

## PLANNING COMMITTEE

Thursday, 10 June 2021

Present:

Councillor	S Kelly (Chair)	
Councillors	S Foulkes	M Jordan
	K Hodson	A Gardner
	S Frost	B Berry
	B Kenny	H Gorman
	P Stuart	AER Jones

### 1 MINUTES

The Director of Law and Governance submitted the minutes of the meeting held on 15 April 21 for approval.

**Resolved – That the minutes of the meeting held on 15 April 2021 be approved.**

### 2 MINUTES OF THE STRATEGIC APPLICATIONS SUB-COMMITTEE

The Director of Law and Governance submitted the minutes of the Strategic Applications Sub Committee meeting held on 29 April 2021.

**Resolved – That the minutes of the meeting held on 29 April 2021 be approved.**

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

Members were asked to consider whether they had any disclosable pecuniary interests and/ or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Councillor A Gardner declared a prejudicial interest in respect of item 5 by virtue of having previously carried out a building survey on the property for the applicant and would withdraw from the Chamber during the discussion and debate on that item.

### 4 APP/20/01919: BURTONS FOODS, PASTURE ROAD, MORETON, CH46 8SE - CONSTRUCTION OF TWO DWELLING HOUSES (USE CLASS C3) WITH ASSOCIATED CAR PARKING, LANDSCAPE BOUNDARY TREATMENT AND INFRASTRUCTURE.

**Resolved** that the application be withdrawn, to enable the matter to be determined as a delegated officer decision, as the ward councillor who had asked for the matter to be considered by Committee was content with the proposals after receiving assurances.

5      **APP/21/00016: 20 BEACON DRIVE, NEWTON, CH48 7ED - ERECTION OF TWO STOREY EXTENSIONS (TO THE FRONT, REAR AND SIDE); EXTENSIONS TO EXISTING DORMERS ALONGSIDE THE INTRODUCTION OF X1 NEW FRONT DORMER; ERECTION OF X2 BALCONIES TO THE REAR ELEVATION**

Having previously declared a prejudicial interest in connection to this item, Councillor A Gardner left the room during consideration.

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

A Ward Councillor addressed the Committee.

**It was moved by Councillor S Kelly and seconded by Councillor S Foulkes that the application be approved**

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

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

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

The roof area of single storey rear extension hereby permitted shall not be used as a balcony roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

6      **APP/21/00229 : 1 OLDFIELD DRIVE, HESWALL, CH60 6SS - DEMOLITION OF EXISTING DWELLINGHOUSE AND DEVELOPMENT OF A THREE STOREY APARTMENT BUILDING, COMPRISING OF 5 NO. APARTMENTS, WITH ASSOCIATED HARD AND SOFT LANDSCAPING.**

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

The Agent for the Applicant addressed the Committee

On a motion by Councillor K Hodson and seconded by Councillor B Berry that the application be refused upon the following grounds:

“The proposed development due to its increase in width, height and scale is considered to have a detrimental impact on the character of the surrounding area

and is therefore contrary to criterion (i) and (ii) of saved policy HS4 of the Unitary Development Plan and paragraph 131 of the National Policy Planning Framework.”

The motion was put and lost (4:7)

It was then moved by Councillor S Kelly and seconded by Councillor S Foulkes that the application be approved.

The motion was put and carried (7:4)

**Resolved (7:4) – That the application be approved with the following conditions:**

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.

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

**The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th February 2021 and listed as follows:**

**20- 172-100/A, received 8th February 2021;  
20- 172-120/B, received 8th February 2021;  
20- 172-121/C, received 15th March 2021;  
20- 172-122/C, received 15th March 2021;  
20- 172-123/A, received 15th March 2021;  
20- 172-150/C, received 15th March 2021;  
20- 172-151/C, received 15th March 2021;  
20- 172-152/B, received 19th March 2021;  
20- 172-110/G, received 17th May 2021;  
20- 172-111/E, received 17th May 2021;  
20- 172-112/D, received 17th May 2021; and  
20- 172-124, received 25th March 2021.**

**As well as:**

**Bat Survey Report (Mulberry, 24th March 2021);  
Arboricultural Implications Assessment (Mulberry/ TRE 10D, 23rd March 2021); and  
Arboricultural Method Statement (Mulberry/TRE 10D, 23rd March 2021)**

**No above ground works shall take place prior to details of all materials to be used in the external construction (facings, roof, openings etc) of this development have been submitted to and approved in writing by the Local Planning Authority. The**

development shall be carried out in accordance with approved details.

