



Planning Committee

Date:	Thursday, 18 July 2019
Time:	6.00 p.m.
Venue:	Committee Room 1 - Wallasey Town Hall

This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

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1. MINUTES (Pages 1 - 24)

To approve the accuracy of the minutes of the meetings held on 30 May and 20 June 2019.

2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the committee are asked whether they have 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.

3. ADV/17/00777: LAND AT, PRENTON WAY, PRENTON, CH43 3DU - VARIOUS SITE SIGNAGE (Pages 25 - 30)

4. ADV/17/00782: LAND AT, PRENTON WAY, PRENTON, CH43 3DU - THE INSTALLATION OF FREESTANDING TOTEM SIGNS (Pages 31 - 38)

5. APP/19/00282: THE SHIP INN, 208 BRECK ROAD, WALLASEY VILLAGE, CH4 2ED - DEMOLITION OF FORMER VACANT SHIP INN, ERECTION OF 6 TOWNHOUSES WITH PARKING (Pages 39 - 46)

6. APP/19/00446: WHISTLING SANDS, 15 DALESWAY, HESWALL - RETROSPECTIVE APPLICATION FOR ENGINEERING OPERATIONS COMPROMISING LAND GRADING WORKS (Pages 47 - 52)

7. APP/19/00535: HOYLAKE PRESBYTERIAN CHURCH, ALDERLEY ROAD, HOYLAKE, CH47 2AX - VARIATION OF CONDITION 2 OF APP/1/00183 (Pages 53 - 60)

8. **APP/19/00743: STORETON HALL FARM, LEVER CASUSEWAY, STORETON, CH63 6HT - APPLICATION MADE UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT (Pages 61 - 74)**

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Public Document Pack Agenda Item 1

PLANNING COMMITTEE

Thursday, 30 May 2019

Present: Councillor S Kelly (Chair)

Councillors G Davies B Berry
S Foulkes K Hodson
S Frost I Lewis
B Kenny M Jordan
P Stuart I Williams
S Whittingham

Deputies: Councillors A Brame (for A Corkhill)
P Cleary (for S Hayes)

1 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 17 April 2019.

Resolved – That the minutes of the meeting held on 17 April be approved.

2 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.

Councillor S Frost declared a prejudicial interest in Item 17 – Vacant land at 2A Prenton Way, Prenton by virtue of having previously campaigned against this development before becoming an elected member.

3 REQUESTS FOR SITE VISITS

The following requests for site visits were unanimously agreed:

APP/19/00139: THE DELL, PRENTON HALL ROAD, PRENTON, CH43 3AE - DEMOLITION OF EXISTING PUBLIC HOUSE (A4 USE), AND ERECTION OF SINGLE FOUR-STOREY APARTMENT BLOCK CONTAINING 28NO. 2-BEDROOM SELF-CONTAINED FLATS (C3 USE) - ALL FOR AFFORDABLE HOUSING FOR RENT, AND ASSOCIATED CAR PARKING, AMENITY SPACE AND LANDSCAPING

APP/19/00167: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS ERECTION OF A THREE-STOREY APARTMENT BLOCK COMPRISING OF 4 NO. TWO

BEDROOM AND 1 NO. THREE BEDROOM APARTMENTS, FOLLOWING DEMOLITION OF EXISTING DWELLING HOUSE (AMENDED).

APP/19/00372: ROSELANDS, 16 CROFT DRIVE, CALDY, CH48 2JW - PROPOSED DEVELOPMENT OF 1 NEW BUILD DWELLING WITHIN THE CURTILAGE OF 'ROSELANDS', 16 CROFT DRIVE

APP/19/00431: WESTWAYS, 16 LINGDALE ROAD, WEST KIRBY, CH48 5DQ FOR THE ERECTION OF A NEW REAR TWO STOREY EXTENSION TO HOUSE ONE FURTHER SINGLE DWELLING (AMENDMENT TO APP/18/00124)

4 APPOINTMENT OF VICE CHAIR

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

Resolved unanimously that Councillor S Foulkes be appointed as Vice Chair of the Planning Committee

5 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

6 APP/17/00779: VACANT LAND, 2A PRENTON WAY, PRENTON, CH43 3DX - ERECTION OF A TWO STOREY RESTAURANT WITH ASSOCIATED DRIVE-THRU, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS INCLUDING THE INSTALLATION OF 2NO. CUSTOMER ORDER DISPLAYS WITH ASSOCIATED CANOPIES, 2NO. GAS AND ELECTRICITY KIOSKS, CYCLE STANDS, JUMBRELLAS AND CHILDREN'S PLAY SPACE.

Councillor S Frost declared personal and prejudicial interests in this matter and left the room during its consideration.

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A petitioner addressed the Committee.

The applicant addressed the Committee.

Two Ward Councillors addressed the Committee.

It was moved by Councillor P Cleary and seconded by Councillor I Lewis that the application be refused,.

The motion was put and lost (6:7)

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

Resolved (8:5) 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 11 August 2017 and listed as follows: Drawing Number 7202-SA-8141-AL01 B (dated May 2017); Drawing Number 7202-SA-8141-AL03 A (dated May 2017); Drawing Number 7202-SA-8141-P004 A (dated May 2017); 7202-SA-8141-P005 A (dated May 2017);7202-SA-8141-P006 A (dated May 2017) AND 7202-SA-8141-P007 A (dated May 2017);**
- 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. Prior to the commencement of any building works above ground level, full details of the hard and soft landscaping of the site (including all boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the proposal and shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.**
- 5. The development hereby permitted shall not be occupied until the associated access roads and parking spaces have been laid out in accordance with the approved plans. The access roads and parking spaces shall thereafter not be used for any other purpose.**
- 6. The development hereby permitted shall not be occupied until the pedestrian crossing has been laid out in accordance with details provided in drawing no. 3201-07A.**
- 7. NO DEVELOPMENT SHALL TAKE PLACE until a delivery management plan has been submitted to and agreed in writing by the Local Planning Authority. Deliveries to the development hereby approved shall be undertaken in line with the approved details unless agreed otherwise in writing by the Local Planning Authority. No deliveries shall take place between the hours of 7:30-9.30 am, 12.00-13.30pm and 16.00-18:30 hours Monday to Sundays unless agreed otherwise in writing by the Local**

Planning Authority.

- 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 FIRST OPERATION** of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall detail incentives for encouraging access to the site by modes other than the car and shall be implemented in all respects following the commencement of the operation of the use hereby approved.
- 10. NO DEVELOPMENT SHALL TAKE PLACE** (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details.

Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

- 11. PRIOR TO FIRST OCCUPATION** a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, cycleways, verges, street lighting, surface water drainage, traffic signs, TRO's, road markings, street furniture, access onto the adjacent highway, road safety audit and monitoring shall be submitted to and agreed in writing with the Local Planning Department. The works shall be completed in accordance with the details as approved.
- 12. No development shall take place** until a detailed Construction Risk Assessment Method Statement (RAMS) is submitted to and approved by the Local Planning Authority. The statement shall outline how the pressurised water mains will be protected not only during the construction period but for the lifetime of the development and should include (although not exclusively) considerations such as changing land levels, vibration,

disturbance and health and safety considerations. The development shall be undertaken in accordance with the approved RAMS.

13. 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 submissions has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- SuDS Report (25th October 2018/ Ref: MD4160945/FG/013/ Issue 1/ Glanville)

For the avoidance of doubt, no surface water should connect to the public sewerage system.

14. 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.

7 APP/18/01642: UNIT 7, THE CURVE, 139 TELEGRAPH ROAD, HESWALL, CH60 7SE - CHANGE OF USE OF VACANT EXISTING RETAIL UNIT NO. 7 (CLASS A1 USE) AT FIRST FLOOR LEVEL, TO USE AS A HEALTH AND FITNESS CENTRE INCLUDING GYMNASIUM USE (CLASS D2 USE), TO OPERATE 24 HOURS A DAY 7 DAYS A WEEK. INCLUDING ADDITION OF ROOF MOUNTED AIR CONDITIONING UNITS.

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A Ward Councillor addressed the committee.

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

Resolved (13-1) 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 6th February 2019 and listed as follows: plan/drawing numbers 0104-PL01, 0104-PL02, 0104-PL03, 0104 PL04 Revision 2, 0104 PL05/a Revision 2, 0104 PL05 Revision 2 and 0104-PL06 (date 2018).**
 - 3. Prior to first occupation the applicant shall submit a good scheme of sound insulation to provide protection against both airborne and impact noise created in the premises.**
 - 4. The use hereby permitted shall only be open to all users between 7am and 1130pm Monday to Saturday and between 8am and 10pm on Sundays and Bank Holidays.**
 - 5. PRIOR TO FIRST USE of the development hereby approved, a Site Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Site Management Plan shall include but not be solely restricted to the following measures:**
 - i. The car park and associated pedestrian access shall be closed between 2300 hours and 0600 hours daily and details of how access to the car park between these hours will be prohibited/restricted;**
 - ii. Installation of an ANPR System;**
 - iii. Signage detailing opening and closing hours;**
 - iv. Details of an Induction Training Pack;**
 - v. CCTV Surveillance; and**
 - vi. Complaints Procedure that sets out how local residents can complain to the club and how management will respond.**
- 8 DPP3/19/00035: HESWALL PRIMARY SCHOOL, WHITFIELD LANE, HESWALL, CH60 7SD - ERECTION OF SINGLE-STOREY SIDE EXTENSION TO FORM EXTENDED LOBBY. ERECTION OF SINGLE-STOREY REAR EXTENSION TO FORM 2 NO. CLASSROOMS. OTHER WORKS INCLUDE BOTH INTERNAL AND EXTERNAL ALTERATIONS TO SCHOOL.**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

On a motion by Councillor G Davies 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 23rd January 2019 and listed as follows:**

**B03279-01, received 23rd January 2019;
B03279-05, received 23rd January 2019; and
B03279-06, received 23rd January 2019.**

- 3. Prior to any above ground works taking place, samples of the materials (roof tiles, brickwork, and openings) 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.**

- 9 DPP3/19/00046: WEST KIRBY & HOYLAKE WAR MEMORIAL, FOOTPATH OVER GRANGE HILL BY WAR MEMORIAL TO LANG LANE, WEST KIRBY, CH48 4ET - ENHANCED LIGHTING SCHEME AND INSTALLATION OF WEB-CAMERA AND CCTV.**

Resolved - that consideration of this item be deferred to allow for additional information to be obtained by officers

- 10 LBC/19/00047: WEST KIRBY & HOYLAKE WAR MEMORIAL, FOOTPATH OVER GRANGE HILL BY WAR MEMORIAL TO LANG LANE, WEST KIRBY, CH48 4ET - APPLICATION FOR LISTED BUILDING CONSENT FOR ENHANCED LIGHTING SCHEME AND INSTALLATION OF WEB-CAMERA AND CCTV.**

Resolved - that consideration of this item be deferred to allow for additional information to be obtained by officers

- 11 APP/19/00139: THE DELL, PRENTON HALL ROAD, PRENTON, CH43 3AE - DEMOLITION OF EXISTING PUBLIC HOUSE (A4 USE), AND ERECTION OF SINGLE FOUR-STOREY APARTMENT BLOCK CONTAINING 28NO. 2-BEDROOM SELF-CONTAINED FLATS (C3 USE) - ALL FOR AFFORDABLE HOUSING FOR RENT, AND ASSOCIATED CAR PARKING, AMENITY SPACE AND LANDSCAPING.**

Resolved – That consideration of this item be deferred for a formal site visit.

- 12 **APP/19/00146: 9 THE ROW, MARKET STREET, HOYLAKE, CH47 3BB - VARIATION OF CONDITION 2 OF PLANNING PERMISSION APP/10/00746 (CHANGE OF USE FROM RETAIL UNIT TO CAFE/RESTAURANT) TO ALLOW EXTENDED OPENING HOURS OF 08:00 TO 23:30 MONDAY TO SUNDAY (EXISTING PERMITTED OPENING HOURS 08:00 TO 18:00 MONDAY TO SATURDAY)**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A petitioner addressed the Committee.

The applicant addressed the Committee.

A Ward Councillors addressed the Committee.

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

Resolved (13-1) – That the application be approved with the following conditions.

- 1. The premises shall only be open to customers and other visiting members of the public between the hours of 08:00 and 23:00**
- 2. The use hereby permitted shall not commence trading until:**
 - i) A scheme of noise insulation between the ground floor and first floor accommodation has been submitted to and approved in writing by the Local Planning Authority and thereafter installed in accordance with the approved details; and**
 - ii) All external doors to the premises have been fitted with self-closing mechanisms.**

Thereafter the noise insulation and self-closing mechanisms shall be retained.

The details of the noise insulation scheme shall adhere to 'Building Regulations Approved Document E - Resistance to the Passage of Sound' or any updates to or replacement for that document.

- 3. After 21:00 hours on any day of the week:**

- i) No external area shall be used for the purposes of eating or drinking;**
- ii) No music shall be played in, or relayed to, any external area; and**
- iii) All external windows and doors shall be kept closed, except for the purposes of access and egress.**

4. There shall be no disposal of waste into external containers between the hours of 21:00 and 07:00.

5. No hot food shall be prepared on the premises until:

- i) A scheme of fume extraction has been submitted to and approved in writing by the Local Planning Authority; and
- ii) The fume extraction equipment has been installed in accordance with the approved details and is available for use.

Thereafter the fume extraction equipment shall be retained.

When designing the fume extract system reference should be made to the Defra document 'Guidance on the control of odour and noise from commercial kitchen exhaust systems.'

- 13 **APP/19/00167: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS - ERECTION OF A THREE-STOREY APARTMENT BLOCK COMPRISING OF 4 NO. TWO BEDROOM AND 1 NO. THREE BEDROOM APARTMENTS, FOLLOWING DEMOLITION OF EXISTING DWELLING HOUSE (AMENDED).**

Resolved – That consideration of this item be deferred for a formal site visit.

- 14 **APP/19/00206: LAND AT FORMER OLD TAVERN CLUB, MAGAZINE LANE, NEW BRIGHTON, CH45 5AD - CONSTRUCTION OF 14 NO. 2 BEDROOM SELF-CONTAINED FLATS WITH NEW ACCESS AND ASSOCIATED PARKING AND LANDSCAPE WORKS**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A Petitioner addressed the Committee.

The Agent addressed the Committee.

On a motion by Councillor S Foulkes and seconded by Councillor S Whittingham 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 11th February 2019 and listed as follows: L01; L02; L03; L05; L06 and the amended plan received on 29th April 2019 and listed as: L04 Revision B

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. Notwithstanding the details shown on the plans, prior to first occupation of the development full details of the secure covered cycle parking and/or storage facilities 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.
5. PRIOR TO COMMENCEMENT OF DEVELOPMENT a full scheme of works for the construction of the new vehicle access from the highway and amendments to the existing highway made necessary by this development, including a new vehicle crossing in accordance with LPA crossing specifications, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed in full prior to first occupation of the development
6. PRIOR TO COMMENCEMENT OF DEVELOPMENT, detailed drawings indicating 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 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.
7. No development above ground level shall take place before details of a scheme of landscaping, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out no later than the first planting season following the completion of development. Any trees, shrubs or plants that die within a period of five years from the completion of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation
8. Prior to first occupation, full details of the positions, design, materials and type of boundary treatment to be erected shall be submitted to and

approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed prior to first occupation and retained as such thereafter

9. All bathroom and stairwell first-floor windows in the eastern elevation of the building to the rear of the application site ('Block 2') shall be obscurely glazed prior to first occupation and retained as such thereafter

10. No development shall commence until the final detailed sustainable drainage design, in the form of a 'Confirmed/ Final' Sustainable Drainage Strategy, for the management and disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The details of the 'Confirmed / Final' Sustainable Drainage Strategy must follow the drainage hierarchy and be in accordance with DEFRA's technical standards for sustainable drainage systems and The SuDS Manual (C753) and meet all requirements, including submission requirements, of Wirral Council's 'Sustainable Drainage Technical Guidance.' The development shall be subject to a limiting discharge rate of 5 l/s for surface water.

