTIVE CONSENT FOR RAISED DECKING AND ERECTION OF A PRIVACY SCREEN (AMENDED PLANS)**

The Assistant Chief Executive submitted the above application for consideration.

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

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

- 1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 28 June 2016 and 9 August 2016 and listed as follows: EL1/PL1 Existing and Proposed Layouts and Site Location Plan**
- 2. The amenity screens shown on drawing No. EL1/PL1 dated August 2016 shall be implemented within two months of the date of this permission and shall be permanently retained as such thereafter.**

76 **APP/16/01016: MASONIC HALL, MANOR ROAD, LISCARD, CH45 7LU - USE OF CAR PARK FOR MOTORCYCLE COMPULSORY BASIC TRAINING. MAXIMUM OF 4 LEARNERS AT A TIME. AMENDED LOCATION PLAN RECEIVED**

The Assistant Chief Executive submitted the above application for consideration.

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

**Resolved (12:1) 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 received by the local planning authority on 24 August 2016.**
- 3. The use hereby permitted shall only take place between the hours of 0800 and 1800 Monday to Friday, 0900 and 1400 on Saturdays, 1000 and 1300 hours on Sundays and at no time on Bank Holidays.**
- 4. No more than four learners/pupils shall be accommodated at the premises at any one time in connection with the use hereby approved.**
- 5. No equipment (including motorbikes and cones) shall be left on site overnight in connection with the use hereby approved.**

77 **APP/16/01018: LAND NORTH OF TYRER STREET AND RIBBLE STREET, BIRKENHEAD, CH41 8HY - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 52NO. DWELLINGS.**

The Assistant Chief executive submitted the above application for consideration.

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

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

- 1. The development hereby permitted shall be begun before the expiration of 3**



years from the date of this permission.

2. 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.

3. 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.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 26 July 2016 and 10 October 2016 and listed as follows: 2008/NW/RD/106; 2008/SD/110; 2008/NW/RD/113; 2008/NW/RD/116; 2008/NW/RD/117; 2008/NW/RD/118; 2014/832v2-PL02; 2014/851-PL03; 2014/1054v1-PL05; 2014/651-PL01; 2014/867-PL04; 5185.05;01261/Topo; 14092-004; 14092-001; 5185.02 AND 5185.03

5. All areas shown on plan and such other areas as may be shown on the approved plan shall be suitably landscaped in accordance with the submitted landscaping scheme. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species.

6. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

7. No tree felling, scrub clearance, vegetation management, ground clearance or building works 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

these locations shall be checked first 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.

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 development shall take place (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details. Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

10. Surface water sustainable drainage works, comprising all components of the surface water drainage system, shall be carried out in accordance with the details contained within the submitted Flood Risk Assessment & Sustainable Drainage Strategy (June 2016 HYD106\_TYRER STREET.BIRKENHEAD\_FRA&SDA) approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The surface water sustainable drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Surface Water Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

11. No development shall commence until full details of a scheme for a surface water sustainable drainage system 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 surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

12. No development shall commence until details of an appropriate management and maintenance plan for the surface water sustainable drainage system, comprising all components of the surface water drainage system, for the lifetime of the development have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority. 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 surface water sustainable drainage system shall be managed and maintained in accordance with the approved details.

13. The proposed footpath adjacent to Plot 7 shall be laid out to a standard to be agreed in writing with the Local Planning Authority and shall be available for use before Tyrer Street is stopped up and the existing access is removed.

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

15. 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, traffic calming, TRO's, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring 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.

16. No infiltration of surface water drainage into the ground on land affected by contamination 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.

**17. No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:**

- 1. A preliminary risk assessment which has identified:
  - i. all previous uses**
  - ii. potential contaminants associated with those uses**
  - iii. a conceptual model of the site indicating sources, pathways and receptors**
  - iv. Potentially unacceptable risks arising from contamination at the site.****
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.**

**18. No occupation 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.**

**19. 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.**

20. The noise mitigation measures detailed in Section 5 of the submitted Noise Impact Report by Hepworth Acoustics shall be implemented in full before the dwellings to which they relate are first occupied. Any such mitigation measures shall be retained as such thereafter.

78 **APP/16/01089: LAND ADJACENT TO 3 DALE GARDENS, HESWALL, CH60 6TQ - NEW BUILD DWELLING WITH ACCESS FROM OLDFIELD ROAD**

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

79 **APP/16/01133: BRIARWOOD, 1 OLD MILL CLOSE, GAYTON, CH60 2UH - TWO STOREY SIDE EXTENSION & REAR SUN ROOM**

*Having previously declared prejudicial interests, Councillors Hodson and Elderton left the room during consideration of this item*

The Assistant Chief Executive submitted the above application for consideration.

On a motion by Councillor Realey and seconded by Councillor Brightmore 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 August 2016 and listed as follows: 002- Proposed Plans & Details and 003 - Proposed Elevations & Sections Thro' (dated 15.08.2016)**

80 **APP/16/01220: LAND ADJACENT 103 PIPERS LANE, HESWALL, CH60 9HR - NEW BUILD DWELLING 'JENGA HOUSE' AT LAND ADJACENT 103 PIPERS LANE**

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

The Assistant Chief Executive submitted the above application for consideration.

It was moved by Councillor Elderton moved and seconded by Councillor Lewis that:

“ the application be refused”

The motion was put and lost ( 2:10)

On a motion by Councillor Realey 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 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 15 September 2016 and listed as follows: 21\_2016\_02 Rev.E & 21\_2016\_03 Rev.E.**
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.**
- 5. Within one months of the date of this permission, 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 materials as approved shall then be used in the construction of the development.**
- 6. Within one month of the date of this permission, details of mitigation measures for the impact on badger habitat, including details of any boundary fencing/walls that would allow badgers to access the site and adjacent fields, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented in full and retained as such thereafter.**
- 7. In order to protect Badgers during development, work shall only take place**

between 0800 hours and 1800 hours, any holes/trenches left open overnight must have a means of escape provided, all materials containing lime must be stored so that badgers cannot access them and any obvious badger paths must be left clear of obstruction.

8. Within one month of the date of this permission, details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

9. Within one month of the date of this permission, details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.

10. Within one month of the date of this permission, details of a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

11. 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

81 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 04/09/2016 AND 09/10/2016**

The Assistant Chief Executive submitted a report detailing planning applications decided under delegated powers between 04/09/2016 and 09/10/2016.

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

82 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

Members were informed that the Planning Committee would next meet on 10 November, 6pm. The original publicised date had been 17 November. Members had been informed by email over the change of date and the council website was amended accordingly.

Members then heard how Councillor Paul Doherty no longer owns or has a financial interest in SDA Architects, therefore, in future, applications associated with this company will be considered in line with any other application.

The Chair informed the Committee that the Annual Planning Survey ( published 12 October 2016), identified Wirral as being the fastest authority in the North West for reaching a decision on major planning applications. The report stated that *“Researchers looked at major application decisions across 34 authorities in the North and found that 11 major planning application decisions were made for every 100,000 residents, compared to nine decisions for 100,000 residents in Greater London. Authorities in the North are also faster. Four of five planning authorities in the study to achieve determination times of less than 20 weeks were in the North. Wirral reached a decision in 14 weeks on average, the fastest in the country, with Wakefield second on 17 weeks and Bolton and Hull achieving 19 weeks a piece.”*

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