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PLANNING COMMITTEE

Thursday, 17 December 2020

Present:

Councillor	S Kelly (Chair)	
Councillors	S Foulkes	P Stuart
	K Hodson	M Jordan
	G Davies	A Wright
	S Frost	A Gardner
	B Kenny	

15 MINUTES

The Director of Law and Governance submitted the minutes of the meeting held on 12 November 2020 for approval.

Resolved – That the minutes of the meeting held on 12 November 2020 be approved.

16 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

The Members of the Labour party declared a personal interest in item 4 – APP/20/01151: 41 Albion Street, New Brighton – by virtue of the lead petitioner being known to them (minute 18 refers).

17 APP/20/00467:11 BUFFS LANE, BARNSTON, CH60 2SQ - DEVELOPMENT OF 3 DETACHED 4-BEDROOM HOUSES TO REAR OF PROPERTY

The Director of Regeneration and Place submitted the above application for consideration.

The Lead Petitioner addressed the Committee

It was moved by the Chair and seconded by Councillor B Kenny that the application be approved subject to the following conditions.

The motion was put and carried (9:0). Councillor G Davies lost connection during consideration of this matter and therefore (having regard to the LLG Remote Meetings Protocol and Procedure Rules) took no part in the decision and was unable to vote on this matter as he had not heard all the facts.

Resolved (9:0) – That the application be approved with 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 24/3/20 (unless otherwise stated) and listed as follows:

BLH/PL01 - LOCATION PLAN REV A received electronically 4/12/20

BLH/PL02 - PLANNING LAYOUT REV D received electronically 4/12/20

BLH/PL03 - STREET SCENE

BLH/HT/P1-01 PLOT 1 FLOOR PLANS

BLH/HT/P1-02 PLOT 1 ELEVATIONS

BLH/HT/P2-01 PLOT 2 FLOOR PLANS

BLH/HT/P2-02 PLOT 2 ELEVATIONS

BLH/HT/P3-01 PLOT 3 FLOOR PLANS

BLH/HT/P3-02 PLOT 3 ELEVATIONS

3. Before any construction commences, samples of the facing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

4. No construction equipment, plant or materials shall be brought onto site until:

i) A tree protection plan and specification has been submitted to and approved in writing by the Local Planning Authority demonstrating the provision of root protection area fencing in line with the requirements of British Standard 5837:2012 'Trees in Relation to Construction - Recommendations' or any subsequent amendment to that document, around all trees, hedges, shrubs or other planting to be retained; the provision of ground protection during construction; and a location plan and method statement for the installation of any 'no-dig' surfacing for the vehicular access parking and turning areas; and

ii) The Root Protection Area fencing and ground protection has been installed in accordance with the approved plan and specification.

Thereafter development shall be carried out in accordance with the approved details and the fencing and ground protection shall be retained until development subject to this consent is completed. There shall be no excavation or other alteration of ground levels, storage of materials or plant, parking of vehicles, deposit of soil or rubble, lighting of fires or disposal of liquids within any area fenced off as part of the tree protection plan and specification.

5. The dwellings hereby permitted shall not be occupied until a detailed scheme for landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of a plan and specification and demonstrate:

i) The materials to be used for hard and soft surfacing;

ii) Compensatory tree planting to replace those specimens removed as part of the

- development to include the location, number, species and size of trees to be planted;
- iii) Any earthworks required;
 - iv) The location and design of fences, gates, walls, railings or other means of enclosure; and
 - v) The timing of implementation of the scheme.

Thereafter development shall be carried out as approved.

6. If, within a period of five years from the date of planting of any tree under the landscaping scheme approved by condition, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted in the same place unless the Local Planning Authority agrees to any variation.

7. No vegetation removal shall take place within the main bird nesting season (1st March to 31st August inclusive) until a pre-commencement check is carried out by a qualified ecologist no earlier than 48 hours before works take place and the qualified ecologist confirms in writing to the Local Planning Authority that no actively nesting birds will be affected by the works.

8. No treatment or removal of *Rhododendron R. ponticum* or Variegated Yellow Archangel (both listed as 'invasive' within Schedule 9 of Part 2 of the Wildlife and Countryside Act 1981) shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- i) A plan showing the extent of the plants;
- ii) The method(s) to be used to prevent the plants spreading further, including demarcation;
- iii) The method(s) of control to be used including details of post control monitoring; and
- iv) How the plants will be disposed of after treatment/removal.

Thereafter the works shall be carried out as approved.

9. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be adhered to throughout the construction period. The plan shall provide for the following:

- i) Location(s) for the parking of vehicles of site operatives and visitors;
- ii) Location(s) for the loading and unloading of plant and materials;
- iii) Location(s) for the storage of plant and materials used in construction of the development;
- iv) Measures to control the emission of noise, vibration and dust during construction;
- v) Construction phase delivery and working hours not to exceed 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday and not at all on Sunday or public

holidays.

10. The site shall be developed with separate systems of drainage for foul and surface water.

11. The dwellings hereby permitted shall not be occupied until details of the provision to be made for bat roosting and bird nesting on the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out as approved.

12. Prior to first occupation of the use hereby approved arrangements for the storage and disposal of refuse including recycling facilities, 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. Before any above ground construction work is commenced details of the proposed finished floor levels and the ridge and eaves heights of the dwellings hereby approved have been 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 and the eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

18 **APP/20/01151: 41 ALBION STREET, NEW BRIGHTON, CH45 9LE - CHANGE OF USE OF GUEST HOUSE (USE CLASS C1) TO 12-BEDROOM LARGE HOUSE IN MULTIPLE OCCUPATION (HMO) (USE CLASS SUI GENERIS)**

The Labour Councillors on the Committee declared a personal interest in this matter (minute 16 refers).

The Director of Regeneration and Place submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

A Ward Councillor addressed the Committee.

It was moved by the Chair and seconded by Councillor K Hodson that the application be approved subject to the following conditions.

The motion was put and carried (10:0).

Resolved (10:0) – That the application be approved with the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. Unless modified by other conditions of this consent, the development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 24 August 2020 and listed as follows:

5408-1 (Floor Plans and Elevations as Existing)

5408-2 (Floor Plans as Proposed)

5408-03 (Kitchen Layout Plans as Proposed)

3. Prior to the development hereby permitted being first brought into use, details of secure covered & lockable cycle parking and/or storage facilities shall be 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.

4. Prior to first occupation of the use hereby approved arrangements for the storage and disposal of refuse including recycling facilities, 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 and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

5. Prior to the development hereby permitted being first occupied, the existing external fire escape stair to the east side elevation of the building (as shown on drawing 5408-1) shall be removed and hard surfaced, level access provided between the public highway and the cycle and bin storage areas to the rear of the building.

6. The house in multiple occupation hereby permitted shall not be occupied by more than twelve people.

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