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. PRIOR TO FIRST OCCUPATION OF THE DWELLINGS arrangements for the storage and disposal of refuse, including facilities for recycling, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and approved 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.

15 APP/19/00286: 11 WENTWORTH CLOSE, NOCTORUM, CH43 9HX - SINGLE STOREY SIDE AND REAR EXTENSION

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A Ward Councillor addressed the Committee.

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

Resolved (13-1) – 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 5th March 2019 and listed as follows:

2019/009/002/REV01 - Dated 14th February 2019.

2019/009/001/REV01 - Dated 14th February 2019.

- 16 **APP/19/00366: 31A CARHAM ROAD, HOYLAKES, CH47 4FF - RETROSPECTIVE CHANGE OF USE TO CAR SALES AND SHOWROOM, VALET, VEHICLE PARKING/STORAGE, AND OFFICE SPACE**

Resolved – That consideration of this item be withdrawn from the Committee to be dealt with by officers under delegated powers.

- 17 **APP/19/00372: ROSELANDS, 16 CROFT DRIVE, CALDY, CH48 2JW - PROPOSED DEVELOPMENT OF 1 NEW BUILD DWELLING WITHIN THE CURTILAGE OF 'ROSELANDS', 16 CROFT DRIVE**

Resolved – That consideration of this item be deferred for a formal site visit.

- 18 **APP/19/00431: WESTWAYS, 16 LINGDALE ROAD, WEST KIRBY, CH48 5DQ FOR THE ERECTION OF A NEW REAR TWO STOREY EXTENSION TO HOUSE ONE FURTHER SINGLE DWELLING (AMENDMENT TO APP/18/00124)**

Resolved – That consideration of this item be deferred for a formal site visit.

- 19 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

1. The chair informed the committee that he had been communicating with planning committee spokespeople, cabinet members and legal

services about the potential for setting up a planning sub-committee. It was noted that initial discussions had been positive and that it would allow the committee to get involved with specific policies of the Local Plan.

David Ball confirmed he had been in discussion with the Chair, planning committee spokespeople and relevant cabinet members and intended to bring more information to the next planning committee.

Agreed – That the Chair and David Ball continue to explore the idea of a planning sub-committee and bring back more information at the next Planning Committee.

2. The chair noted that he has asked for the subject of Thornton Manor to be a standing agenda item and for any developments in the case to be brought to the attention of the committee.

The borough solicitor confirmed that planning permission for a marquee at Thornton Manor had been quashed and that they had appealed and lost. The current position is that the planning application would have to be re-determined.

The current legal position of the site was discussed, and it was confirmed by the borough solicitor that Thornton Manor currently have no permission for the marquee but that while the planning application is being processed, the council will refrain from taking enforcement action.

The Chair highlighted that the High Court judgement is a public document and that the criticisms brought against the council need to be addressed. The chair asked for planning officers to bring a report to committee to address these criticisms.

Councillor Ian Lewis suggested that as there was an application for the planning committee to determine, the Audit and Risk Management Committee should deal with the report on the situation. The chair confirmed this with the committee.

Agreed - that planning officers will provide an update to the committee on any developments in the case against Thornton Manor and that they would provide a report to the Audit and Risk Management Committee regarding criticisms brought against the council by the High Court.

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Public Document Pack

PLANNING COMMITTEE

Thursday, 20 June 2019

<u>Present:</u>	Councillor	S Kelly (Chair)	
	Councillors	S Foulkes	P Stuart
		K Hodson	S Whittingham
		S Hayes	I Williams
		G Davies	B Berry
		S Frost	I Lewis
		B Kenny	A Corkhill
<u>Deputy:</u>	Councillor	A Gardner (In place of M Jordan)	

20 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 30 May 2019.

Resolved – That, subject to the amendments to be made, the minutes of the meeting held on 30 May 2019 be submitted for approval to the next meeting to be held on 18 July 2019.

21 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.

Councillor I Lewis declared a personal interest in Item 8 – Roselands, 16 Croft Drive, Caldly, by virtue of being acquainted with a neighbour.

22 REQUESTS FOR SITE VISITS

Members were asked to request all site visits before any application would be considered.

No such requests were made.

23 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

24 APP/19/00139: THE DELL, PRENTON HALL ROAD, PRENTON CH43 3AE - DEMOLITION OF EXISTING PUBLIC HOUSE (A4 USE), AND ERECTION OF SINGLE FOUR-STOREY APARTMENT BLOCK CONTAINING 28NO. 2-BEDROOM SELF-CONTAINED FLATS (C3 USE) - ALL FOR AFFORDABLE

HOUSING FOR RENT, AND ASSOCIATED CAR PARKING, AMENITY SPACE AND LANDSCAPING.

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A petitioner addressed the Committee.

A representative of the applicant addressed the Committee.

Two Ward Councillors addressed the Committee.

It was moved by Councillor S Hayes and seconded by Councillor S Frost that the application be refused.

The motion was put and lost (10:4).

On a motion by Councillor S Foulkes and seconded by Councillor S Whittingham it was –

Resolved (10:4) – That the application be approved subject to the following conditions:

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 19 February 2019, 1 March 2019 & 22 March 2019 and listed as follows: 18119-102-C18119-103-B, 18119-104, 18119-105, 18119-110-A, 18119-111-D, 18119-200 & 18119-201-A.

Before any construction of the development hereby permitted commences, samples of the facing and 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.

The affordable housing shall be provided within the development in accordance with the submitted Affordable Housing Statement.

A full scheme of works for the reinstatement to standard footway levels of the existing vehicle access from the highway that is rendered obsolete by the development shall be submitted to and approved in writing by the Local Planning Authority. The works shall be submitted to, approved and completed as agreed, prior to first occupation of the development.

Prior to demolition, further surveys of the existing building for roosting bats shall be undertaken and results, together with a scheme of protection measures, shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation requirements shall then be implemented in full in a timescale to be agreed in writing with the Local Planning Authority.

Prior to commencement of construction of the development hereby permitted, 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 submissions shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Drainage Strategy and Flood Risk Assessment for Proposed Development The Dell (*April 2019/ Ref: LRD29933/ Rev 002/ Sutcliffe*)

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.

Prior to first occupation, details shall be submitted showing, type, location and date of installation of bat and bird boxes that shall be erected within the application site and agreed in writing with the Local Planning Authority.

- 25 **APP/19/00167: 1 OLDFIELD DRIVE, HESWALL CH60 6SS - ERECTION OF A THREE-STOREY APARTMENT BLOCK COMPRISING OF 4 NO. TWO BEDROOM AND 1 NO. THREE BEDROOM APARTMENTS, FOLLOWING DEMOLITION OF EXISTING DWELLINGHOUSE (AMENDED)**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A Ward Councillor addressed the Committee.

It was moved by Councillor I Lewis and seconded by Councillor K Hodson that the application be refused.

The motion was put and lost (4:9:1 abstention).

On a motion by Councillor B Kenny and seconded by Councillor P Stuart it was –

Resolved (9:4:1 abstention) – That the application be approved subject to the following conditions:

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 4th February 2019 and listed as follows:

**2019 013 001/02, received 4th February 2019;
2019 013 002/05, received 29th March 2019;
2019 013 003/05, received 12th March 2019; and
2019 013 004/08, received 2nd May 2019.**

Prior to any above ground works taking place, samples of the materials (roof tiles, brickwork, render and openings) 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.

Prior to first occupation of the hereby approved development, the cycle store as shown on submitted drawing no: 2019 013 002/05 shall be provided and made available for use and shall be retained for use at all times thereafter.

Prior to first occupation of the development hereby approved, the parking layout for the provision of 10 no. cars shall be implemented in accordance with the approved details as shown on drawing 2019 013 002/05. It shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Prior to first occupation of the hereby approved development, the bin store as shown on submitted drawing no: 2019 013 002/05 shall be made available for use and shall be retained for use at all times thereafter.

The first floor windows on the rear (south) elevation adjacent to 295 Telegraph Road shall be obscurely glazed and non-opening, up to a height of 1.7m

above the internal floor level. This shall be installed prior to the first occupation of the flats hereby approved and retained as such thereafter.

Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved 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.

- 26 **APP/19/00308: WIRRAL RUGBY CLUB LTD, THORNTON COMMON ROAD, THORNTON HOUGH, WIRRAL - RETROSPECTIVE PERMISSION FOR CHANGE OF USE OF ADDITIONAL SMALL AREA OF PLAYING FIELDS FOR HARDSTANDING CAR PARK**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

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

Resolved (12:2) – That the application be approved subject to the following condition:

The overflow car parking area hereby permitted shall be used only on Saturday and Sunday, and up to 30 other days in any 12 month period.

- 27 **APP/19/00338: BRIMSTAGE BREWERY, HOME FARM, BRIMSTAGE LANE, BRIMSTAGE CH63 6HY - ERECTION OF FIRST FLOOR EXTENSION ABOVE EXISTING BREWERY TO FORM TAP ROOM AND SALES AREA (MIXED USE CLASS A1/A4) WITH EXTERNAL STAIR, AND FORMATION OF CAR PARKING**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

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

Resolved (14:0) – That the application be approved subject to the following conditions:

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 14 March 2019 and listed as follows:

AL(21)011 Revision B (Proposed Elevations) dated 14.03.2019

AL(--)012 (Proposed Site Plan) dated 28.02.2019

AL(--)013 (Proposed Plans Ground and First Floors) dated 28.02.2019

The external timber cladding and external roofing material shall match that to the existing brewery building as closely as possible in terms of type, size and colour.

The premises shall only be open to customers and other visiting members of the public between the hours of 08:00 and 20:00.

The development hereby permitted shall not be brought into use until:

- i) The car parking bays identified on drawing number AL(--)-012 (Proposed Site Plan) have been constructed and are available for use; and
- ii) At least one secure cycle parking stand has been installed on the site and is available for use.

Thereafter the car and cycle parking shall be retained.

Stripping of the bargeboards shall be carried out by hand and under the supervision of a suitably licensed ecologist.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that order, the development hereby permitted shall be used only for purposes ancillary to the operation of Brimstage Brewery and shall not be sold, let or otherwise occupied or used independently of the brewery including any other use within classes A1 or A4 of the Use Classes Order 1987 (as amended).

All storage in relation to the development hereby approved shall be contained within the brewery buildings.

Notwithstanding the provisions of the Town & Country Planning (General Development Procedure) (England) Order 2015 (or any subsequent re-enactment) the gross internal floorspace shall not exceed 81m² and there shall be no extension or alteration to the development hereby approved.

28 **APP/19/00372: ROSELANDS, 16 CROFT DRIVE, CALDY CH48 2JW - PROPOSED DEVELOPMENT OF 1 NEW BUILD DWELLING WITHIN THE CURTILAGE OF 'ROSELANDS', 16 CROFT DRIVE - AMENDED PROPOSAL**

Councillor I Lewis declared a personal interest in this matter (minute 21 refers).

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A petitioner addressed the Committee.

The agent addressed the Committee.

It was moved by the Chair and seconded by Councillor I Lewis that the application be refused.

The motion was put and lost (6:8).

On a motion by Councillor B Kenny and seconded by Councillor P Stuart it was –

Resolved (8:6) – That the application be approved subject to the following conditions:

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 11 March 2019 & 24 April 2019 and listed as follows: 16-156-110 Rev A, 16-156-111 Rev A, 16-156-120 & 16-156-130 Rev A.

Prior to commencement of development, samples of the facing, roofing, window and gateway 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.

No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/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, hedgerows 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.

The development hereby permitted shall not be occupied until details of bird and bat boxes, number, location, type and timing to be erected on site, has been provided for approval and implemented in accordance with those details.

Rhododendron is present within the site boundary. This Species is listed on Schedule 9 of the Wildlife and Countryside Act. A method statement, prepared by a competent person shall be submitted to the Local Planning Authority prior to any clearance works on site, which includes the following information:

- **A plan showing the extent of the plant;**
- **The method that will be used to prevent the plant/s spreading further, including demarcation;**
- **The method of control that will be used, including details of post-control monitoring; and**
- **How the plants will be disposed of after treatment/removal.**

In order to provide protection for priority species, Reasonable Avoidance Measures are required, these include:

- **A toolbox talk prior to commencement of any clearance works regarding the**

presence of badger (and hedgehog) in the area and the legislation protecting them;

- A check prior to any clearance or construction works for signs of badger activity on site and within 30m of the proposed development;
- All excavations should be covered at night to prevent access by badger and hedgehog; if this is not possible then a means of escape should be provided to ensure that no animals become trapped. This could include backfilling, covering with board, or fitting with a means of escape, such as plank leading out of the excavation with an angle of no more than 45°;
- Appropriate storage of materials to ensure that badger and hedgehog do not become trapped and that materials are not available for excavation of new setts (for example, storage of sand); and
- Protective fencing should be erected around the site during construction.

29 **APP/19/00401: 45 MOUNT ROAD, WEST KIRBY CH48 2HH - PROPOSED NEW DWELLING TO LAND ADJACENT TO 45 MOUNT ROAD, WEST KIRBY**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A petitioner addressed the Committee.

A representative for the applicant addressed the Committee.

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

Resolved (14:0) – That the application be approved subject to the following conditions:

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 18 March 2019 and listed as follows: 1738 SD 012, 1738 SD 011, 1738 SD 013 and in accordance with the approved plans received by the local planning authority on 20 May 2019 and listed as follows: 1738 SD 010 Rev A.

Before any construction commences, details 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.

The north facing bathroom window shall not be glazed otherwise than with obscured glass and fixed shut and thereafter be permanently retained as such.

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, other than that hereby approved, shall be added to the side (north facing) elevation of the property unless expressly authorised.

30 **APP/19/00403: 27 TARRAN WAY NORTH, MORETON CH46 4TT - CHANGE OF USE OF INDUSTRIAL UNIT 27 TARRAN WAY NORTH FROM USE CLASS B1 TO SUI GENERIS TO ENABLE US TO OPEN A DOG DAY CARE CENTRE**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

On a motion by Councillor S Foulkes and seconded by Councillor G Davies it was –

Resolved (14:0) – That the application be approved subject to the following conditions:

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 1 April 2019.

No more than 60 dogs shall be allowed on the premises at any time.

31 **APP/19/00431: WESTWAYS, 16 LINGDALE ROAD, WEST KIRBY CH48 5DQ**

The Corporate Director for Economic and Housing Growth submitted the above application for consideration.

