

# Public Document Pack

## PLANNING COMMITTEE

Thursday, 16 January 2020

Present:

Councillor	S Kelly (Chair)	
Councillors	S Foulkes	P Stuart
	K Hodson	S Whittingham
	S Hayes	B Berry
	G Davies	I Lewis
	S Frost	M Jordan
	B Kenny	A Corkhill

Deputy: Councillor J Walsh (In place of I Williams)

### 77 MINUTES' SILENCE

Members of the Committee held a minutes' silence in tribute to Councillor Blakeley.

### 78 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 14 November 2019 for approval.

**Resolved – That the minutes of the meeting held on 14 November 2019 be approved.**

### 79 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.

No such declarations were made.

### 80 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

### 81 APP/16/01455 - BRIMSTAGE HALL, BRIMSTAGE ROAD, BRIMSTAGE, CHANGE OF USE AND CONVERSION OF FARM BUILDINGS TO FARM SHOP AND CAFE AND CREATION OF NEW CUSTOMER CAR PARK. -AMENDED PLANS

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

A Ward Councillor addressed the Committee.

**On a motion by the Chair and seconded by Councillor G Davies it was –**

**Resolved (13:0:1 abstention) – 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. Notwithstanding the details indicated on the plans hereby approved, details and elevations of the walls to the access that is to be altered shall be submitted to and approved by the Local Planning Authority and constructed prior to the occupation of the premises. Such details to include the re-use of the existing stone work.**

**3. Before any construction commences, samples of the facing/roofing/window 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. A landscaping scheme shall be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority. The landscaping scheme shall also include details of the hard surface to be used in connection with the construction of the new access and car park.**

**5. Prior to commencement of construction, details of works to reposition the boundary of the 50mph speed limit on Brimstage Road and provide two vehicle activated traffic signs shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the works shall include any necessary alterations to traffic signs and road markings and any consequential works arising. The works shall be completed in accordance with the approved details prior to first use of the development hereby permitted.**

**6. Construction of the development authorised by this permission shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle access from Brimstage Road. The approved works shall be completed in accordance with the LPA written approval prior to first use.**

**7. 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.**

**8. Prior to the commencement of development a re-survey of the submitted Bat and Barn owl survey shall be submitted to and approved in writing by the Local Planning Authority.**

**9. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1st March to 31st August inclusive. It is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and**

hedgerows 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 would be required.

**10. 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.

**11. 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.

**12. Details of the barrier to separate the overspill element of the car park shall be submitted to and agreed in writing with the Local Planning Authority.** The approved scheme shall be installed and operational prior to the occupation of the building.

**13. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th December 2016 and listed as follows:** BHD-LMA-00-00-DR-A-2005 Rev P01, BHD-LMA-00-00-DR-A-206 REV P01, BHD-LMA-00-00-DR-A-207, BHD-LMA-00-00-DR-A-2002, Rev P01, BHD-LMA-00-00-DR-A-2000 Rev P01, BHD-LMA-00-00-DR-A-1000 Rev P01, BHD-LMA-00-00-DR-A-201, Rev P01 and 1677-01-01 Received by the LPA on 3rd January 2020

**14. NO DEVELOPMENT SHALL TAKE PLACE** until a programme of archaeological work to include but not be limited to a scheme for trial trenching around the scheduled moat has been submitted to and agreed by the LPA in writing. The works shall be implemented in full in accordance with the approved scheme.

**15. The developer shall afford access at all reasonable times to any archaeologist approved by the Local Planning Authority and shall allow them to observe any excavations and record items of interest and finds.**

**16. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification), the building hereby permitted shall only be used for agricultural storage, a farm shop and café for the sale of local food, drink or products associated with the agricultural or horticultural undertakings enterprise; and demonstration kitchens and training rooms associated with the agricultural holding known as "Brimstage Hall Farm", and for no other purpose within Classes A1, A3 or D1 of the schedule of that Order.**

**17. The Farm shop shall only be open to customers between the hours of 8am to 7pm - Monday to Saturday and 8am to 6pm on Sundays and Bank Holidays.**

**18. Prior to the commencement of development effecting buildings 3a and 3b further works shall be undertaken following Reasonable Avoidance measures in accordance with the Bat Roost Potential Assessment Cheshire Ecological Services Ltd, July 2019, 1191/07-17/SW**

82 **APP/19/01009 - MILL HOUSE, BLAKELEY ROAD, RABY MERE, CH63 0LZ, [AMENDED PLANS] RETROSPECTIVE PLANNING APPROVAL FOR REDUCED HEIGHT 1.8M HIGH CLOSE BOARDED TIMBER FENCE TO BOUNDARY WITH BLAKELEY ROAD, NEW CAR PARKING AREA TO SOUTH OF DWELLING, NEW ENTRANCE GATES AND RENDERED FLANK WALLS AND RENDERED RETAINING WALLS.**

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

A Ward Councillor addressed the Committee.