With the exception of the south-east facing glazed panes within the angled v-shaped openings, all openings (including rooflights) within the south facing rear elevation of the hereby approved apartment block, shall not be glazed otherwise than with obscured glass which obscuration level is no less than Level 3 of Pilkington Glass scale (or equivalent) and fixed shut up to a height of 1.7m from the internal finished floor level, and thereafter be permanently retained as such.

#### **Tree Protection Barriers:**

Prior to the commencement of site clearance, demolition, storage of plant (non-tree related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall conform to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning, then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

#### **Prohibited Activities:**

The following activities must not be carried out under any circumstances:

- a, No fires to be lit within 20 metres of existing trees and shrubs to be retained.
- b, Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
- c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d, No builders debris or other materials to be stored within the Root Protection Areas.
- e, No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A

dedicated washout area shall be used and located not within 10 metres of any Root Protection

f, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

g, No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

**Arboricultural Site supervision:**

The Arboricultural Method Statement (Ref: TRE/10D) and plan (10DH/MS/01) submitted in support of the application shall be adhered to in full.

**Retaining trees:**

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

**Tree Planting:**

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Prior to the commencement of the development, including any works of demolition, a Construction Method Statement for the construction of the development hereby approved shall have been submitted to, and approved in writing by the Local Planning Authority. The construction works shall be carried out in accordance with the approved details.

No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the bird breeding season then trees and vegetation 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

are required to be submitted for approval.

Prior to first occupation of the hereby approved development, details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation shall be submitted to and approved in writing by the Local Authority. Thereafter, their implementation shall be carried out in accordance with the approved details.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no window shall be added to the property without the prior written approval of the Local Planning Authority.

No external lighting shall be installed until details of the proposed lighting scheme to include a type, location and illuminance level has been submitted to and approved by the Local Authority, thereafter development should be carried out in accordance with the approved details.

Please refer to the Bat Conservation Trust website  
<https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

The habitats on site are suitable for hedgehog which is a Priority Species and UDP Policy NC7 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for hedgehog;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them

There are habitats on site suitable for use by amphibians. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- Existing vegetation on the site will be gradually cut and removed to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The

edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

The development 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) A planting scheme which includes native species congruent with the surrounding landscape;
- iii) 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;
- iv) Any earthworks required;
- v) The location and design of fences, gates, walls, railings or other means of enclosure; and
- vi) The timing of implementation of the scheme.

Thereafter the landscaping scheme shall be carried out as approved.

No development shall take place until the applicant has submitted a written scheme of investigation for archaeological work for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

The applicant and/or developer shall afford access at all reasonable times to an archaeologist or archaeological organisation nominated by or acceptable to the Local Planning Authority and shall allow them to observe the excavations as they are carried out and to record items of archaeological interest and finds.

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

**PRIOR TO FIRST OCCUPATION** of the dwellings hereby approved, full details of secure, lockable and covered cycle parking and/or storage facilities for at least 6 bicycles 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.

**PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS 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.**

**7 APPOINTMENT OF MEMBERS TO STRATEGIC APPLICATIONS SUB-COMMITTEE**

A report by the Director of Law and Governance recommended that the Planning Committee establish a Strategic Applications Sub Committee as per instructions within the Council's Constitution.

Members were informed that the membership of the Sub Committee may comprise between 6 and 9 members.

On a motion by S Kelly and seconded by K Hodson it was:

Resolved (10:0) that :

- (1) The terms of reference of the Strategic Applications Sub-Committee, as referred to in paragraph 3.1. of the report be noted;**
- (2) the size of the Strategic Applications Sub Committee be made up of 7 members: 3 Labour, 2 Conservative, 1 Liberal Democrat and 1 Green Member and;**
- (3) the Monitoring Officer be authorised as proper officer to carry out the wishes of the Group Leaders in allocating Members to membership and substitute membership of the Strategic Applications Sub Committee and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.**