A Ward Councillor addressed the Committee.

It was moved by Councillor A Gardner and seconded by Councillor K Hodson that the application be refused.

The motion was put and lost (3:11).

On a motion by Councillor S Kelly and seconded by Councillor B Kenny it was –

Resolved (11:3) – That the application be approved subject to the following conditions:

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th April 2019 numbered, 0.001_Rev_A, and received on 30th April 2019 and listed as follows:

0.002_Rev_B

3.100_RevA

3.101_RevA

3.200_RevA

3.201_RevA

Prior to the occupation of the accommodation hereby approved, the first floor and stairwell windows on the eastern and western elevation shall be glazed with obscure glass, details of which, shall be approved in writing by the Local Planning Authority before installation. The windows shall also be non opening up to a height of 1.7m from the floor of the room they serve. The windows shall be retained as such thereafter.

Prior to the occupation of the accommodation hereby approved, details of a screen to be installed on the western side of the rear first floor balcony shall be submitted to and agreed in writing with the Local Planning authority. The screen shall be installed in accordance with the approved details before the accommodation hereby approved is occupied and retained as such thereafter.

Prior to the occupation of the accommodation hereby approved, the eastern elevation of the glazed link structure facing 14 Lingdale Road shall be glazed with obscure glass in accordance with the details in drawing 3.201_Rev A revised on 30/4/19, details of which, shall be approved in writing by the Local Planning Authority before installation. The windows shall be retained as such thereafter.

32 ANY OTHER URGENT BUSINESS - REQUEST FOR UPDATES: HILLBARK HOTEL AND SPA AND THORNTON MANOR

The Committee considered this item of urgent business in view of the need for an update prior to the next Committee.

The Legal Advisor to the Committee gave an update on enforcement matters relating to Hillbark Hotel and Spa. It was also reported that the application in respect of Thornton Manor would need to be re-determined and that the consultation was due to close on 24 June 2019.

Resolved – That the updates provided in respect of Hillbark Hotel and Spa and Thornton Manor be noted.

Agenda Item 3

Planning Committee

18 July 2019

Reference:
ADV/17/00777

Area Team:
South Team

Case Officer:
Mr M Parry-Davies

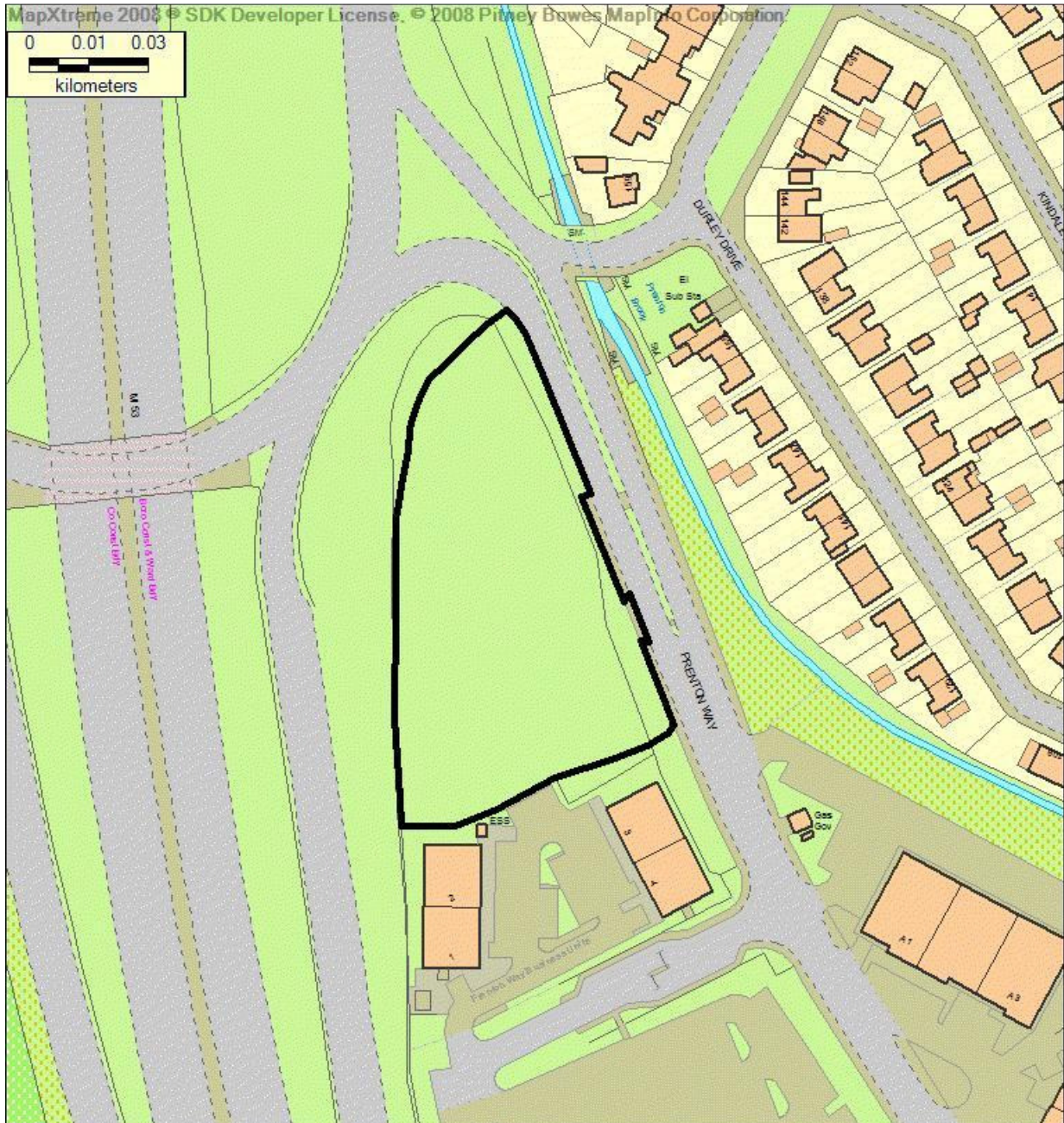
Ward:
Prenton

Location: Land at, Prenton Way, PRENTON, CH43 3DU
Proposal: VARIOUS SITE SIGNAGE INCLUDING 1 NO. GATEWAY, 9 NO. FREESTANDING SIGNS, 1 NO. SIDE BY SIDE DIRECTIONAL, 2 NO. BANNER UNITS AND 17 NO. DOT SIGNS.

Applicant: MCDONALD'S RESTAURANT
Agent : PLANWARE LTD

Qualifying Petition: Yes, Number of Signatures: 219

Site Plan:



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Development Plan designation:

Planning History:

Location: Vacant land, 2A PRENTON WAY, PRENTON, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a two storey restaurant with associated drive-thru, car parking, landscaping and associated works including the installation of 2no. customer order displays with associated canopies, 2no. gas and electricity kiosks, cycle stands, jumbrellas and children's play space.
Application No: APP/17/00779
Decision Date: 31/05/2019
Decision Type: Approved

Location: Land adjacent to Total Fitness Gym, Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a substation
Application No: APP/07/05944
Decision Date: 15/06/2007
Decision Type: Approved

Location: Land adj to Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DU
Application Type: Full Planning Permission
Proposal: Erection of two office buildings
Application No: APP/06/06195
Decision Date: 04/08/2006
Decision Type: Approved

Location: Unused Land, 2A Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Outline Planning Permission
Proposal: Erection of two car showrooms (outline)
Application No: OUT/03/07690
Decision Date: 27/02/2004
Decision Type: Approved

Location: McDonalds Restaurant, West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant(A3).
Application No: APP/00/06448
Decision Date: 25/01/2002
Decision Type: Refused

Location: West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant (A3).
Application No: APP/00/06451
Decision Date: 25/01/2002
Decision Type: Refused

Location: Former North West Water, North Ches Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a two storey exercise, rehabilitation and hydrotherapy centre with associated car park
Application No: APP/01/05390
Decision Date: 19/09/2001

Decision Type: Approved

Location: Former North West Water, North Ches Trading Estate, Prenton Way,
Prenton, Wirral, CH43 3DX

Application Type: Advertisement Consent

Proposal: Erection of two illuminated free standing signs

Application No: ADV/01/06654

Decision Date: 28/09/2001

Decision Type: Approved

Location: Land at junction of M53 Woodchurch Roundabout and Prenton Way,
Prenton. L43 3DU

Application Type: Full Planning Permission

Proposal: Renewal of temporary planning permission WAPP/24318 for use of land for
youth training horticulture scheme and erection of a portacabin.

Application No: APP/89/05273

Decision Date: 16/03/1989

Decision Type: Approved

Location: Land to the West of, Prenton Way, Prenton, L43 3DU

Application Type: Full Planning Permission

Proposal: Use of land for Youth training Horticultural Scheme and erection of a
portacabin

Application No: APP/84/24318

Decision Date: 22/03/1984

Decision Type: Conditional Approval

Appeal Details

Application No APP/00/06451

Appeal Decision Dismissed

Appeal Decision Date 09/01/2003

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 No Ward Member comments have been received in connection with this application.

2.0 SUMMARY OF REPRESENTATIONS

2.1 REPRESENTATIONS

Having regards to the Council's Guidance on Publicity for Applications, 50 Neighbour Notifications were sent to adjoining and nearby properties and a Site Notice was posted. 79 individual objections have been received and a petition signed by 219 signatures. Whilst the bulk of these objections cite the erection of a new McDonald's restaurant as the main area of concern, objections have also been raised around the proposed signage and these can be summarised as follows:

1. To facilitate signs removal of trees would be needed;
2. Decrease the value of homes;
3. Will impact on views from property;
4. Any illumination will add to light pollution; and
5. Signs will cause distraction(s) for highways users.

2.2 CONSULTATIONS

Highways - No objections

Highways England - No objections

Merseyside Fire and Rescue Service - Illuminated signage are subject to Article 37 of the

Regulatory Reform (Fire Safety) Order 2005. Accordingly, should the signage be illuminated by luminous discharge tubes operating at voltages normally exceeding 1000v AC or 1500v DC if measured between any two conductors, or 600v AC or 900v DC if measured between any conductor and earth, a cut-off switch (firefighter's switch) shall be required.

3.1 Site and Surroundings

3.1.1 The site is located at the northern part of the North Cheshire Trading Estate, adjacent to the M53 Motorway. The site is immediately adjacent to the roundabout at Junction 3 of the motorway giving access to Prenton Way and to Woodchurch Road. To the south are located a number of industrial uses; to the east are residential properties located on Durley Drive, Linden Drive and Kindale Road and to the west is the M53 motorway and open fields beyond.

3.1.2 The site currently benefits from mature landscaping in the form of mature trees and shrubs around the perimeter of the site. The site has been vacant for some time.

3.2 Proposed Development

3.2.1 The application seeks advertisement consent for a number of signs across the site in connection with a McDonald's restaurant that was granted planning permission in May 2019.

3.3 Development Plan

3.3.1 There are no specific policies in the Unitary Development Plan or the National Planning Policy Framework that focus on advertisements. Policy SH8 - Criteria for Shop Fronts allows proposals for new shop fronts provided that company colours, logos and advertising are designed with reference to the building(s) concerned and its neighbours.

3.4 Other Material Planning Considerations

3.4.1 The Local Planning Authority shall exercise its powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in the interests of amenity and public safety, taking into account the general characteristics of the locality (including the presence of any features of historic or architectural interest) and the safety of persons using any highway.

3.5 Assessment

3.5.1 The main issues pertinent in the assessment of the proposal are;

- Impact on Amenity;
- Public Safety

3.6 Principle of Development:

3.6.1 Planning permission was granted on 31 May 2019 for the erection of the restaurant and drive-thru together with associated car parking and infrastructure in association with McDonald's restaurants. These signs are in connection with that permission.

3.7 Impact on Amenity and Design:

3.7.1 The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people.

3.7.2 The proposed signage is set will into the site boundaries and on the building itself and as such would not impact on the street scene. A number of the DOT signage as proposed, such as "No Entry/Give Way/Look Left/Pedestrian Crossing" signs, have Deemed Consent, however the agent has decided to apply for consent for completeness.

3.8 Public Safety:

3.8.1 The Highways Authority have been consulted and has no objection to the proposed signage. No other public safety issues are identified. Therefore, it is considered that the proposed signage would not be harmful to public safety.

3.9 Other Matters:

3.9.1 Members of the public have objected to the application, referencing an increase in traffic and congestion, obesity problems, non-local business paying minimum wage, litter, pollution, not in keeping with the area, anti-social behaviour etc. However, the majority of the objections received focus on the principle of the restaurant in this location and the associated impacts rather than the specific signage proposed as part of this application. These concerns were considered as part of the associated planning application ref APP/17/00779 which was approved by the Committee in May this year. Applications for advertisement consent can only be assessed on amenity and public safety.

3.10 Conclusion:

3.10.1 It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety. The proposals are considered to comply with the Advertisement Regulations 2007 and are recommended for approval.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Advertisement Consent has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. No advertisement is to be displayed without the permission of the owner of the site or any

other person with an interest in the site entitled to grant permission.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. This consent shall expire after a period of 5 years from the date of this permission.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the local planning authority on 16 June 2017 and listed as follows: 7202-SA-8141-AL01B (dated May 2017) and 7202-SA-8141-P008A (dated May 2017) and approved drawings Butterfields Signs Drwg No McD/038/2016 ERDDS Banner Unit; Butterfield Signs Gateway Sign; Butterfield Signs Directional Sign (Welcome); Butterfield Signs Gateway Sign (See You Soon); DOT Signage Parked Order Bay 1; DOT Signage Parked Order Bay 2; DOT Signage Give Way; DOT Signage No Entry; DOT Signage Pedestrian Crossing; Caution Look Left Traffic Approaching Sign; Caution Look Right Traffic Approaching Sign; DOT Signage Accessible Parking Bay; 10MPH Sign; HERO Poster Board; SIDE BY SIDE Any Lane Sign; TOTEM 3 Pre Sell Boards and Totem 4 2 Bay

Reason: For the avoidance of doubt and to define the permission.

