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PLANNING COMMITTEE

Thursday, 16 March 2023

Present:

Councillor S Kelly (Chair)

Councillors S Foulkes
G Davies
T Elzeiny
H Gorman
K Hodson
M Jordan

B Kenny
P Martin
J McManus
P Stuart
A Wright

123 **WELCOME AND INTRODUCTION**

The Chair welcomed Members of the Planning Committee, Officers and members of the public to the meeting.

124 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

125 **MINUTES**

The Director of Law and Governance submitted the minutes of the Planning Committee meeting and the Strategic Applications Sub Committee meeting which were both held on 9 February 2023.

Resolved – That the minutes of the Planning Committee meeting and the Strategic Applications Sub Committee meeting which were both held on 9 February 2023 be approved.

126 **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 item on the agenda and if so, to declare them and state what they were.

Councillor Kathy Hodson declared a personal interest in item 5, by virtue of their position as Chair of Children, Young People and Education Committee.

Councillor Steve Foulkes declared a prejudicial interest in Item 9 by virtue of their employment at Unilever. He indicated that he would leave the chamber during the discussion of the matter.

Councillor Mary Jordan declared a prejudicial interest in Item 9 by virtue of them receiving a pension from Unilever and their previous employment there. She indicated that she would leave the chamber during the discussion of the matter.

127 **APP/22/01323: GRAZING LAND LEASOWE ROAD, WALLASEY VILLAGE, WIRRAL, ERECTION OF 14 HOMES TOGETHER WITH ASSOCIATED INFRASTRUCTURE, ACCESS, INTERNAL ROADS, LANDSCAPING AND ASSOCIATED WORKS**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

Objectors to the application, Phil Pilkington and Sharon Edwards, addressed the Committee.

Ward Councillors Ian Lewis and Lesley Rennie addressed the Committee.

The Applicant, Rebecca Hilton addressed the Committee.

On a motion by the Chair and seconded Councillor Kathy Hodson it was –

Resolved (11:1) – that the application be refused on the following grounds.

In the opinion of the Local Planning Authority the proposal would represent an unacceptable form of development, by virtue of the proximity of the proposed dwelling to the rear of 19 Greenleas Road, which would result in an overbearing impact that would be detrimental to the amenities to the occupants of 19 Greenleas Road. This is contrary to policies HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

128 **RVC/22/01426; THE BEACON PROJECT ALBERT ROAD, HOYLAKE, WIRRAL, CH47 2AB, VARIATION OF CONDITION 8 AND 12 OF PREVIOUSLY APPROVED APP/19/00065**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

On a motion by Councillor Kathy Hodson and seconded by Councillor Steve Foulkes it was –

Resolved (11:1) – that the application be approved subject to the following conditions.

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

2. No development involving the use of any facing materials shall take place until samples of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

3. No development shall commence until the final detailed sustainable drainage design¹, for the management and disposal of surface water from the site based on the principles and details identified in the following documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority: - Drainage Strategy and Flood Risk for Proposed Development The Beacon, Albert Road, Hoylake, Wirral (July 2018 rev 03 /LRD29750/Sutcliffe)

4. Prior to the occupation of any properties, a completed Operation and Maintenance Plan with appended as-built drawings must be submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority along with evidence of arrangements to secure funding and maintenance of the sustainable surface water drainage system for the lifetime of the development through an appropriate legally binding agreement. The approved Operation and Maintenance Plan shall be implemented prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. (Details submitted DIS/22/00911)

5. A suitable scheme of fume extraction shall be submitted in writing to and approved by the Local Planning Authority prior to any building/renovation work commencing. 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

6. The ground floor commercial premises shall not be used except between the hours of :- 08:00 hours and 22:00 hours Mondays to Thursday 08:00 hours and 11:30 hours Friday and Saturdays 10:00 hours and 22:00 on Sundays and Bank Holidays without the written consent of the Local Planning Authority.

7. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 31st January 2018 and listed as follows: 02-02-000, 02-02-001, 02-02-002, 02-

02-003, 02-02-004, 02-03-000, 02-03-000, 02-03-001,02-03-002,02-05-004,02-05-004,02-05-003,02-05-002,02-05-001,

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. 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.

10. 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.

11. 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.(submitted DIS/22/00911)

12. The proposed development shall be carried out in accordance with the phasing plan received by the Local Planning Authority on 1 September 2022 (Phasing Plan March 2019 Rev A) unless otherwise agreed in writing with the Local Planning Authority.

**13. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.
(Details submitted DIS/22/00911)**

SEMI-DETACHED VILLA ON LAND ADJACENT TO OAK COTTAGE, WITH ASSOCIATED PARKING PROVISION AND ACCESS (2NO. DWELLINGS)

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

On a motion by Councillor Steve Foulkes and seconded by Councillor George Davies it was –

Resolved – that the consideration of this application be deferred to the next meeting of the Planning Committee to allow members of the public further time to fully consider recent changes to the application.

