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PLANNING COMMITTEE

Thursday, 16 January 2025

<u>Present:</u>	Councillor	S Kelly (Chair)	
	Councillors	S Foulkes H Gorman A Gardner K Hodson B Kenny	S Powell-Wilde G McManus J Walsh M Jordan K Stuart

42 WELCOME AND INTRODUCTION

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

43 APOLOGIES FOR ABSENCE

There were no apologies for absence.

44 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they have 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 the nature of the interest.

No interests were declared.

45 MINUTES

Resolved – That the minutes of the meeting held on 12 December 2024 be approved as a correct record.

46 APP/23/01870 - 24 CROFT LANE, BROMBOROUGH, WIRRAL, CH62 2DD. PROPOSAL: DEMOLITION OF EXISTING DWELLING AND ERECTION OF 3 NO. NEW DETACHED DWELLINGS.

The Development Management Manager presented for consideration the report in relation to the above application for the demolition of the existing dwelling at 24 Croft Lane and the erection of 3 new detached dwellings.

Members debated the application.

On a motion proposed by the Chair, seconded by Councillor Sue Powell-Wilde, it was:

Resolved (unanimously) – That

A the Director of Regeneration and Place be authorised to approve the application subject to the following conditions and subject to the completion of an agreement pursuant to section 106 of the Town and County Planning Act 1990 to be prepared, in accordance with section 8.10 of this report:

Conditions

- 1. The development must be begun not later than the expiration of three years beginning with the date of this permission.**

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1109_000-Location-and-Block-Plan 1109_001G-Proposed-Site-Plan 1109_002D-Plot-1-Floor-Plans 1109_003C-Plot-1-Elevations 1109_004C-Plots-2-and-3-Floor-Plans 1109_005C-Plots-2-and-3-Elevations Reason: For the avoidance of doubt and having regard to the provisions of the planning permission and to comply with UDP Policy HS4, NPPF Chapter 12 and WLP WS7.**

- 3. Prior to commencement of the development above slab level, a materials schedule shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise approved in writing, the materials schedule shall be implemented in full.**

- 4. Prior to commencement of the development beyond demolition, details of proposed site levels and finished floor levels shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise approved in writing, the development shall be carried out in accordance with the approved levels details.**

- 5. Plot 1's ground floor northern elevation window and first floor southern elevation window and first floor rear elevation (serving the room labelled en-suite) and Plots 2 and 3's first floor southern elevation window of the development hereby approved must be; a) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and; b) fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, those window(s) must be retained to this specification throughout the lifetime of the development.**

- 6. The existing trees on site shall be protected during demolition and construction in accordance with the tree protection measures detailed in: Tree Survey 24 Croft Lane 2023M Sections 13-16 Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started, or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.**

- 7. No development beyond demolition shall commence until a scheme of both hard and soft landscaping, which includes the planting of 11 replacement trees**

and 4m of replacement hedgerow, has been submitted to and approved in writing by the Local Planning Authority. The detailed landscaping plans submitted shall include: (i) details of boundary treatments and hard surfaces (ii) the location, size and species of all trees to be retained and those to be planted (iii) how the replacement trees will be planted and protected and the proposed time of planting. (iii) the location, size, species and density of all hedgerows, shrub and ground cover planting to be retained and those to be planted. (iv) a schedule of implementation The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.

8. All trees shall be planted in accordance with the details and times stated in the specification required by Condition 7 and in accordance with British Standard [BS 8545: Trees: from nursery to independence in the landscape - Recommendations (or an equivalent British Standard if replaced)][BS 4428: Code of practice for general landscape operations (excluding hard surfaces) (or an equivalent British Standard if replaced)].

9. All planting, seeding or turfing comprised in the details of the landscaping scheme approved under Condition 7 shall be carried out before any part of the development is first occupied and in accordance with the agreed implementation programme; and any trees or plants which within a period of 5 years from the development being brought into use die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size and species. The hard landscaping scheme approved under Condition 7 shall be carried out in full before any part of the development is first occupied.

10. All dwellings shall comply with the higher water efficiency standard of 110 litres/per person/per day under Regulation 36(3) of the Building Regulations or any successor standard.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Part 1, Class F (Hard surfaces incidental to the enjoyment of a dwellinghouse) and Part 2, Class B (Means of access to a highway), or any amendments made to that Order,; · no hard surface, other than those specified on the approved plans, shall be provided within the curtilage of the dwellings · no means of access, other than those specified on the approved plans, shall be constructed to the curtilage of the dwellings unless on application to the Local Planning Authority, planning permission for such development has been granted.

12. No development beyond demolition shall commence until a finalised sustainable drainage system (SuDS) scheme for the management and disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority. The SUDS scheme shall include, but not be limited to, details of run-off flows, impermeable hardstanding and soakaways; as well as an operation and maintenance scheme. The SUDS scheme, shall be implemented prior to first occupation and retained for the lifetime of the development.

Biodiversity Net Gain – Biodiversity Gain Plan Not Required The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wirral Metropolitan Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply: Development which is not ‘major development’ (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where: i) the application for planning permission was made before 2 April 2024; or ii) planning permission is granted which has effect before 2 April 2024; or iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

B That the Director of Regeneration and Place be authorised to refuse the application in the event that a satisfactory section 106 agreement is not received within 6 months of the date on which Planning Committee resolve to approve the application unless an extension of time is agreed to the satisfaction of the Director of Regeneration of Place in consultation with the Chair and Spokespersons of the Planning Committee.