Last Comments By: 15/08/2017
Expiry Date: 11/08/2017

Agenda Item 4

Planning Committee

18 July 2019

Reference:
ADV/17/00782

Area Team:
South Team

Case Officer:
Mr M Parry-Davies

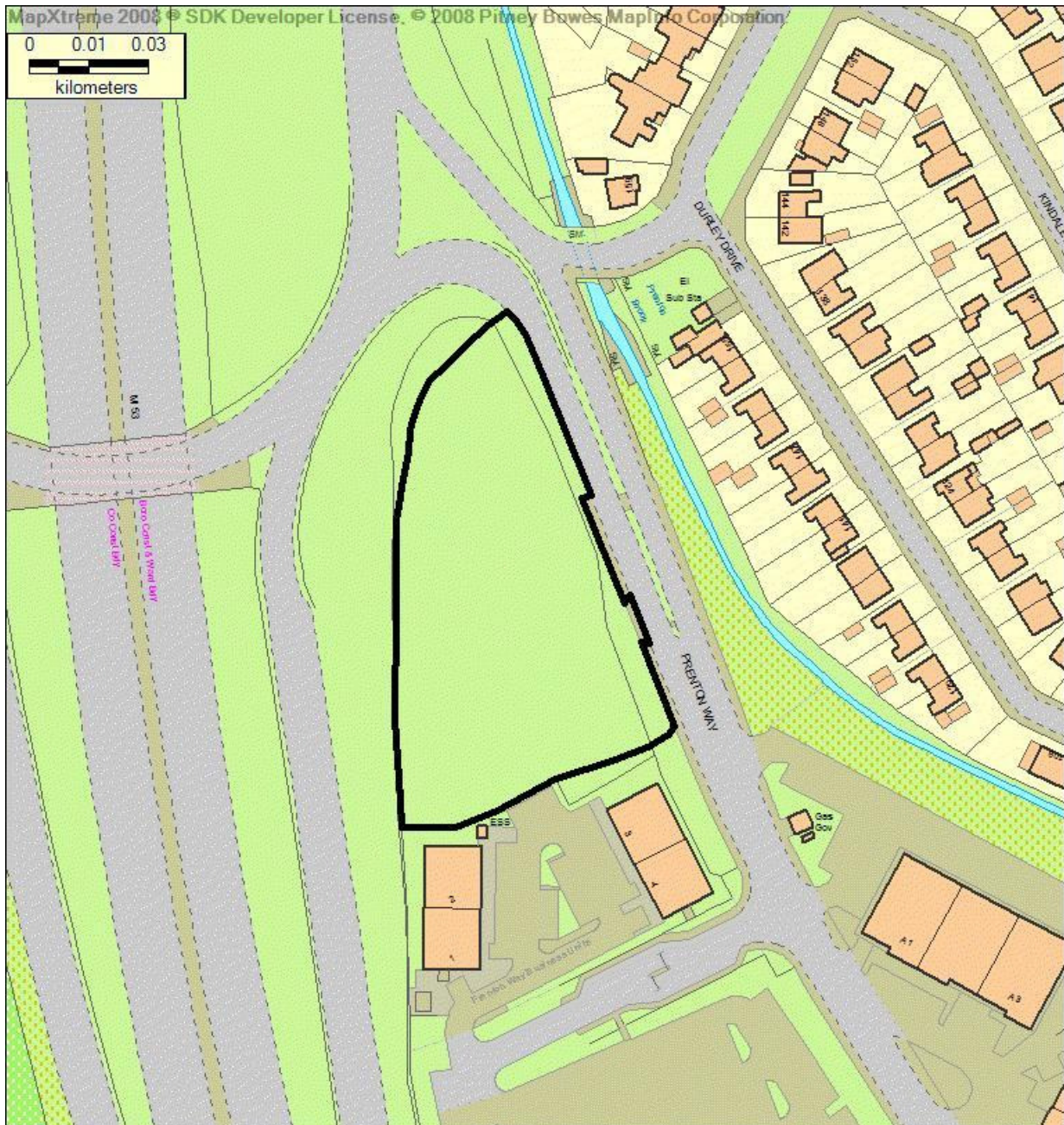
Ward:
Prenton

Location: Land at, Prenton Way, PRENTON, CH43 3DU
Proposal: THE INSTALLATION OF 2no. FREESTANDING 12M TOTEM SIGNS

Applicant: MCDONALD'S RESTAURANTS LTD
Agent : Planware Ltd

Qualifying Petition: No

Site Plan:



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Planning History:

Location: Vacant land, 2A PRENTON WAY, PRENTON, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a two storey restaurant with associated drive-thru, car parking, landscaping and associated works including the installation of 2no. customer order displays with associated canopies, 2no. gas and electricity kiosks, cycle stands, jumbrellas and children's play space.
Application No: APP/17/00779
Decision Date: 31/05/2019
Decision Type: Approved

Location: Land adjacent to Total Fitness Gym, Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a substation
Application No: APP/07/05944
Decision Date: 15/06/2007
Decision Type: Approved

Location: Land adj to Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DU
Application Type: Full Planning Permission
Proposal: Erection of two office buildings
Application No: APP/06/06195
Decision Date: 04/08/2006
Decision Type: Approved

Location: Unused Land, 2A Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Outline Planning Permission
Proposal: Erection of two car showrooms (outline)
Application No: OUT/03/07690
Decision Date: 27/02/2004
Decision Type: Approved

Location: McDonalds Restaurant, West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant(A3).
Application No: APP/00/06448
Decision Date: 25/01/2002
Decision Type: Refused

Location: Land at Former North West Water, North Cheshire Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Advertisement Consent
Proposal: Erection of a free standing double sided illuminated tower sign.
Application No: ADV/02/05071
Decision Date: 05/07/2002
Decision Type: Refused

Location: West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant (A3).
Application No: APP/00/06451
Decision Date: 25/01/2002
Decision Type: Refused

Location: Former North West Water, North Ches Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX

Application Type: Full Planning Permission
Proposal: Erection of a two storey exercise, rehabilitation and hydrotherapy centre with associated car park
Application No: APP/01/05390
Decision Date: 19/09/2001
Decision Type: Approved

Location: Former North West Water, North Ches Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Advertisement Consent
Proposal: Erection of two illuminated free standing signs
Application No: ADV/01/06654
Decision Date: 28/09/2001
Decision Type: Approved

Location: Land at junction of M53 Woodchurch Roundabout and Prenton Way, Prenton. L43 3DU
Application Type: Full Planning Permission
Proposal: Renewal of temporary planning permission WAPP/24318 for use of land for youth training horticulture scheme and erection of a portacabin.
Application No: APP/89/05273
Decision Date: 16/03/1989
Decision Type: Approved

Location: East of Manweb, west of railway line, North Cheshire Trading Estate, Prenton Way
Application Type: Outline Planning Permission
Proposal: Erection of 225,000 sq.ft. of retail floorspace, 10,000 sq.ft. garden centre, 6,500 sq.ft. restaurant and layout of 1,500 car parking spaces.
Application No: OUT/88/05483
Decision Date: 06/07/1988
Decision Type: Refused

Location: Land to the West of, Prenton Way, Prenton, L43 3DU
Application Type: Full Planning Permission
Proposal: Use of land for Youth training Horticultural Scheme and erection of a portacabin
Application No: APP/84/24318
Decision Date: 22/03/1984
Decision Type: Conditional Approval

Location: North Cheshire Trading Estate, Woodchurch Interchange, Landican, Birkenhead
Application Type: Advertisement Consent
Proposal: Estate agency boards
Application No: ADV/75/03665
Decision Date: 04/05/1976
Decision Type: Refused

Appeal Details

Application No	APP/00/06451
Appeal Decision	Dismissed
Appeal Decision Date	09/01/2003

Summary Of Representations and Consultations Received:

1.0 REASON FOR REFERRAL TO PLANNING COMMITTEE

1.1 48 separate letters of objection have been received. Having regards to the current Scheme of Delegation for Determining Planning Applications, where more than 15 separate objections have been received and is recommended for approval an application must be

considered and determined by the Planning Committee.

2.0 WARD MEMBER COMMENTS

2.1 No Ward Member comments have been received in connection with this application.

3.0 SUMMARY OF REPRESENTATIONS

3.1 REPRESENTATIONS

Having regards to the Council's Guidance on Publicity for Applications, 50 Neighbour Notifications were sent to adjoining and nearby properties and a Site Notice was posted. 48 individual objections have been received. Whilst the bulk of these objections cite the erection of a new McDonald's restaurant as the main area of concern, objections have also been raised around the proposed signage and these can be summarised as follows:

1. To facilitate signs removal of trees would be needed;
2. Decrease the value of homes;
3. Will impact on views from property;
4. Any illumination will add to light pollution; and
5. Signs will cause distraction(s) for highways users.

3.2 CONSULTATIONS

Highways - No objections

Highways England - No objections

Merseyside Fire and Rescue Service - Illuminated signage are subject to Article 37 of the Regulatory Reform (Fire Safety) Order 2005. Accordingly, should the signage be illuminated by luminous discharge tubes operating at voltages normally exceeding 1000v AC or 1500v DC if measured between any two conductors, or 600v AC or 900v DC if measured between any conductor and earth, a cut-off switch (firefighter's switch) shall be required.

3.3 Site and Surroundings

3.3.1 The site is located at the northern part of the North Cheshire Trading Estate, adjacent to the M53 Motorway. The site is immediately adjacent to the roundabout at Junction 3 of the motorway giving access to Prenton Way and to Woodchurch Road. To the south are located a number of industrial uses; to the east are residential properties located on Durley Drive, Linden Drive and Kindale Road and to the west is the M53 motorway and open fields beyond.

3.3.2 The site currently benefits from mature landscaping in the form of mature trees and shrubs around the perimeter of the site. The site has been vacant for some time.

3.4 Proposed Development

3.4.1 Advertisement consent is sought for 2 No freestanding 12 metres high totem poles. Three advertisements would be attached to each pole, each one just under 2 metres wide (1920 mm) and having depths of 1.7 metres, 1.3 metres and 0.9 metres and would all be backlit.

3.4.2 The signs would form part of the advertisements for the new McDonald's restaurant approved by the Council in May 2019. One sign would be located to the north of the site at the junction of Prenton Way with the slip road (southbound) of Junction 3 of the M53. The other would be located in the south-west corner of the site adjacent to the boundary with Total Fitness and adjacent to the slip road (southbound) of the M53.

3.5 Development Plan

3.5.1 There are no specific policies in the Unitary Development Plan or the National Planning Policy Framework that focus on advertisements. Policy SH8 - Criteria for Shop Fronts allows proposals for new shop fronts provided that company colours, logos and advertising are designed with reference to the building(s) concerned and its neighbours.

3.6 Other Material Planning Considerations

3.6.1 The Local Planning Authority shall exercise its powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in the interests of amenity and public safety, taking into account the general characteristics of the locality (including the presence of any features of historic or architectural interest) and the safety of persons using any highway.

3.7 Assessment

3.7.1 The main issues pertinent in the assessment of the proposal are;

- Impact on Amenity;
- Public Safety

3.8 Principle of Development:

3.8.1 Planning permission was granted on 31 May 2019 for the erection of the restaurant and drive-thru together with associated car parking and infrastructure in association with McDonald's restaurants. These signs are in connection with that permission.

3.8.2 The display of outdoor advertisements is controlled in the interests of 'public safety' and 'amenity.' The control system is concerned with the visual effect that advertisement signs would have on their surroundings and highway safety.

3.9 Impact on Amenity:

3.9.1 Having regard to visual amenity, the proposed adverts are considered to be similar to the type of signs found at petrol filling stations and are standard to McDonald Restaurants throughout the UK. The nearest residential properties are located over 50 metres from the nearest sign. In this context, and given the overall context of the North Cheshire Trading Estate, the poles would not harm residential or visual amenity and are considered to be entirely appropriate to the existing commercial industrial estate and the over permission granted for the erection of the new restaurant earlier this year. The signs have been designed using the corporate logo and fits well with the context of the site and wider location.

3.10 Highways:

3.10.1 The Highways Authority have been consulted and has no objection to the proposed signage. No other public safety issues are identified. Therefore, it is considered that the proposed signage would not be harmful to public safety. The poles have been designed and sited at the most appropriate location suitable to ensure highway safety.

3.11 Other Matters:

3.11.1 As with the previous application ref ADV/17/00777, members of the public have raised a number of objections to the application around increase in traffic and congestion, obesity problems, non-local business paying minimum wage, litter, pollution, not in keeping with the area, anti-social behaviour etc. However, the majority of the objections received focus on the principle of the restaurant in this location and the associated impacts rather than the specific signage proposed as part of this application. These concerns were considered as part of the associated planning application ref APP/17/00779 which was approved by the Committee in May this year. Applications for advertisement consent can only be assessed on amenity and public safety.

3.12 Conclusion:

3.12.1 It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety. The proposals are considered to comply with the Advertisement Regulations 2007 and are recommended for approval.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Advertisement Consent has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety. The proposals are considered to comply with the Advertisement Regulations 2007

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. This consent shall expire after a period of 5 years from the date of this permission.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the local planning authority on 16 June 2017 and listed as follows: 7202-SA-8141-P022A (dated May 2017); 7202-SA-8141-P002A (dated May 2017) and Butterfield Signs DRIVE TOTEM 2 (12 MT) Sign Type 1B

Reason: For the avoidance of doubt and to define the permission.

Further Notes for Committee:

1. Illuminated signage are subject to Article 37 of the Regulatory Reform (Fire Safety) Order

2005. Accordingly, should the signage be illuminated by luminous discharge tubes operating at voltages normally exceeding 1000v AC or 1500v DC if measured between any two conductors, or 600v AC or 900v DC if measured between any conductor and earth, a cut-off switch (firefighter's switch) shall be required.

Last Comments By: 15/08/2017

Expiry Date: 31/08/2017

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Agenda Item 5

Planning Committee

18 July 2019

Reference:
APP/19/00282

Area Team:
Development
Management Team

Case Officer:
Mr M Wood

Ward:
Liscard

Location: The Ship Inn, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED
Proposal: Demolition of the former vacant Ship Inn public house, and erection of 6 no. 3 storey townhouses with associated parking.

Applicant: Mr Goodwin
Agent : NC Architecture

Qualifying Petition: No

Site Plan:



Development Plan designation:

Primarily Residential Area

Planning History:

Location: The Ship Inn, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED
Application Type: Full Planning Permission
Proposal: Change of use from existing public house with manager's flat above (A4 & C3), to single dwelling house (C3). Demolition of single-storey side extension, replace pitched roof to rear with flat roof terrace and partial demolition of existing outhouse buildings (amended plan received).
Application No: APP/17/00674
Decision Date: 16/08/2017
Decision Type: Approve

Location: Land at BRECK ROAD, WALLASEY VILLAGE, CH44 2ED
Application Type: Full Planning Permission
Proposal: Erect 9 Dwellings
Application No: APP/17/01009
Decision Date: 16/02/18
Decision Type: Approve

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 Councillor Usher - raised issues echoing concerns from local residents relating to scale and massing of proposal, parking provision, overlooking and impact upon the amenity of existing residents.

2.0 SUMMARY OF REPRESENTATIONS

2.1 REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Planning Applications, notifications were sent to 22 adjoining properties and a site notice was displayed near the site. At the time of writing 9 objections have been received, which are summarised as follows:

1. The height of the proposed dwellings will result in overlooking and loss of privacy
2. Inadequate parking provision
3. Loss of trees and impact upon wildlife
4. Development is overbearing (over development), out of scale and character compared with the surrounding properties
5. Loss of a landmark building in the area
6. Development will result in traffic concerns as this is already a busy road occupied by a large school and as such there are a lot of pedestrians/cars - history of accidents.
7. Impact upon surrounding properties during the construction period

2.2 CONSULTATIONS

Highways - No objection

Environmental Health - No objection

Trees Officer - No objection subject to conditions

3.1 Reason for referral to Planning Committee

3.1.1 Application has been referred to Planning Committee at the request of Councillor Usher

3.2 Site and Surroundings

3.2.1 The site is a large dual pitch white rendered building which formerly housed the Ship Inn pub

and immediate surrounding associated land which contains a copse of trees and hardstanding. The site is located within a Primarily Residential Area and has neighbouring residential properties to the north, east and west of the site. To the south and immediately adjacent to the proposal site is a 2017 planning approval of 9 dwellings and associated car parking and landscaping which is of a similar nature and scale to the proposal.