130 **APP/22/01700; REDCOURT MANOR, 7 DEVONSHIRE PLACE, OXTON, WIRRAL, CH43 1TX, CONVERSION OF EXISTING GYMNASIUM OUTBUILDING WITHIN GROUNDS OF EXISTING SCHOOL TO 2 TWO-BED RESIDENTIAL UNITS**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

Ward Councillor Allan Brame addressed the Committee.

On a motion by the Chair and seconded by Councillor Mary Jordan it was –

Resolved (9:3) – that the application be refused on the following grounds.

The proposed will have a detrimental impact on the setting of the nearby grade 2 listed building (Redcourt) contrary to UDP policy CH1 and section 16 (Proposals affecting heritage assets (paras 194 199 to 202) of the National Planning Policy Framework due to the cladding material proposed and flat roofed design which would introduce an element which is unsympathetic and alien to the character and design of the original grade 2 listed residential dwelling.

131 **APP/22/01951; ELECTRICITY SUB STATION, SUNLIGHT WAY, BROMBOROUGH, WIRRAL, CH62 4TG, DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF ADJOINING HIGH-BAY (UP TO 31.5M HIGHT) AND LOW BAY (UP TO 11M IN HEIGHT) WAREHOUSES, WITH CONVEYOR LINK, ON THE EXISTING UNILEVER SITE, TO ACCOMMODATE MECHANICAL HANDLING EQUIPMENT, WITH ASSOCIATED OFFICES, EXTERNAL HGV BAYS AND ACCESS (B8 USE)**

Councillor Steve Foulkes and Councillor Mary Jordan declared a prejudicial interest in this matter and left the room during its consideration (minute 34 refers).

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

A representative of the Applicant, Madeleine Mcleod, addressed the Committee.

On a motion by the Chair and seconded by Councillor Paul Stuart it was –

Resolved – that the application be approved subject to the following conditions.

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

2. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

Location Plan Dwg No. 20464-RPS-S1-XX-DR-0100 Rev P03 Dated 25/10/22

Services to be diverted plan Dwg No. 20464-RPS-S1-XX-DR-A-0102 Rev P03 Dated 25/10/22

Demolition Plan Dwg No. 20464-RPS-S1-XX-DR-A0103 Rev P03 Dated 25/10/22

Proposed Site Plan Dwg No. 20464-RPS-S1-XX-DR-A-0104 Rev P03 Dated 26/10/22

Proposed Floor Plan Dwg No. 20464-RPS-S1-XX-DR-A-0105 Rev P04 Dated 26/10/22

Proposed Office Plan Dwg No. 20464-RPS-S1-XX-DR-A-0106 Rev P03 Dated 26/10/22

Proposed Elevations Dwg No. 20464-RPS-S1-XX-DR-A-0107 Rev P03 Dated 26/10/22

Proposed Building Sections Dwg No. 20464-RPS-S1-XX-DR-A-0108 Rev P02 Dated 15/09/22

Proposed Site Sections Dwg No. 20464-RPS-S1-XX-DR-A-0109 Rev P02 Dated 28/10/22

Conveyor Link Layout Dwg No. 20464-RPS-S1-XX-DR-A-0110 Rev P02 Dated 28/10/22

Proposed Roof Plan Dwg No.20464-RPS-S1-XX-DR-A-0111 Rev P02 Dated 28/10/22

Proposed Cycle Shelter Details Dwg No. 20464-RPS-S1-XX-DR-A-0112 Rev P01

**Proposed Bin Store Dwg No. 20464-RPS-S1-XX-DR-A-0113 Rev P02
Dated 31/10/22**

**Proposed Fence Line Dwg No. 20464-RPS-S1-XX-DR-A-0114 Rev P02
Dated 31/10/22**

**Landscape Design Strategy Dwg No. JSL3843-RPS-XX-EX-DR-L-9001
Rev P04 Dated 10/11/22.**

3. Development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

i. details of temporary traffic management measures, temporary access, routes and vehicles (if any);

ii. vehicle cleaning facilities;

iii. the parking of vehicles of site operatives and visitors;

iv. the loading and unloading of plant and materials; and,

v. storage of plant and materials used in constructing the development.

4. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number 20464-RPS-SI-XX-DR-A-0104 Rev P03 Proposed Site Plan. The parking and servicing areas shall be retained as such thereafter.

5. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for cycle parking have been provided in accordance with the details and specifications shown in drawing number 20464-RPS-SI-XX-DR-A-0104 Rev P03 Proposed Site Plan. The cycle parking shall be retained as such thereafter.

