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PLANNING COMMITTEE

Thursday, 14 December 2017

Present:

Councillor A Leech (Chair)

Councillors	S Foulkes	T Johnson
	E Boulton	S Kelly
	P Cleary	I Lewis
	D Elderton	D Realey
	P Hackett	J Walsh
	K Hodson	I Williams

96 **MINUTES**

The Director for Business Services submitted the minutes of the meeting held on 16 November 2017.

Resolved- That the minutes be approved.

97 **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.

None were declared.

98 **REQUESTS FOR SITE VISITS**

The following site visits were unanimously approved.

AGENDA ITEM 4 - APP/17/00183: OLD ANSELMIANS RUGBY CLUB, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ.

MIXED DEVELOPMENT FOLLOWING THE DEMOLITION OF THE EXISTING PAVILION BUILDING INCLUDING THE CONSTRUCTION OF 21 HOUSES, THE ERECTION OF A SPORT PAVILION/COMMUNITY FACILITY, THE CONSTRUCTION OF A CAR/COACH PARK, THE REPOSITIONING OF FLOOD LIGHTS, THE LAYOUT OF NEW PITCHES AND THE ERECTION OF BALL CATCHMENT FENCING.

AGENDA ITEM 12 - APP/17/01186: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG: INSTALLATION OF FOUR NEW ACCESS DOORS

The site visits will be starting at 10.15 on Tuesday 16 January 2018. Order not confirmed.

99 **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 5: Hoylake Presbyterian Church, Agenda Item 6: Storeton Hall Farm, Agenda Item 10: 3 Shepherd Close, Agenda Item 11: 11 Lang Lane. These items were heard first in this order followed by the remaining items in the order of business except Item 9: Land at New Chester Road was heard before Item 8: Land North of Tyrer Street and Ribble Street.

100 **APP/17/00183: HOYLAKE PRESBYTERIAN CHURCH, ALDERLEY ROAD, HOYLAKE CH47 2AX: CONVERSION, PARTIAL DEMOLITION AND EXTENSION OF EXISTING CHURCH TO FORM 18 NO. APARTMENTS**

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

The Lead Petitioner addressed the Committee.

The Agent for the Applicant addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor D Elderton and seconded by Councillor E Boulton it was:

Lost (6:7)

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

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 6th July 2017 and listed as follows: 477.001; 477.002; 477.003; 477.004; 477.005; 477.007; 477.008; 477.009; 477.010, and the amended plan received on 11th December 2017 and listed as: 477.006 Revision A

3. Before any construction commences, 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 approved materials shall then be used in the construction of the development.

4. The following windows shall be obscurely glazed and non-opening up to a minimum of 1.7m above finished floor level, and shall be retained as such thereafter:

- All first-floor windows in the north-west elevation of the proposed extension;**
- The bathroom and kitchen windows serving Plot 9;**

- The first-floor, north-west window in the existing church, serving a communal area (between Plots 9 and 10);
- The west-facing windows in the oriel bays on the north-west elevation of the existing church (serving Plots 10 and 16).

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. The development hereby permitted by this planning permission shall be carried out in accordance with the approved documents:

- Sustainable Drainage Strategy <27/9/17 / CL7959 / SWF Consultants>.
- Proposed Drainage Plan <APR2017/ CL7959-101/Rev P2/ SWF Consultants>

The approved scheme shall be implemented in accordance with the approved details and timetable.

7. 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.

8. 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.

9. No development shall take place until a written programme of archaeological building recording has been submitted and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved programme

10. No development shall commence until details of an appropriate management and maintenance plan, including arrangements to secure funding for the lifetime of the development through an appropriate legally binding agreement, for the surface water sustainable drainage system, comprising all

components of the surface water drainage system, 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.

11. NO DEVELOPMENT SHALL TAKE PLACE until arrangements for the storage and disposal of refuse, and vehicle access thereto, have been 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 before any of the apartments are occupied and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

12. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

13. No development shall take place until details of the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed prior to first occupation and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

101 **APP/17/00410: STORETON HALL FARM, LEVER CAUSEWAY, STORETON: REFURBISHMENT AND RE-USE OF STORETON HALL AND OTHER HISTORIC BUILDINGS, NEW-BUILD RESIDENTIAL DEVELOPMENT, THE RELOCATION OF THE EXISTING EQUESTRIAN BUSINESS, ASSOCIATED CAR PARKING, EXTERNAL WORKS AND LANDSCAPE WORKS.**

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

Two Lead Petitioners addressed the Committee.