3.2.2 Wallasey Village lies to the north of the site where there are a shops, transport links (two train stations), schools, doctors surgeries and a library.

3.3 Proposed Development

3.3.1 The proposed development is for the erection of 6 no. three storey dwellings with associated landscaping, parking and vehicular access following demolition of the vacant pub.

3.4 Development Plan

3.4.1 Wirral Unitary Development Plan (UDP) Policies
Policy HS4: Criteria for New Housing Development
Policy GR5: Landscaping and New Development
Policy GR7: Trees and New Development
Policy NC7: Species Protection Policy
Policy TR9: Requirements for Off Street Parking
Policy TR12: Requirements for Cycle Parking.

3.4.2 Joint Waste Local Plan for Merseyside and Halton

Policy WM8: Waste Prevention and Resource Management
Policy WM9: Sustainable Waste Management Design and Layout for New Development

3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework 2018 (NPPF)

Section 2: Achieving sustainable development
Section 4: Decision Making
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment

SPD4 - Parking Standards

3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.7 Principle of Development:

3.7.1 The site is a vacant pub and associated land located within a Primarily Residential Area as shown on Wirral's Unitary Development Plan (UDP) Proposals Map. Housing is acceptable in principle subject to Policy HS4 of the UDP.

3.8 Design:

3.8.1 The proposal is for 6 three storey town houses made up of two blocks of three properties. Due to the steep sloping nature of the site a split level design is put forward to minimise excavations whilst working to maximum ridge height in line with the existing Ship Inn pub.

3.8.1 The materials proposed in the external appearance will be a mix of red brick, white render and timber cladding which seek to be in keeping with both the surrounding established

properties and the recently approved development which forms part of the wider site.

- 3.8.3 Given the established building lines, site context the scale and massing of the proposal then this is considered acceptable, which would create residential properties of a density conducive to achieving well-designed places in line with Policy HS4 of the UDP and section 12 of NPPF 2018.
- 3.9 Highways:
- 3.8.1 After some initial concerns relating to parking provision upon the site it is considered that the site's location and proximity to bus and rail services that one parking space per dwelling is considered acceptable in this instance.
- 3.10 Ecology:
- 3.10.1 The application has been assessed by MEAS with concerns relating to bat roost potential in the existing vacant pub. Further investigative work has taken place by the applicants appointed Ecologist which has concluded that there is no existing bat roost on site.
- 3.11 Amenity:
- 3.11.1 Ensuring amenity standards for new residential developments are set out within Policies HS4 of the Wirral Unitary Development Plan. This requires proposals to incorporate adequate private or communal garden space for each new dwelling. Adequate distances should be kept between habitable rooms in separate dwellings and blank gables whilst also ensuring overlooking of adjoining properties is avoided.
- 3.11.2 Taking into account the proposed position of the dwellings, the existing position of the pub and factoring in the relationship and orientation of the proposal with the surrounding properties then the proposal is considered acceptable in terms of impact upon amenity.
- 3.11.3 The closest affected resident on Breck Road are situated on the northern boundary of the site and have amenity space situated at the side of the property. It is considered that the position of the new dwellings are set back from the position of the existing pub which will increase the sense of space around this affected property. It is worth highlighting that this side elevation has no habitable room windows affected and in turn the applicant had designed the closest dwellings with a window serving a hallway and roof lights in the roof plane so as to avoid potential overlooking and adverse impact upon amenity.
- 3.11.4 Overall, it is considered that proposal is acceptable in terms of impact upon amenity and design having regard to Policy HS4 of the UDP and section 12 of the NPPF.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The development of this site is considered to be acceptable. The proposed layout and design are considered to acceptable and will result in a development which does not harm the character or appearance of the area. As such, the proposal complies with Wirral Unitary Development Plan policies HS4, GR7, NC7 and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act

1990 (as amended).

2. 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.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 25th February 2019 and listed as follows:

Site Location Plan 2717 061 REV 01,
Proposed Block Layout and Ground Floor Plan 2717 P-161
Proposed Elevations 2717 P-263
Proposed Street Scene 2717 P-260
Proposed Elevations and Contextual Section 2717 P-261
Design and Access Statement

Reason: For the avoidance of doubt and to define the permission.

4. 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

5. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
- B. 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.
- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) 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.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) 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.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).

- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. 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.
- I. 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)
- J. 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).
- K. 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)
- L. 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.
- M. 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.
- N. 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).
- O. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- P. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect trees which are of significant amenity value having regards to policy GR7 of Wirral's UDP

- 6. No construction works above ground level 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.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 and WM9 of the Waste Local Plan.

- 7. 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.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 and WM9 of the Waste Local Plan.

- 8. No construction works above ground level shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.
The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and

- facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of noise, dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

9. No construction works above ground level shall take place until details of works to provide vehicle accesses and a 2m wide footway between the site and Breck Road have been submitted to and approved in writing by the Local Planning Authority. For the benefit of doubt, the crossfall on the footway and vehicle crossings shall not be steeper than 1 in 40. The works shall be completed in accordance with the approved details prior to first occupation of the development hereby approved and retained as such thereafter.

Reason: Having regards to highway safety in accordance with policies HS4 and TR9 of the Wirral UDP

10. No construction works above ground level shall take place until a geotechnical land survey has been carried out in order to assess the stability of the land. The survey shall be submitted to and agreed in writing with the local planning authority prior to commencement and the agreed findings implemented in full.

Reason: In order to assess the impact of the development on the land in accordance with policy PO7 of the Wirral UDP.

Last Comments By: 03/04/2019

Expiry Date: 22/04/2019

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Planning Committee

18 July 2019

Reference:
APP/19/00446

Area Team:
**Development
Management Team**

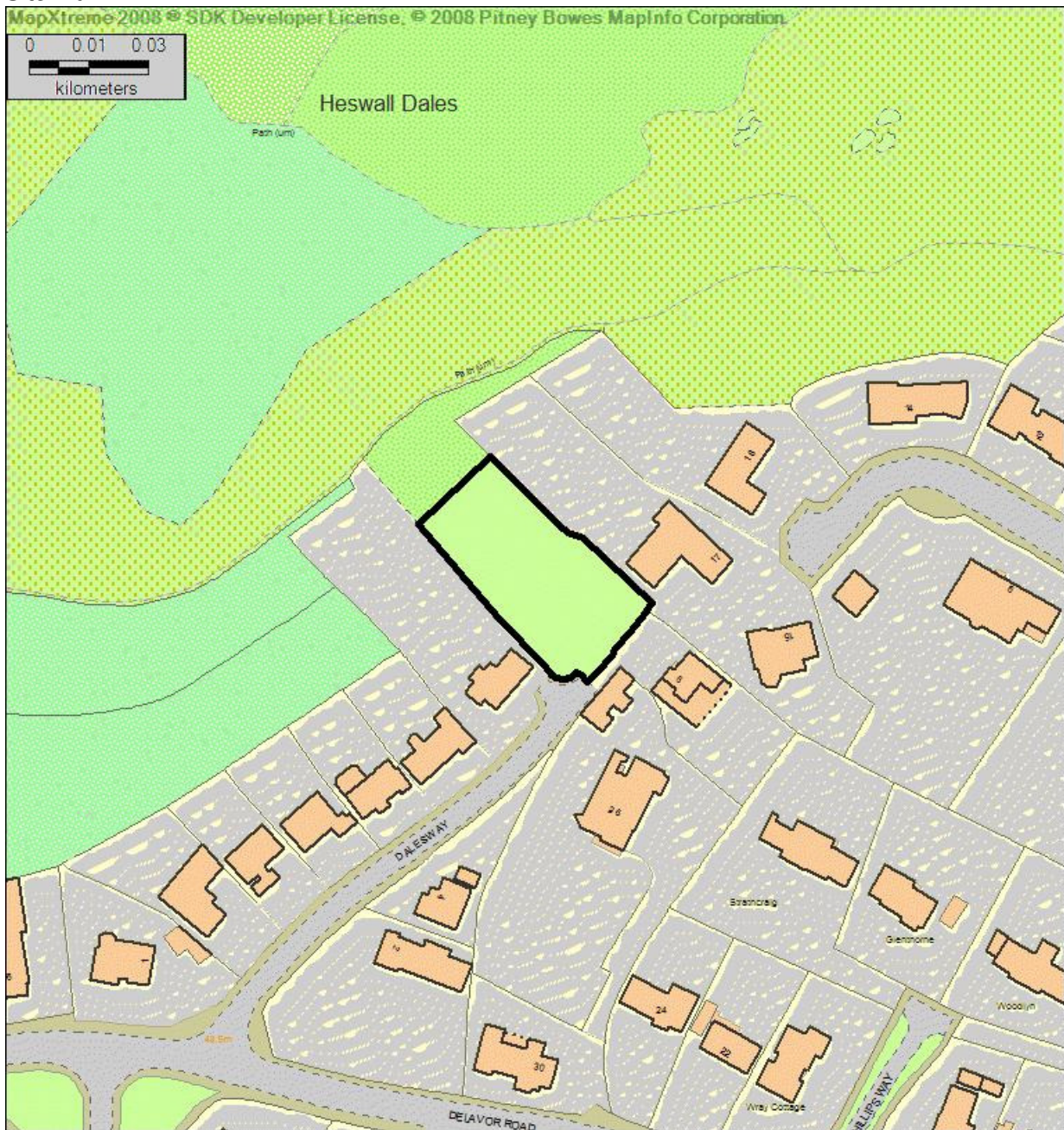
Case Officer:
Mr A Siddall

Ward:
Heswall

Location: WHISTLING SANDS, 15 DALESWAY, HESWALL
Proposal: Retrospective application for engineering operations comprising land grading works and construction of retaining structures.
Applicant: Mr Lewis
Agent : The Planning Consultancy

Qualifying Petition: No

Site Plan:



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Development Plan designation:
Primarily Residential Area

Planning History:

Location: Whistling Sands, 15 DALESWAY, HESWALL, CH60 4RU
Application Type: Full Planning Permission
Proposal: Demolition of existing dwelling and outbuildings and construction of new two-storey detached dwelling with detached double garage/store
Application No: APP/17/01600
Decision Date: 22/03/2018
Decision Type: Approve

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 Councillor Andrew Hodson removes this application from delegation and refers it up to Planning Committee on the basis that the scheme is in conflict with saved UDP policy HS4. Cllr Hodson considers that the development does not relate well to surrounding property having regard to the existing density and form of development, and that the proposal results in a detrimental change in the character of the area. The Ward Member applies this judgement to 'both the specific limited works that are the result of this retrospective application and to the whole scheme [of construction of a replacement dwelling] of which these works are an integral part.' Cllr Hodson also notes that these works impact on the Heswall Dales.

2.0 SUMMARY OF REPRESENTATIONS

2.1 Having regard to the Council's Guidance on Publicity for Planning Applications, notifications were sent to four neighbouring occupiers.

REPRESENTATIONS

At the time of writing one representation in objection has been received from the neighbouring dwellings to the north, Herons Ghyll, 17 Queens Drive. The matters raised can be summarised as follows:

1. The application seeks to legalise a situation that would never have been allowed had it been correctly shown in the original application for the demolition and replacement of the existing dwelling. That application showed the garden level being maintained but instead a retaining wall has been constructed creating a new area of land at a higher level, that was not there before.
2. There is no section showing the depth of the works, nor the height, nor the relationship to the adjacent property which is only three metres away;
3. No engineering drawings have been submitted for this construction which is built on land which is slowly slipping down the slope. The combined weight of the gabions, the backfill and the new dwelling could be undermined in bad weather and cause the whole structure to slip, potentially taking our garden with it.
4. Permission should be refused as it is potentially dangerous and, together with the original application, makes a mockery of the planning requirements and regulations.

CONSULTATIONS

Merseyside Environmental Advice Service - Having considered the application we have no technical comments to raise, however as the application site backs onto Heswall Dales SSSI the LPA may wish to consult with Natural England.

Natural England - Natural England has no comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature sites or landscapes. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Reason for Committee Referral

This application has been removed from delegation and called-in for consideration at Planning Committee by Councillor Andrew Hodson for the reasons outlined in paragraph 1.1.

3.1 Site and Surroundings

3.1.1 The application site comprises land last in use as a domestic garden within the curtilage of 15 Dalesway, a dwelling demolished in 2018. The land is now being re-developed for a single detached dwelling under the terms of planning permission APP/17/01600 granted in March 2018, and the land will form the domestic garden of this new dwelling. The dwelling itself is located on an area of generally flat land with the garden stretching to the north west, falling gently and then very steeply towards the Heswall Dales Site of Special Scientific Interest (SSSI). The new dwelling and its garden abuts the domestic garden of 17 Queens Drive to the north east, a detached dwelling situated at a higher ground level. To the south west is the land and domestic garden of the adjacent detached dwelling of 13 Dalesway, situated at a lower ground level. Given the sharp drop in ground levels to the north west, all dwellings have an upper area of garden adjacent to the house, beyond which are a variety of retaining walls and terracing arrangements in differing forms and materials to navigate the fall in ground level.

3.2 Proposed Development

3.2.1 Full planning permission is sought on a retrospective basis for engineering works that have taken place within the domestic garden of 15 Dalesway, associated with the redevelopment of the dwelling. These comprise the formation of a retaining wall in the form of gabion baskets of a height ranging from 1.6 to 2 metres when measured from lower terrace level, and land grading works comprising the excavation of existing banking to accommodate the gabions and backfilling behind them to create a larger level area adjacent to the dwelling.

3.3 Development Plan

3.3.1 The development comprises land grading and retaining operations associated with the landscaping of this site which benefits from an extant consent for a replacement dwelling. Saved UDP Policy HS4 governs proposals for new housing development within primarily residential areas and their associated works and requires amongst other matters that the proposal should relate well to surrounding property, in particular with regard to existing densities and form of development; should not result in a detrimental change to the character of the area; and should include the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings.

3.3.2 Saved UDP Policy GR5 requires applicant to submit full landscaping proposals before full planning permission is granted, which include areas of new ground modelling and be appropriate in terms of the nature and location of the development proposed, the visual prominence of the site, the potential visual impact of the development, and the character of the surrounding area.

3.3.3 Saved UDP Policy PO7 states that where development proposals are on, or near land which is suspected of being unstable, additional information will be required to assess whether the land is suitable for the development proposed and whether any instability can be adequately overcome. Applications will be refused where the LPA considers that the development would be 'at serious risk from continued instability,' or where the development proposed would cause instability to occur on adjacent land despite any remedial measures proposed.

3.3.4 Saved UDP Policy NC3 advises that, where development proposals are likely to affect directly or indirectly sites of national importance for nature conservation, the LPA will need to be satisfied that the development is sited and designed in such a way as to conserve the integrity of the site, amongst other matters.

3.4 Other Material Planning Considerations

3.4.1 Paragraph 127 of the National Planning Policy Framework 2019 requires planning decisions to ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history

including the surrounding built environment and landscape setting (whilst not preventing appropriate innovation or change); and to create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

3.4.2 Paragraph 175b advises that development on land within or outside of a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted.