6. The development shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to: a) Involvement of employees b) Information on existing transport policies, services and

facilities, travel behaviour and attitudes c) Access for all modes of transport d) Targets for mode share e) Resource allocation including Travel Plan Co-ordinator and budget f) A parking management strategy g) A marketing and communications strategy h) Appropriate measures and actions to reduce car dependence and encourage sustainable travel i) An action plan including a timetable for the implementation of each such element of h above j) Mechanisms for monitoring, reviewing and implementing the travel plan

The Approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use. An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an updated action plan.

7. The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

8. Prior to commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall address and propose measures to minimise the main construction effects of the development and, amongst other things, shall include details of ecological mitigation. The CEMP shall include the agreed method statements to mitigate or avoid adverse environmental impacts: Breeding birds- no tree or scrub removal between 1 March and 31 August inclusive, unless informed by a suitably qualified ecologist; Reasonable Avoidance Measures for protection of badger hedgehog (Protected Species (NERC, 2006)); and Methods for removal of the invasive species cotoneaster (Schedule 9 of Wildlife and Countryside Act) and buddleia which could include methods such as digging out, turning upside down on tarpaulin and leaving for an extended period before burying after the plant is confirmed as dead. It is imperative this is done outside of the fruiting period for cotoneaster to ensure no contamination.

9. Prior to the commencement of development the production of a full and detailed Landscape and Ecological Management Plans shall be submitted to and approved in writing by the Local Planning Authority, which covers management of the site in perpetuity or for the duration of the development is required. The Plan should include the following: Description and evaluation of the features to be managed; Ecological trends and constraints on site which may influence management;

**Aims and objectives of management;
Appropriate management options for achieving aims and objectives;
Prescriptions for management actions;
Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
Personnel responsible for implementation of the plan;
Confirmation of funding and ownership; and,
Details of a programme of monitoring and remedial measures triggered by monitoring.**

10. Noise mitigation measures shall be undertaken in line with the noise mitigation measures outlined in paragraph 5.7 of the submitted Noise Impact Assessment.

11. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved Drainage Design Report, Project Marula, Port Sunlight / Version P03 / dated 12 January 2023 / ref: 20464-RPS-SI-XX-RP-D-0030 / by RPS Group For the avoidance of doubt, the surface water discharge rate from the development shall be no more than 13.4 l/s. The approved scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

12. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

13. No development, except for site enabling works, shall commence until a remediation strategy to deal with the risks associated with

contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components: Additional site investigation scheme, based on the information already submitted, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

15. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

16. Before the scheme is brought into use, the applicant shall submit a report to the local planning authority for its written approval. This report shall detail the lighting scheme to be used on site. The approved scheme shall be implemented in full.

132 **APP/22/00215; ASHLEA, 37 THURSTASTON ROAD, HESWALL CH60 6SB, DOUBLE STOREY SIDE EXTENSION. EXISTING CONSERVATORY TO BE DEMOLISHED.**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

The Ward Councillor Andrew Hodson addressed the Committee.

On a motion by the Chair and seconded by Councillor Steve Foulkes it was –

Resolved (8:4) – 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 07 February 2023 and listed as follows:
Drawing no: 010 P3 (Proposed Basement Plan), dated: 07 February 2023;
Drawing no: 011 P4 (Proposed Ground Floor Plan), dated: 07 February 2023;
Drawing no: 012 P6 (Proposed First Floor Plan), dated: 07 February 2023;
Drawing no: 013 P5 (Proposed Loft Floor Plan), dated: 07 February 2023;
Drawing no: 014 P5 (Proposed Roof Plan), dated: 07 February 2023;
Drawing no: 015 P7 (Proposed Elevations), dated: 07 February 2023; and
Drawing no: 016 P5 (Proposed Elevations), dated: 07 February 2023.**
- 3. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.**
- 4. Prior to the balcony hereby approved being brought into use, a 1.7m high x 2.38m long timber privacy screen shall be installed along the south facing side of the balcony with a 1.7m high x 1m long return installed on the west facing balcony frontage all of which shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.**
- 5. The ground floor and first floor side windows and first floor rear window shall not be glazed otherwise than with obscured glass (windows to be fixed shut or non-opening up to a height of 1.7m and top hung, opening inwards or outwards) and thereafter be permanently retained as such.**

133 **REVIEW OF THE STATUTORY WIRRAL BROWNFIELD LAND REGISTER**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

The Chair informed members that ward specific queries should be sent directly to the report author for a response.

On a motion by Councillor Steve Foulkes and seconded by the Chair it was –

Resolved – that

The Planning Committee approve that:

- (1) The sites listed in Appendix 2 to the report be removed from Part 1 of the Council's Brownfield Land Register;**
- (2) The sites listed in Appendix 3 to the report be added to Part 1 of the Brownfield Land Register;**
- (3) The sites listed in Appendix 4 to the report be updated and continue to be included on Part 1 of the Brownfield Land Register; and**
- (4) The sites listed in Appendix 5 to the report remain unchanged and continue to be included on Part 1 of the Brownfield Land Register.**