WIRRAL COUNCIL

PLANNING COMMITTEE

19TH OCTOBER 2017

SUBJECT:	**T0 RE QUEST MEMBERS APPROVAL TO VARY THE WORDING OF CONDITIONS 14, 20, 23 AND 29 OF PLANNING APPLICATION REFERENCE APP/16/00108 BURTONS FOODS, PASTURE ROAD, MOERTON**
WARD/S AFFECTED:	**LEASOWE AND MORETON EAST**
REPORT OF:	**DAVID BALL**
RESPONSIBLE PORTFOLIO HOLDER:	**COUNCILLOR PHIL DAVIES**
KEY DECISION	NO

1. **EXECUTIVE SUMMARY**

1.1 The purpose of this report is to request member's approval to vary the wording of 4 conditions originally agreed by members at the planning committee on 29th October 2016. The development seeks planning permission for the demolition of the existing industrial buildings and a hybrid 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 Burtons Biscuit Company. Outline planning application for 299 residential dwellings, associated open space and infrastructure with all matters except for access reserved for future determination.

2.0 RECOMMENDATION/S

2.1 A decision is being sought from members to agree the variation of wording of conditions 14, 20, 23 and 29 of conditions attached to the report that went before planning committee on the 29th October 2016

3.0 REASON/S FOR RECOMMENDATION/S

3.1 To enable the council to issue the decision notice following completion of the 106 agreement.

4.0 BACKGROUND AND KEY ISSUES

4.1 The planning application reference 16/ 00108 was approved by the planning committee last year subject to a number of conditions and a 106 agreement that addresses the following principles:-

- Contribution towards the qualitative improvement of off-site pitches
- Affordable housing provision
- Ecological mitigation measures
- Contribution towards improving public transport facilities within the area
- Local Employment Initiative (construction phase)

The 106 is nearing completion, and the applicants have advised that:-

Burtons Biscuits are working closely with development partners to bring the site forward for residential development. To enable the operational facilities to continue uninterrupted, it will be crucial to ensure that all necessary infrastructures including creation of the new commercial access and services are put in place before commencement of the residential development. This will ensure that physical site separation can be undertaken in a structured manner.

From a practical perspective, the implementation of the works required to create the new commercial service road and associated infrastructure will be undertaken by Burtons Biscuits prior to any residential development taking place. It will therefore be fundamental to the redevelopment of the site and provision of new servicing arrangements to Burtons retained operations and Typhoo that these can be undertaken separately from the development of the greater part of the site for residential.

Condition 14:
Original Text
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.

Proposed Text
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 any reserved matters applications on the site 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.

Condition 20:
Original Text
20. 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.
Reason: In the interests of providing satisfactory drainage of the site and to accord with Policy HS4 of the Wirral Unitary Development Plan.

Proposed Text
20. A foul and surface water drainage solution shall be submitted to and approved in writing by the Local Planning Authority before any development takes place on the site comprising the individual phase of development being proposed. In terms of this condition, phase of development means either the employment site road infrastructure or residential development on the site. No part of the individual phase of development shall be brought into use until the drainage solution has been constructed and completed in accordance with the approved plans.
(NB: Suggest this is supported by an accompanying plan showing the two phases as outlined)
Reason: In the interests of providing satisfactory drainage of the site and to accord with Policy HS4 of the Wirral Unitary Development Plan.

Condition 23:
Original Text
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 system1 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.

As part of an application for the approval of reserved matters for layout, appearance, landscaping and access of the residential development full details of a scheme for a sustainable drainage system1 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 shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority.

Proposed Text
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 ("the employment site road infrastructure") shall commence until full details of a scheme for a sustainable drainage system1 to serve the site on which the employment site road infrastructure is to be provided , 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.

As part of an application for the approval of reserved matters for layout, appearance, landscaping and access of the residential development full details of a scheme for a sustainable drainage system1 to serve the phase of development, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority.

Condition 29:
Original Text
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.

Proposed Text
No residential development on the site shall commence until details of works to provide two Vehicle Activated Signs on Pasture Road ("the works") have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and to the written satisfaction of the Local Planning Authority, prior to first occupation of the development hereby approved.

5.0 RELEVANT RISKS

5.1 No Risks

6.0 OTHER OPTIONS CONSIDERED

6.1 None required

7.0 CONSULTATION

7.1 LLFA – No objections

7.2 Head of Environment & Regulations (Traffic and Transport Division) – No objections

7.3 Head of Environment &Regulations (Environmental Health Division) – No Objections

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no implications for voluntary, community or faith groups

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no resource implications for this proposal

10.0 LEGAL IMPLICATIONS

10.1 There are no legal implications

11.0 EQUALITIES IMPLICATIONS

11.1 There are no equality implications

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

REPORT AUTHOR: Joanne Storey Principal Planning Officer

telephone: 0151691 8674

email: joannestorey@wirral.gov.uk