3.4.3 Paragraph 178 requires that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 179 makes clear however that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

3.5 Assessment

3.5.1 The main issues pertinent in the assessment of the proposal are;

- The Principle of Development;
- Land Stability;
- Visual Amenity;
- Residential Amenity;
- Nature Conservation.

3.6 Principle of Development:

3.6.1 The development comprises land retaining and grading works in association with the site landscaping for an approved replacement dwelling, construction of which is well underway. Therefore the principle of development for the associated landscaping works is acceptable, subject to compliance with the requirements of policies and other material considerations outlined in sections 3.3 and 3.4 above.

3.6.2 Members are advised that this application relates solely to the engineering works comprising the formation of the retaining wall and associated land grading and the assessment of the application relates only to these works. Construction of the associated replacement dwelling, which gained approval in 2018 is currently proceeding in accordance with the approved plans and does not form part of the application before you.

3.7 Land Stability:

3.7.1 The application is accompanied by a design and access statement which acknowledges that the steeply sloping land is not completely stable as there are signs of land breaking away, particularly in relation to the property immediately to the north of the application site. Consequently it can be considered land 'suspected' of being unstable under the terms of saved UDP Policy PO7 In order to address this problem, householders have undertaken terracing and the construction of retaining structures to arrest any erosion. The application site had previously been treated in this fashion with a lower retaining structure (which is still in place) consisting of sandstone and concrete blockwork, and an upper retaining structure set behind a terrace which was approximately 1m in height and formed of a sandstone wall. Above this, land banked up towards the upper garden level. The statement notes that this upper wall was failing due to the weight of earth behind it, causing it to bow out. In light of the redevelopment of the site, the applicant was of the view that this wall required replacement to ensure the continued stability of the land.

3.7.2 The failing upper sandstone wall has been replaced by the gabion baskets filled with basalt rock which are considered to have greater structural integrity than the original wall as the baskets are much deeper, whilst they have been sited on land excavated back from the original lower terrace to provide a solid base. This has resulted in a wider lower terrace level, particularly at the northern end of the site. The gabions are taller than the earlier stone wall in order to remove the 'battered' edge of the garden where the land sloped steeply away behind the original wall, which was alleged to be a contributory factor in relation to the structural

issues. The upper garden remains at its original level, except for a small area immediately behind the gabions which has been backfilled to provide a level area where previously the land sloped down towards the former wall.

3.7.3 It is clear to officers that the works have been carried out to overcome any possible future instability of this land and risk of slippage. There is no evidence before Officers (including from any third party) that as a result of the engineering works the land remains at 'serious risk from continued instability' or that the engineering works would cause neighbouring land to be at any greater risk of instability than it already is. On the contrary, it appears to Officers that the works have been carried out to reduce the risk of instability of this land. In light of this, whilst the concerns of the immediate neighbour are noted, Officers do not believe they should be upheld. Sufficient information has been provided to Officers to allow them to fully understand the land use planning aspects of the works, whilst there is no requirement for detailed engineering drawings to be submitted. As noted at paragraph 179 of the NPPF, the ultimate responsibility for ensuring the safety of development on land at risk of instability rests with the developer and landowner and it is up to them to satisfy themselves that the engineering solution chosen ensures that any risk to their property or that of any neighbours is adequately managed. On this basis Officers do not consider the works to conflict with saved UDP policy PO7 or the relevant sections of the NPPF.

3.8 Visual Amenity:

3.8.1 Given the steeply sloping ground within the lower part of gardens to properties along Dalesway, the principle of constructing retaining structures and the terracing of the gardens is entirely appropriate. The materials used to construct these retaining structures also vary, as does the complexity of the design. In visual amenity terms the gabion baskets will be seen amongst this variety, and are not significant in the overall view. Visibility is in any event restricted. From the front of the site the rear garden is not visible, whilst any public views from within the Heswall Dales are likely to be at distance and filtered by trees. It is also likely that, as the development completes and the soft landscaping of the garden takes place, the gabion baskets would become increasingly recessive through planting, however even if this were not to take place, the structures would not be prominent in wider views. In visual amenity terms, Officers are satisfied that the retaining structures and land grading comprise appropriate landscaping works given the topographical circumstances of the site.

3.9 Residential Amenity:

3.9.1 With changes in ground levels comes the potential for changes in the ability to overlook neighbouring property and gardens. In this case the gardens of neighbouring properties are visible from both the upper and lower levels of the terracing however this overlooking is not considered to be significant given that the steeply sloping ground in this neighbourhood allows mutual overlooking of gardens between dwellings. The engineering operations are not considered to have resulted in a detrimental change in the character of the area in relation to neighbouring residential amenity.

3.10 Nature Conservation:

3.10.1 Having regard to the proximity of the engineering works to the Heswall Dales SSSI, whilst noting that no part of the works fall within that designated area, Officers consulted both the Merseyside Environmental Advice Service and Natural England, who provide ecological advice on behalf of the Council. Neither of these advisory bodies found it necessary to offer comments on the application, and on this basis Officers are satisfied that the scheme will have no significant effect on the SSSI or the interest features for which it is designated.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The engineering and land grading works carried out at this site do not cause any harm to visual or residential amenity and have no adverse effect on the interest features of the

nearby Heswall Dales SSSI. There is no evidence before Officers to suggest that, as a result of the work, that the land is at serious risk of continued instability. As such the application is considered to comply with the relevant requirements of the development plan and comprises sustainable development.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13 May 2019 and listed as follows:

L(91)001 Revision E (Proposed Site Section) dated May 19

L(91)002 Revision F (Proposed Elevations) dated May 19

L(91)003 Revision A (Proposed Site Section - Current Site Levels) dated May 2019

Reason: For the avoidance of doubt and to define the permission.

Last Comments By: 19/06/2019

Expiry Date: 08/07/2019

Planning Committee

18 July 2019

Reference:
APP/19/00535

Area Team:
Development
Management Team

Case Officer:
Mr N Williams

Ward:
Hoylake and Meols

Location:
Proposal:

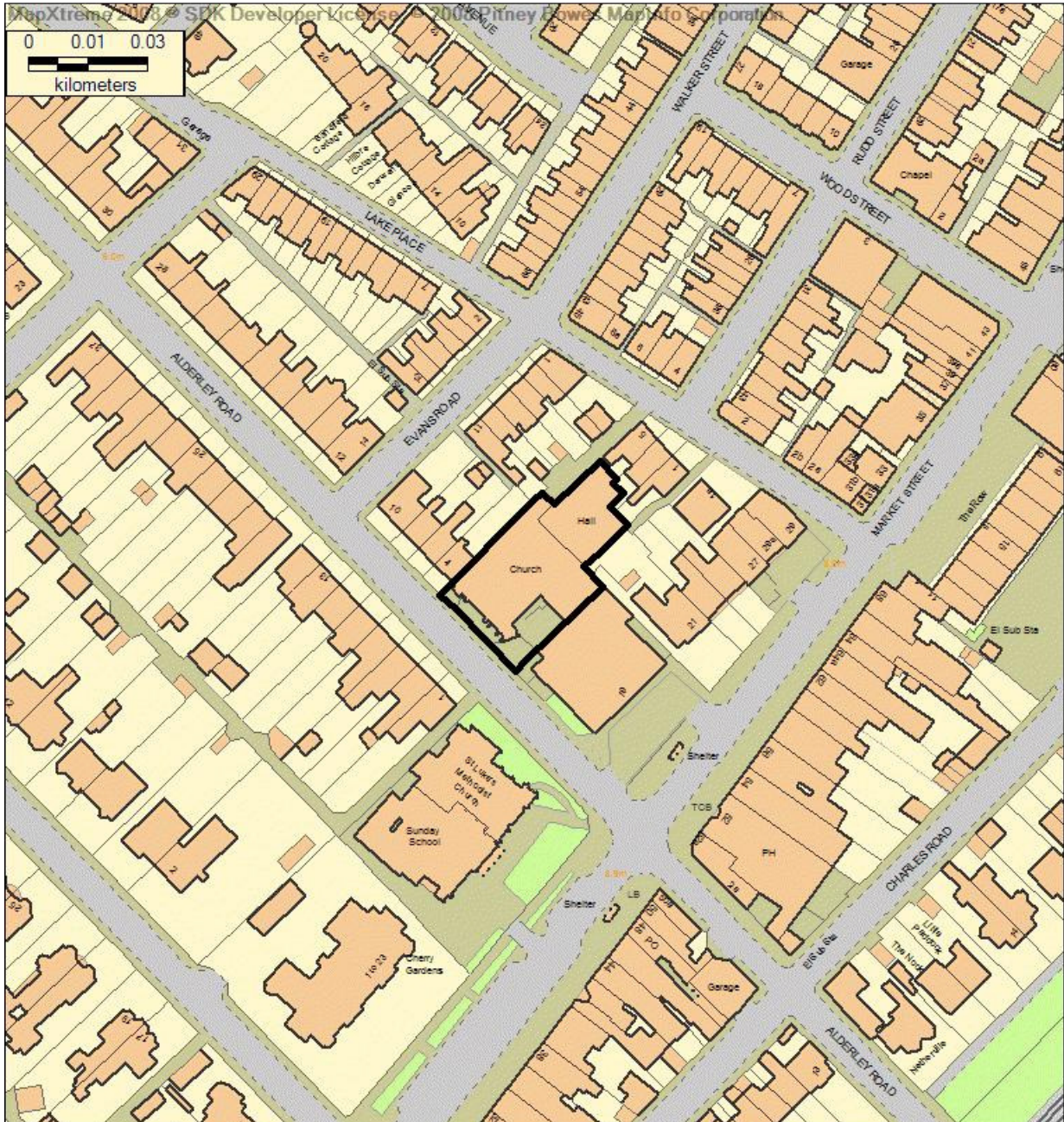
Hoylake Presbyterian Church, ALDERLEY ROAD, HOYLAKE CH47 2AX
Variation of Condition 2 of APP/17/00183 to vary the approved plans, with the following amendments incorporated: 1. Hip-to-gable change on the proposed extension 2. Two new dormers included for Plot 18 (replaces one dwelling removed from Church conversion) 3. Zinc cladding to overcome mixture of materials used in original elevations. 4. Other internal alterations, as shown on plans, to suit complexities of working with the existing structure (including new dormer for landing on extension)

Applicant:
Agent :

Winter Melia Developments
LHGProjects

Qualifying Petition: No

Site Plan:



Development Plan designation:

Primarily Residential Area

Planning History:

Location: Hoylake Presbyterian Church, ALDERLEY ROAD, HOYLAKE
Application Type: Full Planning Permission
Proposal: Demolition of church and erection of six dwellings
Application No: APP/15/01502
Decision Date: 28/04/2016
Decision Type: Refuse

Location: Hoylake Presbyterian Church, ALDERLEY ROAD, HOYLAKE CH47 2AX
Application Type: Full Planning Permission
Proposal: Conversion, partial demolition and extension of existing church to form 18 No. apartments
Application No: APP/17/00183
Decision Date: 15/12/2017
Decision Type: Approve

Location: Hoylake Presbyterian Church, Alderley Road, Hoylake, Wirral
Application Type: Full Planning Permission
Proposal: Conversion and partial demolition of existing church to form 11 No. apartments & conversion of hall to form 4 No. houses (Amendment to previous approval APP/17/00183 - reduction in number of units, retention of church hall)
Application No: APP/18/00672
Decision Date: 24/04/2019
Decision Type: Withdrawn

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

- 1.1 Councillor Tony Cox requested that the application be taken out of delegation on the basis that the increase in bedroom numbers will result in an increase in population at the site and subsequently more car ownership and congestion (with no off-street parking provided).

2.0 SUMMARY OF REPRESENTATIONS

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 20 notifications were sent to adjoining properties. At the time of writing, there had been 1 objection received, and a non-qualifying petition of 14 signatures. The objections can be summarised as:

1. Unacceptable increase in traffic and congestion;
2. Unacceptable alterations to church facade

CONSULTATIONS

Highways - No objection

Environmental Health - No objection

3.1 Site and Surroundings

- 3.1.1 The application site contains Hoylake Presbyterian Church, predominantly built in red stock brick with sandstone detailing to window surrounds, cappings and copings. The square tower has stepped buttresses and a decorative castellated crown. It was built in the early 1900's. The Church closed in 2014 and has been empty since. The church fronts onto Alderley Road, and previously had an annexe to the rear accessed from Lake Place.

- 3.1.2 The site is designated as being within a Primarily Residential Area, and is characterised by close-knit terraced dwellings of various design, character and scale - both on the Alderley Road and Lake Place frontages. The site borders the Key Town Centre of Hoylake, with the

rear of properties fronting Market Street adjoining the southern boundary of the site, including the Sainsbury's Local store.

3.2 Proposed Development

3.2.1 The application is to vary Condition 2 of APP/17/00183 in order to vary the approved plans. APP/17/00183 granted planning permission in December 2017 for the conversion, partial demolition and extension of the existing church to form 18 No. apartments.

3.2.2 The main amendments proposed as part of this application are:

- Hip-to-gable change on the proposed extension;
- Two new dormers on south elevation of proposed extension for Plot 18;
- New dormer on north elevation of proposed extension, for stairwell/landing;
- Zinc cladding to overcome mixture of materials used in original elevations;
- Other internal alterations, as shown on plans to suit complexities of working with the existing structure. An additional 3 bedrooms will be included compared to the original scheme.

Despite these alterations, the development still involves the conversion, partial demolition and extension of the existing church to form 18 No. apartments, consistent with the original approval.

3.3 Development Plan

3.3.1 The proposal is primarily subject to Wirral Unitary Development Plan (UDP) Policy HS13: Self-Contained Flat Conversions, together with Supplementary Planning Document 2: Designing for Self Contained Flat Development and Conversions. These policies permit the conversion of existing buildings into self-contained flats subject to criteria that protects the privacy and amenity of the neighbours and future occupants.

3.3.2 Wirral UDP Policies TR9 and TR12, Supplementary Planning Document SPD 4: Parking Standards and SPG 42 Providing for Cyclists set out the considerations and standards for dealing with off street parking for cars and cycles. Policy TR9 is designed to reduce reliance on the car in areas well served by public transport and Policy TR12 & SPG 42 requires secure cycle parking at a rate of one stand per flat with provision for visitors.

3.3.3 UDP Policy CHO1 provides protection for buildings of recognised architectural or historic importance. The setting of non-designated heritage assets would also be protected through the emerging Core Strategy through Draft Policy CS9 'Priorities for Hoylake & West Kirby' and Draft Policy CH43 'Design, Heritage and Amenity' which will expect design solutions to preserve existing building of local character.

3.3.4 Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources; Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting, which can be secured through planning conditions.

3.3.5 The Neighbourhood Development Plan (NDP) for Hoylake, which was adopted in December 2016, also forms part of the Statutory Development Plan. Policies H1 and H2 support conversion or changes of use for residential purposes that accord with Policies D2 and D3, where there is no significant impact the character of the area and the living conditions of surrounding occupants and housing needs of the wider community would be addressed. The tower of the Welsh Presbyterian Church has been identified as a key contributor to the street scene in Appendix 1 [30] of the NDP. Policies DI1 'Character Buildings' and DI2 'Scale and Design of New Development' require proposals to show how the character of the building would be preserved or enhanced.

