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PLANNING COMMITTEE

Thursday, 17 August 2017

Present: Councillor A Leech (Chair)

Councillors P Cleary S Kelly
D Elderton I Lewis
P Hackett D Realey
K Hodson I Williams
T Johnson

Deputies: Councillors C Muspratt (In place of S Foulkes)
T Usher (In place of J Walsh)
W Clements (In place of E Boulton)

40 MINUTES

The Director for Business Services submitted the minutes of the meeting held on 20 July 2017.

Resolved- That the minutes be approved.

Subject to the following amendment requested by Councillor I Lewis

Item 39 Any Other Business Thornton Manor Report

That the minutes be amended to reflect: no resolution on this item as this was not voted on and therefore is not resolved, and a report is to be brought back to a future Planning Committee.

This amendment was agreed by the Committee.

41 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 C Muspratt declared a non-prejudicial interest in respect of item 8 by virtue of it being in her ward but would approach the application with an open mind.

Councillor I Lewis declared a non-prejudicial interest in respect of item 5 by virtue of an interest in a property nearby.

Councillor P Hackett declared a non-prejudicial interest in respect of item 7 by virtue of it being in his ward but would approach the application with an open mind.

42 **REQUESTS FOR SITE VISITS**

The following site visit was unanimously approved.

OUT/17/00265 : LAND AT FORMER OLD TAVERN CLUB, MAGAZINE LANE, NEW BRIGHTON, CH45 5AD Proposal: Mews-style development of 13 No. 2-bed and 3 No. 1-bed apartments with access to parking for 10 cars and landscaped gardens on the site of a former night club and premises (Outline)

43 **ORDER OF BUSINESS**

The Chair sought and received approval from the Committee to move the following items up the agenda due to attendance of the public with interests in these items.

Agenda Items 4: Six Acres, 75 Column Road, 6: Well Lane Police Station and 9: Grosvenor Court Grosvenor Road were heard first in this order followed by remaining items in the order of the agenda.

44 **APP/16/01508: SIX ACRES, 75 COLUMN ROAD, NEWTON, CH48 1PX PROPOSAL: CONVERSION OF EXISTING BARN TO DWELLING.**

The Managing Director for Delivery submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion moved by Councillor D Realey and seconded by Councillor I Williams 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 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.

3 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19th June 2017 listed as follows: PWH/16/SA/1 Rev A (Dated 14.06.17) & PWH/16/SA/2 Rev A (Dated 14.06.16).

4 Notwithstanding the approved plan reference PWH/16/SA/1 (Dated 1/11/16) 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

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) 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.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected on any part of the land.

8 Prior to commencement of development bat boxes shall be erected around the site in accordance with the Bat Roost and Breeding Bird Survey produced by EBS (Dated 30th May 2017). The type, number and location of the bat boxes shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of development and retained as such thereafter.

9 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.

45 **APP/16/01585 : WELL LANE POLICE STATION, WELL LANE, ROCK FERRY, CH42 4QG PROPOSAL: PROPOSED CHANGE OF USE FROM VACANT POLICE STATION TO CHILDREN'S DAY NURSERY (D1) FOR UP TO 80 CHILDREN (AMENDED DESCRIPTION) AND TO INCLUDE EXTENSION AND REFURBISHMENT TO THE EXISTING BUILDING.**

The Managing Director for Delivery submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

Resolved (13:0) That the application be refused on the following grounds:

1 The site is located in a predominantly residential area where occupiers could reasonably expect a level of amenity concurrent with the property. The use of the property as a Children's day nursery for 80 children introduces a diverse element insofar as the use is likely to result in an increase in noise, disturbance and nuisance through the increase in vehicle and pedestrian movement to and from the site to the detriment of neighbour's residential amenity and is therefore contrary to Unitary Development Plan Policies HS 12 and HS15 and the advice contained in the National Planning Policy Framework.

46 **APP/17/00610 : GROSVENOR COURT, GROSVENOR ROAD, HOYLAKES PROPOSAL: ERECTION OF FIVE APARTMENTS BY MEANS OF FORMING AN ADDITIONAL FLOOR LEVEL ON AN EXISTING APARTMENT BLOCK**

The Managing Director for Delivery submitted the above application for consideration.

A representative of the Lead Petitioner addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion moved by Councillor D Elderton and seconded by Councillor I Lewis it was:

Resolved (13:0) That the application be rejected on the following grounds:

1 The proposed extension by reason of its scale and bulk, would be out of keeping with the character of the existing building, and would have an adverse impact on the visual amenity of the area as a whole and is thereby contrary to Unitary Development Plan Policy HS4.

47 **APP/16/01560: HOYLAKES POLICE STATION, QUEENS ROAD, HOYLAKES, CH47 2AG PROPOSAL: CHANGE OF USE FROM VACANT POLICE STATION TO CHILDREN'S DAY NURSERY FOR UP TO 80 CHILDREN (AMENDED DESCRIPTION) INCLUDING EXTENSIONS AND ALTERATIONS TO THE BUILDING.**

The Managing Director for Delivery submitted the above application for consideration.

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

Resolved (10:3) That the application be approved subject to the following conditions:

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 May 2017 and listed as follows: B100 Rev A, B101 Rev A, B102 Rev A, B103 Rev A and B104 Rev A dated 19 May 2017

3 The premises shall be used as a day nursery and for no other purpose (including any other purpose in D1 of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.

