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PLANNING COMMITTEE

Thursday, 18 April 2024

Times Not Specified

Present:

Councillor S Kelly (Chair)

Councillors	S Foulkes	J Stewart Laing
	H Gorman	G McManus
	K Hodson	S Powell-Wilde
	C Baldwin	J Walsh
	M Booth	

68 **WELCOME AND INTRODUCTION**

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

69 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Brian Kenny, he was deputised by Councillor George Davies.

70 **MINUTES**

Resolved – That the minutes of the meeting held on 14 March 2024 be approved.

71 **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.

No declarations were made.

72 **LDP/24/00138: 70 CHARLOTTE ROAD, EGREMONT, WALLASEY, WIRRAL, CH44 0DW APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE RE: USE OF A C3 DWELLING AS A CHILDREN'S HOME FOR A MAXIMUM OF FOUR CHILDREN, WITH UP TO THREE CARERS, WITH SLEEP OVERNIGHT, WORKING ON A ROTA BASIS TO C2 CLASS**

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

Ward Councillor Jeanette Williamson addressed the committee.

The applicants, Micheal Parks and Jake Boness addressed the committee.

On a motion by the Chair, seconded by Councillor Colin Baldwin, it was,

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

The dwelling would be used as a children's home supervised by non-resident carers. This puts the proposed use within use class C2 rather than the current use which is class C3. Nevertheless, on the basis of the submitted evidence on the balance of probabilities the use of the building and the character of activity associated with that use would not be significantly different to that which could be expected at a single dwellinghouse of this size. Therefore, a material change of use would not occur by virtue of the proposed use.

73 **RVC/23/01961; THE QUADRANT ALBERT ROAD / STATION ROAD, CH47 2EE VARY CONDITION 12 (17/01191, 19/00065 & 22/01426) IN ACCORDANCE WITH THE DETAILS SUBMITTED AS SET OUT IN PHASING PLAN REFERENCE 19084-SK-12 DATED 30 JULY 2021 (PHASING PLAN MARCH 2019 REV. A & 19084-201-R). THE PROPOSAL IS TO ALLOW INDEPENDENT OCCUPATION THAT PERMITS RESIDENTIAL AND COMMERCIAL UNITS OF PHASE II, TO BE FULLY OCCUPIED AND BROUGHT INTO USE SEPARATELY OF PHASE I (CONVERSION OF THE TOWN HALL) - OR WHICHEVER PHASE, IS COMPLETED FIRST.**

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

Ward Councillor Andrew Gardener addressed the committee.

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

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

1 APP/17/01191 Implemented

2 The development shall be carried out using all external materials approved under discharge of condition application DIS/19/01764

3 The sustainable drainage design shall be implemented as per the details submitted and approved under DIS/23/01611

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.

5 The fume extraction shall be implemented as per the details submitted and approved under DIS/20/01243

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 1st September 2022 listed as follows: 02-02-000, 02-02-001, 02-02-002, 02-02-003, 02-02-004, 02-03-000, 02-03-001, 02-03-002, 02-05-004, 02-05-003, 02-05-002, 02-05-001, 190-201-R.

and plans relating to NMA/23/00157 received on 6th February 2023 and listed as follows:

19084-201-T

and phasing plan - 19084-SK-12 dated 30 July 2021 (Phasing Plan March 2019 Rev. A & 19084-201-R)

8 The cycle parking as shown on plan 190-201-R (received 01/09/22) 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 The Construction Management Plan shall be adhered to in line with the details submitted and approved under DIS/20/01243

10 The Site Waste Management Plan shall be adhered to in line with the details submitted and approved under DIS/20/01243

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. (Details submitted DIS/22/00911)

12 Phase 1 and Phase 2 of the development are hereby permitted to be carried out and brought into use independently of one another and in accordance with the details submitted in phasing plan reference 19084-SK-12 dated 30 July 2021 (Phasing Plan March 2019 Rev. A & 19084-201-R). For the avoidance of doubt, either Phase 1 or Phase 2 may be brought into use first.

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)

74 **APP/23/01878; CAR PARK WOODHEAD STREET, NEW FERRY, WIRRAL, CH62 5ER ERECTION OF 43 NEW DWELLINGS WITH ASSOCIATED NEW ROADS AND AMENITY SPACES (100% AFFORDABLE HOUSING).**

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

Mark Craig, an objector to the application, addressed the committee.

Ben Green, the agent to the applicant, addressed the committee.

The solicitor read out a statement submitted by Ward Councillor Jo Bird.

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

Resolved - 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 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8 December 2024 and listed as follows:

**Overall Development Plans
Drainage Strategy Report**

1829-JMA-ZZ-00-DR-A-0110 Rev 04 (site plan)
1829-JMA-ZZ-00-DR-A-0450 Rev 04 (whole site elevations)
1829-JMA-ZZ-00-DR-A-0117 Rev 03 (common green space)
1829-JMA-ZZ-00-DR-A-0118 Rev 03 (boundary treatments)

Apartments

1829-JMA-ZZ-00-DR-A-0257 Rev 03
1829-JMA-ZZ-00-DR-A-0258 Rev 03
1 829-JMA-ZZ-00-DR-A-0256 Rev 03
1829-JMA-ZZ-00-DR-A-0451 Rev 03

Housing

1829-JMA-00-ZZ-DR-A-0250 Rev 03
1829-JMA-00-ZZ-DR-A-0251 Rev 03
1829-JMA-00-ZZ-DR-A-0252 Rev 03
1829-JMA-00-ZZ-DR-A-0255 Rev 03
1829-JMA-00-ZZ-DR-A-0254 Rev 03
1829-JMA-00-ZZ-DR-A-0253 Rev 03

3 No above ground 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

4 A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include (where practical) but not be limited to, species of local provenance and native and non-native flowering perennial species and features such as bird boxes, log piles, bug boxes, solitary bee houses and hedgehog homes to encourage net gains in biodiversity and full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained. All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5 No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub 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.

6 Prior to first occupation, notwithstanding the information included in plan 1829-JMA-ZZ-00-DR-A-0118, details of the heights and materials to be used in the construction of the boundary treatments shall be submitted to and agreed in writing with the Local Planning Authority. The boundary treatments as agreed shall then be implemented and maintained as such.

7 Detailed drawings shall be submitted to and approved by the Local Planning Authority following site clearance to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

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8 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.

9 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 fencing, gates or other types of enclosures to a dwelling shall be erected unless expressly authorised.

10 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 Strategy as detailed in the following submissions:

• Drainage Strategy Report, New Ferry, Wirral – Site A / ref: 221-166 / dated 31 July 2023 / by AJP

For the avoidance of doubt, the surface water discharge rate from the development shall be no more than 5l/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.

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 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.

12 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.

13 No development shall take place until a full scheme of works and timetable for the construction of the new adoptable highways and/or amendment of the existing adopted highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, TRO's, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval and in accordance with the approved development phasing plan.

75 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - PLANNING APPLICATIONS**

The Development Management Manager presented the report of the Director of Regeneration and Place to the committee.

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

Resolved – that the report be noted.

76 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE PLANNING APPEALS**

The Development Management Manager presented the report of the Director of Regeneration and Place to the committee.

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

Resolved – that the report be noted.

77 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE-
ENFORCEMENT ACTIVITY BETWEEN: 1ST JULY 2023 TO 30TH
SEPTEMBER 2023, 1ST OCTOBER 2023 TO 31ST DECEMBER 2023 AND
1ST JANUARY 2024 TO 26 MARCH 2024**

The Development Management Manager presented the report of the Director of Regeneration and Place to the committee.

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

Resolved – that the report be noted.