**It was moved by Councillor M Jordan and seconded by Councillor I Lewis that the application be refused.**

**The motion was put and carried (8:6).**

**Resolved (8:6) – That the application be refused for the following reason:**

- 1. The proposed fence would damage the visual amenities of the area and would be inappropriate in terms of character, appearance and landscape setting of the surrounding area and does not integrate well within the setting of the area.**

83 **APP/19/01157 - CALDY GOLF CLUB, LINKS HEY ROAD, CALDY, ALTERATIONS AND EXTENSION OF CLUBHOUSE TO PROVIDE IMPROVED FACILITIES AND ASSOCIATED IMPROVEMENTS TO CAR PARKING AND ACCESS. PROVISION OF NEW SPORT/ LEISURE FACILITIES**

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

**On a motion by the Chair and seconded by Councillor G Davies it was –**

**Resolved (13:0:1 abstention) – 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 12th August 2019 and listed as follows:**

**Location Plan, received 12th August 2019;  
201/A, received 12th December 2019  
202, received 12th August 2019;**

401, received 12th August 2019;  
501, received 12th August 2019;  
502, received 12th August 2019;  
039.01.10 (Figure 6.1)/A, received 8th January 2020; and

'Preliminary Ecological Assessment' and 'Addendum' reports (produced by Etive Ecology Ltd in June and November 2019).

3. Prior to any above ground works to the hereby approved extension taking place, samples of the facing, roofing, window 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. Prior to the commencement to any works, a Construction Environmental Management Plan (CEMP) shall be submitted for approval to the Local Authority.

The CEMP shall set out measures to manage and mitigate effects on European sites, protected and Priority Species and Habitats.

The CEMP shall include the agreed method statements as set out in the submitted in the 'Preliminary Ecological Assessment' and 'Addendum' reports (produced by Etive Ecology Ltd in June and November 2019) to mitigate or avoid adverse environmental impacts on these features including:

- Pre-commencement check for signs of breeding birds (if required), amphibians and terrestrial mammals;
- Noise, vibration and dust control measures;
- Avoidance of the breeding bird season (1 March to 31 August);
- Brown hare reasonable avoidance measures;
- Protection measures for retained Priority Habitat hedgerow, ponds as well as boundary tree lines and woodland copse;
- Pollution prevention measures for controlled waters;
- Reasonable avoidance measures for terrestrial mammals:
- 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 access them.
- Reasonable avoidance measures for amphibians including GCN as set out in section 4 of the Preliminary Ecological Appraisal (PEA); and
- A sensitive construction and operational lighting scheme which avoids excessive light spill on Priority Habitat, tree lines, woodland and off site fields.
- In accordance with policy WM8 of Merseyside and Halton Waste Joint Local Plan, evidence through a waste audit or a similar mechanism (e.g. a soil management plan) demonstrating how the minimisation of waste production, efficient use of resources, including designing out waste and minimisation of off-site disposal shall be achieved

The CEMP shall be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures.

Once approved and prior to the commencement of any works, the measures set out in the CEMP document shall be implemented in full.

5. Prior to the commencement of any works a full and detailed Habitat Management Plan for the lifetime of the development shall be submitted to and approved by the Local Authority. The plan shall then be implemented in accordance with the approved details. For the avoidance of doubt, 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.

6. Prior to the commencement of any works, details of the formation of the bowling green and golf practise area including a detailed planting schedule and appropriate measures for mitigating and enhancing the biodiversity value of the site, shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out in accordance with the approved details.

7. The creation of a wildflower area to replace the existing anglers car park shall be implemented in accordance with the details contained in submitted drawing no. 039.01.10 (Figure 6.1)/A and within the 'Addendum Report' (produced by Etive Ecology Ltd in November 2019) before the extended car parking area hereby approved is brought into use.

84 APP/19/01192 - 26 CORNELIUS DRIVE, IRBY, CH61 9PR, THE PROPOSAL INVOLVES THE DEMOLITION OF THE EXISTING BUNGALOW, THE FORMATION OF A NEW VEHICULAR ACCESS ONTO THE LAND, THE ERECTION OF 7NO. DWELLINGS AND ASSOCIATED EXTERNAL WORKS AT 26 CORNELIUS DRIVE, THINGWALL, WIRRAL, CH61 9PR.

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

A petitioner addressed the Committee.

The agent addressed the Committee.

A Ward Councillor addressed the Committee.