3.4 Other Material Planning Considerations

3.4.1 The National Planning Policy Framework (NPPF) is a relevant material consideration. NPPF paragraph 197 states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

3.5 Assessment

3.5.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways;
- Ecology; and
- Amenity

3.6 Principle of Development:

3.6.1 The principle of converting the church into 18 apartments (together with partial demolition and extension) has been established through planning approval APP/17/00183.

3.7 Design:

3.7.1 The most apparent visual change to the scheme is the introduction of zinc cladding to part of the church and extension. The partial demolition of previous extensions/structures adjoining the church exposed elevations with a contrasting and uneven mix of materials, including stone and brick. In order to overcome this, the proposal will clad these elevations with a modern zinc cladding system. An element of zinc cladding will also be added to the proposed extension, to tie it in with the church. Whilst this will be a more modern approach than previously proposed, it will not be overly prominent upon the street scene of Alderley Road. The main Alderley Road elevation of the church, including the prominent tower, will remain as red brick and this will continue to be the dominant visual feature of the building. It is considered that the contrast of the modern zinc cladding and traditional red brick will result in the development having an impressive appearance which makes a positive contribution to the character of the area.

3.8 Highways:

3.8.1 As with the original proposal, there are no off-street parking spaces provided and this may result in additional on-street parking in the surrounding area. The proposal does not involve an increase in units, but does include an additional 3 bedrooms within the development. Supplementary Planning Document 4: Parking Standards indicates that there should only be a maximum of one parking space per flat, regardless of the number of bedrooms per flat. This site is considered to be within an extremely sustainable location, with numerous services available in the adjacent Hoylake Town Centre and close to a train station and regular bus routes, and the lack of any dedicated off-street parking is therefore considered to be acceptable. The marginal increase in the number of bedrooms at the site is considered insufficient reason to warrant refusal of this current application.

3.9 Ecology:

3.9.1 There are no environmental or sustainability issues relating directly to these proposals, although conditions relating to a surface water sustainable drainage strategy are attached, as before.

3.10 Amenity:

3.10.1 The internal alterations to the church results in one unit being moved from the church itself into the proposed extension. This requires a change to the roof of the extension to allow sufficient headroom, with the building up of the hip to a gable on the east elevation of the extension, and the introduction of two dormer windows on the south elevation.

3.10.2 This hip-to-gable conversion will have minimal impact upon properties to the east, especially in comparison to the previous hall/annexe on the site which effectively formed a high boundary between the church and adjacent properties. The proposed extension remains set off this boundary by over 4 metres and will not project any closer to this boundary than the approved scheme. Similarly, the proposed dormers will have the same relationship with adjoining properties to the south as the dormers already approved on the proposed extension.

3.10.3 These two dormers will match two dormers approved under the original application and, together with the hip-to-gable aspect, will result in a symmetrical appearance for the southern elevation of the proposed extension. Visually, this is considered to be an improvement, even though this view won't be particularly prominent from the public highway.

3.10.4 The proposed dormer on the rear (north) elevation of the proposed extension has been

added to ensure sufficient head room for the landing in the second floor. Condition 4 of the original approval has been amended to ensure this window is obscurely glazed in order to prevent direct overlooking of properties on Evans Road. This dormer will therefore not have an unacceptable adverse impact upon the amenities of these properties.

3.11 Other:

3.11.1 A number of conditions attached to the original permission have been discharged, including cycle parking, waste and materials. Government guidance advises that these conditions should not be included on any subsequent Section 73 (variation of condition) application. Only conditions which have not yet been formally discharged, or which are compliance conditions, have therefore been attached.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development retains a non-designated heritage asset by converting it into residential use and this is to be welcomed, ensuring that the positive impact it has on the character of the surrounding street scene is retained. The proposed extension will be in keeping with the existing church whilst also appearing subordinate to it. The proposed development will not have an unacceptable adverse impact on the amenities of neighbouring properties, whilst the internal layout has been designed in order to provide acceptable accommodation for future occupiers whilst making best use of the existing church. The lack of any off-street parking is considered to be acceptable given the extremely sustainable location of the site. Overall, the proposal is therefore considered to be acceptable and complies with Wirral Unitary Development Plan Policy HS4, HS13 and CHO1, SPD2, SPD4 and the National Planning Policy Framework

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th July 2017 and listed as follows: 477.001; 477.002; 477.003; 477.004; 477.005 and amended plans received on 8th April 2019 and listed as follows: 477.006 B; 477.007; 477.008 A; 477.009 B; 477.010 B

Reason: For the avoidance of doubt and to define the permission

3. The external finishes of the development hereby permitted shall be as follows (and corresponding with the approved drawings) unless otherwise agreed in writing by the Local Planning Authority:

- Bricks - Ibstock Ravenhead Red Smooth (Travis Perkins Product Code 860091);
- ZINC

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan

4. Prior to first occupation, the following windows shall be obscurely glazed and non-opening up to a minimum of 1.7m above finished floor level, and shall be retained as such thereafter:

- All first-floor windows in the north-west elevation of the proposed extension;
- The bathroom windows serving Plots 9 and 10;

- The kitchen window serving Plot 9;
- The west-facing windows in the oriel bays on the north-west elevation of the existing church (two windows, both serving Plot 10);
- The dormer window on the north-west elevation of the proposed extension (serving a communal landing area)

Reason: In the interest of residential amenity having regard to Wirral Unitary Development Plan Policy HS4

5. The development hereby permitted by this planning permission shall be carried out in accordance with the approved documents:
- Sustainable Drainage Strategy <27/9/17 / CL7959 / SWF Consultants>.
 - Proposed Drainage Plan <APR2017/ CL7959-101/Rev P2/ SWF Consultants>

The approved scheme shall be implemented in accordance with the approved details and timetable.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

6. No development shall commence until full details of a scheme for a surface water sustainable drainage system to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft

7. No development shall commence until details of an appropriate management and maintenance plan, including arrangements to secure funding for the lifetime of the development through an appropriate legally binding agreement, for the surface water sustainable drainage system, comprising all components of the surface water drainage system, have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory management and maintenance of the approved surface water drainage facilities is provided for the site for the lifetime of the development in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

Further Notes for Committee:

1. Details relating to the drainage condition (7) shall include:
- i. the arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company or other private body
 - ii. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including

mechanical components) and will include elements such as:

- a. on-going inspections relating to performance and asset condition assessments
- b. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- iii. means of access for maintenance

Last Comments By: 30/05/2019
Expiry Date: 08/07/2019

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Planning Committee

18 July 2019

Reference:
APP/19/00743

Area Team:
Development
Management Team

Case Officer:
Ms J Storey

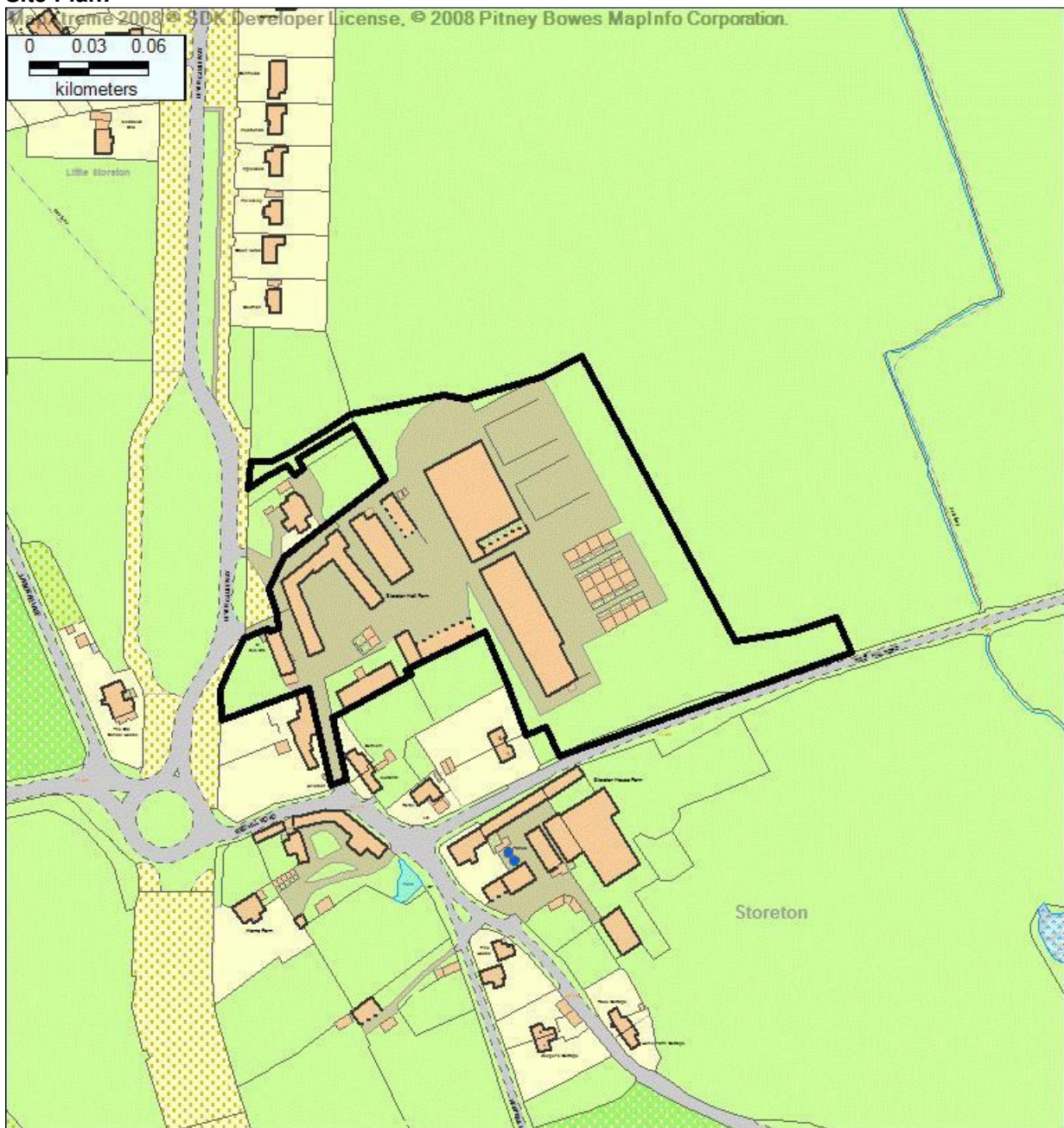
Ward:
Bebington

Location: Storeton Hall Farm, LEVER CAUSEWAY, STORETON, CH63 6HT
Proposal: Application made under section Section 73 of The Town and Country Planning Act to vary conditions 2, 9, 11 and 21 of application approved by the Planning Inspectorate under reference APP/W4325/W/18/3201869 (APP/17/00410)

Applicant: P.J.Livesey Homes Ltd & Mr Peter Bowling
Agent : N/A

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Green Belt
Infill Village in the Green Belt

Planning History:

Location: Storeton Hall Farm, LEVER CAUSEWAY, STORETON
Application Type: Full Planning Permission
Proposal: Refurbishment and re-use of Storeton Hall and other historic buildings, new-build residential development, the relocation of the existing equestrian business, associated car parking, external works and landscape works.
Application No: APP/17/00410
Decision Date: 15/12/2017
Decision Type: Refuse

Appeal Details

Application No	APP/17/00410
Appeal Decision	Allowed
Appeal Decision Date	04/12/2018

Summary Of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

1.1 Councillor Williams has requested that the application be taken out of delegated powers for the following reasons: I object in relation to conditions 2-9-11 and 21. The changes proposed are harmful and alter the character of development, to such an extent that they would be harmful to the character of the greenbelt and a Listed Building.

2.0 SUMMARY OF REPRESENTATIONS

2.1 Having regards to the Councils guidance on publicity to applications, notifications were sent to twenty neighbouring properties and a site notice posted to the front of the site. At the time of writing, there are no objections to the proposal.

2.2 REPRESENTATIONS

No representations have been received.

2.3 CONSULTATIONS

Highways - No objection

MEAS - No objection, subject to changes to the landscaping scheme which have been received.

Historic England - No objection

Environmental Health - No objection

3.1 Reason for referral to Planning Committee

3.1.1 Councillor Jerry Williams has requested that this application be taken out of delegation on the following grounds The changes proposed are harmful and alter the character of development, to such an extent that they would be harmful to the character of the greenbelt and a Listed Building.

3.2 Site and Surroundings

3.2.1 The application site comprises of a collection of buildings, residential unit, equestrian facilities and paddocks with access to the site is provided from Red Hill Road, Lever Causeway and Rest Hill Road. Land levels at Rest Hill Road drop from the equestrian centre

down to a small valley and then rises up to Storeton Hill towards Mount Road To the east.

- 3.2.2 The site is located within a rural context, with Storeton a defined village as per Policy GB7 and the site is partly within this boundary.
- 3.2.3 Surrounding buildings include agricultural buildings, agricultural fields and residential property. Storeton Village is largely made up of sandstone houses and farm buildings with the occasional brick building.
- 3.2.4 The site is currently occupied as an equestrian centre; the applicant advises that there are approximately 85 horses in residence. Many of the buildings within the site are in a poor state of repair. Storeton Hall was constructed circa 1370 and designated a Scheduled Monument and Grade II* in 1962 and is on Historic England's "Heritage at Risk "register.
- 3.2.5 The site is within the Green Belt with part of the site designated as an Infill Village within Wirral's Unitary development plan.

3.3 Proposed Development

- 3.3.1 Planning permission was granted at appeal last year for the refurbishment of and re-use of Storeton Hall and other historic buildings, new build residential development, the relocation of the existing equestrian business, associated car parking and landscape works.
- 3.3.2 This application is for the variation of conditions 2,9,11 and 21 (which relate to specific drawing numbers) of the approved application to alter 6 of the approved house types, omit 2 house types and introduce 1 new house type. The proposal does not alter the number of approved dwellings on the site, rather, proposal amends the design and orientation of a number of approved houses. The applicants have advised that this will ensure that the visual appearance is improved and to remedy a number of inactive gables.
- 3.3.3 The proposal also includes minor amendments of the internal road through the site to simplify the design. An informal layout is still proposed which focuses on building clusters. The applicants also propose to remove the vehicular access to Rest Hill Road. This area will solely be used as a car parking area for Plot1 and a pedestrian cycle path with landscaping. All residential vehicular access will be served from Lever Causeway.
- 3.3.4 There is a slight change to some of the proposed materials to reduce the amount of wood cladding. An updated materials schedule has been submitted.
- 3.3.5 There is a change to the layout behind plots 3-5 to provide 4 visitors spaces
- 3.3.6 The conversion of Storeton Hall and the red brick barn will remain as the previous approval and the approved Scheduled Ancient Monument consents.

3.4 Development Plan

- 3.4.1 Policy URN1 makes it clear the Local Planning Authority will be concerned to ensure that full and effective use is made of land within the urban areas and that various types of land including sites within the Green Belt will be protected from inappropriate development.
- 3.4.2 Policy GB2 creates a general presumption against inappropriate development in the Green Belt and makes it clear that such development will not be approved except in very special circumstances.
- 3.4.3 Policy GB3 permits the re-use of buildings in the Green Belt, subject to the proposal having no greater impact on the openness, the buildings are of permeant and substantial construction and capable of conversion.
- 3.3.4 Proposal GB7 identifies Storeton Village as a village where limited infill development in small

gaps may be considered within a defined area on the UDP Proposals Map under the terms of UDP Policy GB6.