4 No more than 80 children shall be accommodated at the premises at any one time in connection with the use hereby approved.

5 The nursery hereby permitted shall not be open other than between the hours of 07:30 hours and 18:30 hours Monday to Friday. The nursery shall be closed on Saturdays and Sundays and Bank holidays.

6 The outdoor play area shall only be used by a maximum of 10 children and only between 9.45 and 10.45 hours, 12.30 and 14.00 hours and 15.45 and 16.30 hours each day.

7 Within 6 months of the first use of the nursery development hereby permitted a full Travel Plan shall be submitted to and approved in writing by the local planning authority. The provisions of the full Travel Plan shall be implemented and operated in accordance with the timetable contained therein for as long as the development is occupied and shall not be varied other than through agreement with the local planning authority. For the avoidance of doubt, such a plan shall include;

i) Access to the site by staff.

ii) Information on existing transport services to the site and staff travel patterns.

iii) Travel Plan principles including measures to promote and facilitate more sustainable transport.

iv) Realistic targets for modal shift or split.

v) Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group.

vi) Measures and resource allocation to promote the Travel Plan; and,

vii) Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

8 NO DEVELOPMENT SHALL TAKE PLACE until a site management plan has been submitted to and approved in writing by the local planning authority. Detail submitted in respect of the site management plan shall include details of how outdoor play shall be managed and supervised, including defined play areas to be used by different defined age groups at any given time. The development hereby permitted

shall be implemented and thereafter operated in strict accordance with the approved site management plan.

9 NO DEVELOPMENT SHALL TAKE PLACE until full details of both hard and soft landscape works and all boundary treatments have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include; a minimum 2 metre buffer area between the boundary with the adjacent residential properties 4 Lighthouse Road and 3 Queens Road and the outdoor play area, all details of boundary treatments including an acoustic barrier fence; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefact's and structures (e.g. furniture, play equipment, refuse or other storage units, etc.). All hard landscaping works and boundary treatments shall be completed before the nursery first comes into use and the boundary treatments shall be permanently retained thereafter.

10 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

11 NO DEVELOPMENT SHALL TAKE PLACE until full details of the pram storage, toy storage and bin storage have been submitted to and approved in writing by the Local Planning Authority. The approved pram, toy and bin storage areas shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

12 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.

13 NO DEVELOPMENT SHALL BE COMMENCED until a detailed scheme of highway improvement works for the provision of waiting restrictions at the junction of Lighthouse Road and Queens Road together with a programme for the completion of the works 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 required highway improvement works have been constructed in accordance with the approved details.

14 No part of the development shall be brought into use until the existing vehicular crossing on to Lighthouse Road has been permanently closed off and the footway reinstated. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

15 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.

- 48 **OUT/17/00265 : LAND AT FORMER OLD TAVERN CLUB, MAGAZINE LANE, NEW BRIGHTON, CH45 5AD PROPOSAL: MEWS-STYLE DEVELOPMENT OF 13 NO. 2-BED AND 3 NO. 1-BED APARTMENTS WITH ACCESS TO PARKING FOR 10 CARS AND LANDSCAPED GARDENS ON THE SITE OF A FORMER NIGHT CLUB AND PREMISES (OUTLINE)**

Resolved: That this item be deferred for a formal site visit.

- 49 **APP/17/00461 : 106 TEEHEY LANE, HIGHER BEBINGTON, CH63 8QT PROPOSAL: CONVERSION OF TAKE AWAY INTO A RESTAURANT, INCLUDING A SINGLE STOREY REAR EXTENSION TO PROVIDE NEW TOILETS AND CHANGE IN POSITION OF EXTERNAL EXTRACT DUCT.**

The Managing Director for Delivery submitted the above application for consideration which had had been referred by Rivergate Ltd as agent for the applicant.

It was brought to the Committee's attention that Councillor P Doughty was a stakeholder in Rivergate Ltd and might therefore be under a duty to declare his interest in the Register of Members Interest.

On a motion moved by Councillor C Muspratt and seconded by Councillor T Usher 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 03 May 2017 and listed as follows: drawing numbers 04_2017_02 Revision A (dated 10.04.2017), 04_2017_03 Revision A (dated 13.04.2017), 04_2017_04 Revision A (dated 13.04.2017), 04_2017_05 Revision A (dated 13.04.2017).

3 The premises shall not be used except between the hours of 16:00 hours and 23:00 hours Mondays to Saturdays, and 16:00 hours and 22:00 hours Sundays.

4 No development shall take place until full details of a scheme for noise insulation between ground floor and residential accommodation above (adhering to "Building Regulations Approved Document E - Resistance to the passage of sound") has been submitted to and approved in writing by the Local Planning Authority, unless the accommodation is to be used solely by the owner of the business. The scheme shall be implemented prior to commencement of the development and retained as such thereafter.

5 No development shall take place until a suitable scheme for fume extraction has been submitted to and approved in writing by the Local Planning Authority.

When designing the fume extraction system reference should be made to the Defra document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". The scheme shall be implemented prior to commencement of the development and retained as such thereafter.

50 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 09/07/2017 AND 06/08/2017**

The Managing Director for Delivery submitted a report detailing planning applications decided under delegated powers between 09/07/2017 and 06/08/2017.

Resolved That the report be noted.