**On a motion by the Councillor K Hodson and seconded by Councillor S Foulkes it was –**

**Resolved (14:0) – 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 23 August 2019 and listed as follows: PL01, PL02, PL03, PL06, PL07, PL08, PL09.**
- 3. Prior to commencement of any development above ground floor level, approval of the following details shall be obtained from the local planning authority. The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:**
  - I. Samples or specifications of the facing materials**
  - II. Samples or specifications of all doors and windows**
- 4. Full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.**
- 5. 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) species of local provenance and native and non-native flowering perennial species and features such as 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, unless the Local Planning Authority gives written consent to any variation.**

**6. Prior to occupation, a “lighting design strategy for biodiversity” for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall:**

**(a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;**

**And**

**(b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.**

**All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.**

**7. Before development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase 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.**

**8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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.**

**9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 properties hereby approved.**

**10. Prior to the commencement of development a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property shall be submitted to and agreed in writing by the Local Planning Authority. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.**

**11. Prior to commencement of any development above ground level, details of bird and bat boxes and a time frame for their implementation shall be submitted to and agreed in writing with the local planning department. The boxes shall be implemented in accordance with the agreed details and be retained as such thereafter.**



**12. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.**

**13. The details submitted in accordance with condition 12 above shall include:**

- I. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.**
- II. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.**
- III. a schedule of tree works for all the retained trees in paragraphs (i) and (ii) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.**
- IV. written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.**
- V. the details and positions (shown on the plan at paragraph (i) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase**
- VI. the details and positions (shown on the plan at paragraph (i) above) of the Ground Protection Zones (para 6.2.3 of BS5837).**
- VII. the details and positions (shown on the plan at paragraph (i) above) of the Construction Exclusion Zones (section 6 of BS5837).**
- VIII. the details and positions (shown on the plan at paragraph (i) above) of the underground service runs (para 5.5.6 of BS5837).**
- IX. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.**
- X. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing).**
- XI. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).**
- XII. the details of the working methods to be employed for the installation**

of drives and paths within the RPAs of retained trees in accordance with the principles of “No-Dig” construction (section 7.4 BS 5837)

XIII. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

XIV. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

XV. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).

XVI. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).

XVII. the timing of the various phases of the works or development in the context of the tree protection measures.

85 **APP/19/01377 - WESTWOOD HALL, BRIMSTAGE ROAD, BRIMSTAGE, CH63 6HF, ERECTION OF PLANT ROOM TO HOUSE GROUND SOURCE HEAT PUMP - ENERGY FOR SPACE AND WATER HEATING.**

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

**On a motion by Councillor S Foulkes and seconded by Councillor K Hodson it was –**

**Resolved (14:0) – 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 27 September 2019 and listed as follows: 549.01.**

86 **APP/19/01479 - LAIRDS SPORTS CLUB 93 & CAMELL LAIRD 1907 FC, ST PETERS ROAD, ROCK FERRY, CH42 1PY, CONSTRUCTION OF NEW SINGLE-STOREY CLUBHOUSE (TO SOUTH-EASTERN CORNER OF THE SITE) TOGETHER WITH A NEW 25NO. SPACE CAR PARK (TO NORTH-WEST OF SITE) AND ASSOCIATED WORKS**

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

A petitioner addressed the Committee.

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

**Resolved (9:5) – 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 30th September 2019 and listed as follows: 17119-01; 17119-100, the amended plans received on 28th November 2019 and listed as: 17119-202-K; 17119-203-C; 17119-204-D; 17119-205-D, and the amended plan received on 16th December 2019 and listed as 17119-101-F.**

**3. Before any construction above ground level commences, samples of the 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. Construction of the development authorised by this permission shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle accesses from the highway and any amendments to the existing highway made necessary by this development, including details of the new vehicle accesses in accordance with LPA concrete commercial crossing specifications, tactile pedestrian crossing facilities and the introduction of any necessary TROs in St Peters Rd/ Delta Rd West/Church Mews and Procter Rd. The approved works shall be completed in accordance with the LPA written approval prior to first use of the development**

**5. Prior to the first use of the development hereby approved, a lockable gate or barrier shall be installed at the entrance to the main car park from St Peters Road, the details of which shall beforehand be submitted to and approved in writing by the Local Planning Authority. The barrier or gate shall be retained and maintained in an operational state in perpetuity in accordance with the approved details. The main car park shall be closed and locked at 21:00 hours each evening (and shall not re-open before 09:00 hours the following morning) other than on days when Cammell Laird 1907 FC have a first team game at the site or are hosting a tournament.**

**6. The clubhouse hereby approved shall not be open or in use between the hours of 23:30 and 09:00.**

**7. The doors on the south-west elevation of the clubhouse, serving the conference room, shall remain closed and not utilised after 21:00 hours other than in an emergency.**

**87 COMMITTEE REPORT ENFORCEMENT POLICY 2020**

The Director of Regeneration and Place submitted a report requesting that the revised Planning Enforcement Policy be recommended to Cabinet for approval.

**Resolved – That the revised Planning Enforcement Policy be deferred to be considered by the next Planning Sub-Committee scheduled to be held on 4 February 2020.**