The Agent for the Applicant addressed the Committee.

Two Ward Councillors addressed the Committee.

On a motion for refusal moved by Councillor S Kelly and seconded by Councillor P Cleary it was:

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

The site lies within the green belt and the development proposed would be in conflict with UDP policy GBT1. The local planning authority does not consider that very special circumstances have been demonstrated in this case as required by UDP policy GB2 (draft core strategy Local Plan Policy CS3) to justify overriding green belt policy and the provisions of the National Planning Policy Framework section 9- Protecting the Green Belt.

102 **APP/17/01098: 3 SHEPHERD CLOSE, GREASBY, CH49 2RB: TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS (AMENDED).**

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

A Ward Councillor addressed the Committee.

On a motion to move refusal by Councillor D Elderton and seconded by Councillor I Lewis it was:

Resolved – (11:2) That the application be refused on the following grounds:

The proposed two storey extension would result in an unneighbourly form of development in that it would lead to overbearing impact of the adjoining dwelling by reason of its size, height and siting which the Local Planning Authority considers would be detrimental to the amenities which occupiers of the adjoining dwelling could reasonably expect to enjoy. This is contrary to the principles set out in policy HS11 of the Wirral Unitary Development Plan.

103 **APP/17/01125: 11 LANG LANE, WEST KIRBY, CH48 5BW: DEMOLITION OF EXISTING SEMI-DETACHED PROPERTY AND DEVELOPMENT OF NINE APARTMENTS, INCLUDING LANDSCAPING OF SITE**

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

A Ward Councillor addressed the Committee.

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

Resolved –(11:2) That the item be refused on the following grounds:

The proposed development would, by virtue of its size, scale and position, dominate the existing dwelling at 3 Birkett Road and will be detrimental to the character of the surrounding area, which is contrary to Policy HS4 of the Wirral Unitary Development Plan.

104 **APP/17/00179: OLD ANSELMIANS RUGBY CLUB, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ : MIXED DEVELOPMENT FOLLOWING THE DEMOLITION OF THE EXISTING PAVILION BUILDING INCLUDING THE CONSTRUCTION OF 21 HOUSES, THE ERECTION OF A SPORT PAVILION/COMMUNITY FACILITY, THE CONSTRUCTION OF A CAR/COACH PARK, THE REPOSITIONING OF**

FLOOD LIGHTS, THE LAYOUT OF NEW PITCHES AND THE ERECTION OF BALL CATCHMENT FENCING.

Resolved- That this application be deferred for a formal site visit.

105 **APP/17/00499: ST LUKES TENNIS CLUB, CHARLES ROAD, HOYLAK, CH47 2AB: PROPOSED RESIDENTIAL DEVELOPMENT OF 10 DWELLINGS**

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

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

Resolved- (13:0) That the application be approved subject to a Section 106 Agreement.

106 **APP/17/01089: LAND AT NEW CHESTER ROAD, NEW CHESTER ROAD, BROMBOROUGH, CH62 4RE: THE ERECTION OF 86 DWELLINGS AND THE PROVISION OF LANDSCAPING; TOGETHER WITH OTHER ASSOCIATED WORKS**

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

On a motion moved by Councillor S Foulkes and seconded by Councillor D Realey 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 24th November 2017 and listed as follows:

Site location plan	LP01
Planning Layout	PL01 Rev.B
Planning Layout (Colour)	PL01C Rev.B
Boundary Layout	BL01 Rev.B
Finished Floor Level Layout	FF01 Rev.B
Hard Surfacing Layout	HS01 Rev.B
Material Layout	ML01 Rev.B
Site Sections	SEC01 Rev.B
Street Scenes	SS01 Rev.B
Landscape Planting Plan	LDS357-03 Rev.B
Landscape Planting Plan	LDS357-04 Rev.B
Landscape Planting Spec	LDS357 Rev.B
Design & Access Statement (November 2017)	
Boundary details	

and the original drawings no 10642-004, received by the Local planning Authority on 21st August 2017

3. Prior to the commencement of development a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property shall be submitted to and agreed in writing with the Local Planning Authority. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.

4. No development shall take place until a full scheme of works and timetable for the construction of the new highway 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, 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 Authority. The approved works shall be completed in accordance with the Local Planning Authority written approval prior to occupation of the development.

5. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building work's to take place during the period 1st March to 31st 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 will be required.

6. In order to protect habitats of special local importance for nature conservation:

- 1) Construction work shall only take place between 8am and 6pm.
- 2) Any holes or trenches left open overnight must have a means of escape provided.
- 3) All construction materials, especially those containing lime, must be stored so that hedgehogs cannot access them.
- 4) Prior to the construction of garden fencing, details shall be submitted and approved in writing of the means of access provision for hedgehogs to move between gardens

7. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development shall be submitted to and approved in writing with the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts which could include:

- A lighting scheme which enable bats continued use of retained commuting and foraging habitats. Lighting should be kept to a minimum and designed to avoid spill into foraging habitat particularly the Dibbinsdale brook buffer zone (section 7 of the survey report). It would be helpful for the applicant to refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers; and
- A waste audit or similar mechanism for monitoring construction waste.

The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. The approved plan shall be implemented in full.

8. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

9. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

10. 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.

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 occupation of the dwellings hereby approved, the thermal glazing and mechanical ventilation outlined in the Noise Consultants Report (Wardel Armstrong August 2017) should be implemented in full and retained thereafter to ensure appropriate noise levels are achieved inside the living rooms and bedrooms.

13. Prior to first occupation of the dwellings hereby approved, the children's play area shall be completed in accordance with the details contained within drawing no LDS357-03B and retained as such thereafter.

14. 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.

15. If the approved sustainable drainage system is not adopted by a public body or statutory undertaker then, prior to the first occupation, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.

16. The residential units hereby permitted shall be occupied in accordance with the supporting statement - scheme for the provision of Affordable Housing, unless otherwise agreed in writing by the Local Planning Authority.

107 **APP/17/01072: LAND NORTH OF TYRER STREET & RIBBLE STREET , BIRKENHEAD, CH41 8HY: VARIATION OF CONDITION 4 OF APP/16/01018 TO ERECT 51 HOUSES (AS AMENDED)**

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

On a motion moved by Councillor S Foulkes and seconded by Councillor D Realey 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 26 July 2016, 10 October 2016 and 1st September 2017 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, 5185.01, 01261/Topo, 14092-004 D, 14092-001 L, 5185.04, 5185.02 and 5185.06 A.

108 **APP/17/01186: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG: INSTALLATION OF FOUR NEW ACCESS DOORS**

Resolved- That this application be deferred for a formal site visit.

109 **APP/17/01264: 30 MARTIN CLOSE, IRBY, CH61 0HP: ERECTION OF A FIRST-FLOOR REAR EXTENSION**

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

On a motion moved by Councillor D Elderton and seconded by Councillor E 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 received by the local planning authority on 4th October 2017 and listed as follows: drawing numbers CH61.001 and CH61.002 (date Nov 2013).

3. The first-floor window facing 32 Martin Close shall not be glazed otherwise than with obscured glass and shall be non-opening unless the parts of the window can be opened are more than 1.7 metres above floor level of the room and thereafter be permanently retained as such.

110 **JUDICIAL REVIEW UPDATE**

A verbal update was given by The Assistant Director for Environmental Services.

The Assistant Director confirmed that Hillbark Hotel had been served an enforcement notice to take down and remove the marquee. Hillbark Hotel has till 1 February 2019 to comply with the enforcement notice served.

Member raised concerns about the length of time given to Hillbark Hotel to remove the marquee and what were the implications if they did not comply?

The Assistant Director explained to the Committee that due to the recent refusal of the latest planning application that there was no planning permission for the marquee already erected, the case was looked at in what was regarded as reasonable legal timescale in which to carry out the works to remove the marquee. The officers will be pressing them to start the removal as soon as possible. If Hillbark Hotel hasn't complied with the enforcement notice by 1 February 2019 further legal action is an option that could be taken.

The legal process has been started by the serving of the enforcement notice.

The Assistant Director noted the concerns raised by the Committee of the length of time given for compliance.

Legal advice was to be sought about the legality of revoking their licence to operate in the marquee and this advice would be brought back to a future Committee meeting.

111 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 07/11/2017 AND 04/12/2017**

The Managing Director for Delivery submitted a report detailing planning applications decided under delegated powers between 07/11/2017 and 04/12/2017.

Resolved- That the report be noted.

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