- 3.4.5 Policy AG8 – Proposals for new Livery Stables will be determined in terms of their impact upon the character and appearance of the area.
- 3.4.6 Policy LAN1 does not permit proposals where the visual impact on the character, appearance and landscape setting of the area would be inappropriate.
- 3.4.7 Policies GR5 and GR7 set out the requirements for landscaping and the protection of trees.
- 3.4.8 Policies WAT1, WA2, WA3, WA4, and WA5 only permit development that would not increase the risk of flooding, where drainage and surface water runoff can be controlled with regard to the need for the protection of water resources including groundwater. In addition, Waste Local Plan Policies WM8 and WM9 set out the requirements for waste management, recycling and efficient use of resources.
- 3.4.9 Policies TRT3, TR11 and TR13 make it clear that regard will be given to minimising vehicular and pedestrian conflict, securing access for disabled people, minimising the need to travel, parking and servicing arrangements and ensuring there is no negative impact on routes used by cyclists when assessing the impacts of the proposed development.
- 3.4.10 Policy CH1 states that development affecting a Listed Building or structure will only be permitted where the proposals are of a nature and scale appropriate to retaining the character and design of the building and its setting and that adequate provision is made for the preservation of the special architectural or historic features of the building or structure.
- 3.4.11 Policy CH24 Development proposals liable to destroy, damage or otherwise disturb features of archaeological interest in these areas or which would have a detrimental impact on their setting will be refused. Written consent from the Secretary of State would also be required for the alterations to the Monument.
- 3.4.12 Policy CH25 advises that in assessing development proposals liable to affect areas known or suspected to contain important un-scheduled archaeological remains, consideration will be given to the archaeological interest of the site in terms of the rarity, condition and estimated age of the remains.

3.5 Other Material Planning Considerations - National Planning Policy Framework

- 3.5.1 NPPF sets a presumption in favour of sustainable development unless specific policies indicate that development should be restricted.

NPPF (paragraph 79) attaches great importance to the Green Belt. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The five stated purposes of the Green Belt are to:

- prevent unrestricted sprawl;
- prevent the merging of neighbouring towns;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns; and
- assist in urban regeneration

NPPF paragraph 87 indicates that inappropriate development is by definition harmful to the

Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that Local Planning Authorities 'should ensure substantial weight is given to any harm to the Green Belt' and states that 'very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'. Paragraph 89 makes it clear that the construction of new buildings in the Green Belt should be regarded as inappropriate development, besides limited exceptions. The exceptions include limited infilling in villages under policies in the Local Plan and redevelopment of previously development sites which would not have a greater impact on the openness and purpose of the green belt.

Local planning authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances such as:

- where the development would secure the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of the heritage asset; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting (NPPF paragraph 55 refers).

NPPF paragraph 140 also makes it clear that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

The English Heritage document Enabling Development and the Conservation of Significant Places, offers specific guidance on the assessment of enabling development proposals. In particular, it contains various criteria against which to assess such proposals. These are:

- a. It will not materially harm the heritage values of the place or its setting;
- b. It avoids detrimental fragmentation of management of the place;
- c. It will secure the long-term future of the place and its continued use for a sympathetic purpose;
- d. It is necessary to resolve the problems arising from the inherent needs of the place rather than the circumstances of the present owner or the purchase price paid;
- e. Sufficient subsidy is not available from any other source;
- f. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimizes harm to other public interests; and
- g. The public benefit of securing the future of the significant place through the enabling development decisively outweighs the disbenefits of breaching other public policies.

If it is decided that a scheme of enabling development meets all these criteria, English Heritage believes that planning permission should only be granted if:

- a. The impact of the development is precisely defined at the outset;
- b. The achievement of the heritage objective is securely and enforceably linked to it;
- c. The place concerned is repaired to an agreed standard, or the funds to do so are made available, as early as possible in the course of the enabling development, ideally at the

outset and certainly before completion or occupation; and

- d. The planning authority closely monitors implementation, if necessary acting promptly to ensure that obligations are fulfilled.

3.5.2 In addition this, the Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive (NPPF Part 7 refers).

3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development (appropriateness of residential development in rural location);
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.7 Principle of Development:

3.7.1 The principle of residential development on this site has been secured through the previous appeal decision. This application is for some minor changes to the approved layout and elevational treatment of some of the dwellings.

3.7.2 The proposed changes are considered to be minor when assessed against the previous approval and are not considered to introduce development that would erode the quality of the earlier development or overwhelm or suburbanise the appearance of its surroundings.

3.7.3 The overall number of proposed dwellings and the number of conversions have not changed. The overall residential square footage proposed has increased by 60ft². This increase is considered to be negligible.

3.7.4 The impact on ecology and waste will remain unaltered. The drainage scheme designed for the previously approved scheme remain the same for this layout. The planning obligations secured by the legal agreement for the provision of a suitable Suds and phasing plan for the development attached to the previous consent will remain unaltered.

3.7.5 This application is still subject to a 106 for the provision of a phasing plan to ensure that the new residential development does not all come forward before the works to the scheduled ancient monument are undertaken and the submission of a Suds.

3.8 Design:

3.8.1 An informal layout is still proposed which focuses on building clusters. The design, layout and scale of the new build development will provide a more traditional form including traditional barn form, oversized chimneys and large chimneys and the use of materials that are common in the area.

3.8.2 A village green arrangement is still proposed around Storeton Hall with the smallest house types in this area to reflect the Village pattern, grouped in two's and three's. The larger properties are mainly located to the north of the site, away from the heritage assets.

The design of the proposed houses still use features such as the traditional barn form, oversized chimneys and large blocks of materials which are common in Storeton.

- 3.8.3 The amended layout includes omission of the vehicular access to Red Hill Road. The proposal is to use this area as car parking for plot 1 and a pedestrian/cycle path with landscaping. All residential vehicular access will now be served by Leaver Causeway.
- 3.8.4 There is a change to the layout and orientation of some of the plots to provide active gables. This is considered to be an improvement on the last scheme. The long distance views of the site from the surrounding area will remain unaltered.
- 3.9 Highways:
There are no highway issues relating to this proposal.
- 3.10 Ecology:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals, subject to revisions to the landscaping plan to reflect the recommendations within the ecology report.
- 3.11 Amenity:
- 3.11.1 Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.
- 3.11.2 The proposed layout meets the required interface distances through the majority of the development. Where it falls short, specifically between plots 19, 16 and 15. Plot 16 is one of the larger dwellings in a prominent location when viewed as you enter the site.
- 3.11.3 It is considered that while the separation distances are not truly met in some instances, the character of the layout in terms of the grouping of the housing reflects the character of the surrounding area. The proposed development does not impact on any existing residential properties and any future purchasers will be aware of the position of each surrounding property.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed changes to the approved scheme are considered to be minor and will not have a detrimental impact on the setting of the scheduled ancient monument, the character of Storeton Village or the openness of the green Belt. The proposal therefore complies with both National and Local Planning Policy advice.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (insert date) and listed as follows: The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th May 2019 109-00-1009E Proposed Materials Plan, 109-GAR-2100 Proposed Garages plans and Elevations, 109-A-2600 Type A Plot 1 & 2 Elevations, 109-A-2100 Type A Plot 1 & 2 Plans, 109-B-2100 Type B Plot 3-5 inc. Plans,

109-B-2600 Type B Plot 3-5 inc. Elevations, 109-B1-2600 Type B1 Plot 17 Elevations, 109-B1-2100 Type B1 Plot 17 GA plans, 109-B1A-2600 Type B1A Plot 18-19 Elevations, 109-B1A-2100 Type B1A Plot 18-19 Plans, 109-C1-2600 Type C1 Plots 12, 21 and 20(h) Elevations, 109-C1-2100 Type C1 Plots 12, 21 and 20(h) Plans, 109-C2-2600 Type C2 Plot 7 Elevations, 109-C2-2100 Type C2 Plot 7 Plans, 109-C4-2600 Type C4 Plot 24 Elevations, 109-C4-2100 Type C4 Plot 24 Plans, 109-C5-2600 Type C5 Plots 25 & 26, 8 & 10 handed Elevations, 109-C5-2100 Type C5 Plots 25 & 26, 8 & 10 handed Plans, 109-CA1-2600 Type CA1 Plot 6 Elevations, 109-CA1-2100 Type CA1 Plot 6 Plans, 109-CA2-2600 Type CA2 Plot 15 Elevations, 109-CA2-2100 Type CA2 Plot 15 Plans, 109-CA3-2600 Type CA3 Plots 9 & 22 Elevations, 109-CA3-2100 Type CA3 Plots 9 & 22 Plans, 109-D-2600 Type D Plots 11, 13, 23 & 14(h) Elevations, 109-D-2100 Type D Plots 11, 13, 23 & 14(h) Plans, 109-G-2600 Type G Plot 16 Elevations, 109-G-2100 Type G Plots 16 & 27 Plans, 109-G-2601 Type G Plot 27 Elevations, UG_11406_LAN_SL_DRW_03 Soft Landscape Plan, 109-00-1012B External Lighting Plan and 109-00-2100/A received by the Local Planning Authority on 24th June 2019

Reason: For the avoidance of doubt and to define the permission.

3. The residential element of the development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. The results of the site investigation and the detailed risk assessment referred to 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.
 2. 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 are complete and identifying any requirements for a 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.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

4. Prior to any part of the permitted development, being brought into use a verification report demonstrating completion of the 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 any plan (a long term monitoring and maintenance plan) for long term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

6. Prior to the use of the approved equestrian facilities, a full scheme of works for the treatment of the existing vehicular access from Rest Hill Road that is to be rendered obsolete by the development including the provision of a new boundary feature shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme, and thereafter retained.

Reason: To ensure a satisfactory form of development and to comply with policies contained within Wirral's Unitary Development Plan.

7. Prior to the use of the approved equestrian facilities a scheme for the storage of manure has been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved details to the satisfaction of the Local Planning Authority and thereafter retained.

Reason: To prevent pollution of controlled waters and to accord with Policy EM6 of the Wirral Unitary Development Plan.

8. Details of a programme of archaeological works outlined in section 4.3 of Oxford Archaeology North's Evaluation, Test Pitting & Watching Brief report (dated March 2017) shall include in a Written Scheme of Investigation (WSI) which is to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The WSI is to be produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The development hereby permitted shall be carried out in accordance with the approved WSI.

Reason: To safeguard any archaeological interest of the site and to accord with Policies of the Wirral Unitary Development Plan.

9. The proposed landscaping as detailed within the submitted drawings shall be completed before the accommodation hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

10. Prior to the first occupation of any residential dwelling or use of the approved equestrian facilities, a scheme for the enhancement of biodiversity within the development site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Local Planning Authority and retained thereafter.

Reason: To secure biodiversity enhancement as required under PPS9 Key Principles and Wirral Unitary Development Plan Policies.

11. 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.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policies of the Wirral Unitary Development Plan.

12. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason: In the interests of visual amenity and conservation and to comply with Policies of the Wirral Unitary Development Plan.

13. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations or building works 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 buildings, trees, scrub and hedgerows which are affected 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 will be required and shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policies in the Wirral Unitary Development Plan.

14. Prior to commencement of the equestrian centre, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with the aims of Policies in the Wirral Unitary Development Plan.

15. Prior to the commencement of the equestrian centre, the approved scheme and timetable for the eradication of Japanese Knotweed referred to in condition 14 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To eradicate Japanese Knotweed from the site and to prevent the spread of the plant through development works and to accord with the aims of Policy [§] in the Wirral Unitary Development Plan.

16. 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.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policies of the Wirral Unitary Development Plan and policy WM9 of the Merseyside and Halton Joint waste Local Plan.

17. Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority and should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP shall include the agreed method statements to mitigate or avoid adverse environmental impacts including:

- i. Invasive species eradication scheme;
- ii. Ecological mitigation plan;
- iii. Waste Audit or similar mechanism.
- iv. Details of the location and arrangements for site compounds and parking;
- v. The identification of vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- vi. Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractors vehicles are to be cleaned during the construction period; and
- vii. Specify working hours for the site.

The CEMP should 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. 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.

Reason: In the interests of highway safety and to accord with Policies of the Wirral Unitary Development Plan.

18. Prior to the commencement of development, details of the proposed interpretation board shall be submitted to and agreed in writing with the Local planning Authority. The approved scheme shall be implemented in full prior to occupation of Storeton Hall.

Reason: To ensure that the significance of the Scheduled Ancient Monument is available to view by the public and in order to provide understanding of the historic nature of the site

19. The proposed development shall be constructed in accordance with submitted material details.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policies of the Wirral Unitary Development Plan.

20. Details of works to create a new access onto Rest Hill Road have been submitted to and agreed in writing by the Local Planning Authority prior to the first use of the equestrian facilities hereby permitted. The works shall be completed in accordance with the approved details prior to first use of the equestrian centre and retained thereafter.

Reason: In the interest of road safety, to secure a suitable access including necessary sight lines.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 by the Local Planning Authority in writing.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

22. The development hereby permitted by this planning permission shall be carried out in accordance with the principles and details specified in the following approved submissions, unless otherwise agreed in writing with the Local Planning Authority:

Land at Storeton Hall Farm – Flood Risk Assessment & Outline Drainage Strategy (July 2016/ Ref: FRA 16 038 / R0/ LK Consult Ltd).

Drainage GA (Feb 2017/ Job No 12816/ Drawing no 500/ Revision P6/ Booth King Partnership Limited)

Reason: To ensure a satisfactory sustainable surface water drainage system is provided to serve the site in accordance with the Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

23. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities for the equestrian centre 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.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

24. The external surfaces of the development hereby permitted shall be constructed in the materials identified in the submitted **Storeton Hall-proposed Materials document (dated 31st March 2017)**

Reason: In the interest of visual amenity.

25. No development shall commence until the confirmed full and final design for a surface water sustainable drainage system¹ to serve the entire site (residential and equestrian areas), and method of implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved maintenance and inspection schedule.

Reason: To ensure a satisfactory sustainable surface water drainage system is provided to serve the site in accordance with the Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

26. The development hereby permitted by this planning permission shall be carried out in accordance with the principles and details specified in the following approved submissions, unless otherwise agreed in writing with the Local Planning Authority:
Land at Storeton Hall Farm – Flood Risk Assessment & Outline Drainage Strategy (July 2016/ Ref: FRA 16 038 / R0/ LK Consult Ltd).
Drainage GA (Feb 2017/ Job No 12816/ Drawing no 500/ Revision P6/ Booth King Partnership Limited)

Reason: To ensure a satisfactory sustainable surface water drainage system is provided to serve the site in accordance with the Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

Further Notes for Committee:

1. Reuse of material on site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK.

2. Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991

- Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2017
 - The Waste (England and Wales) Regulations 2011
3. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with relevant guidance and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
 4. Noisy work on construction and demolition sites is restricted (in most circumstances) to the following hours:
 - Monday to Friday: 8.00am to 6.00pm
 - Saturday: 8.00am to 1.00pm
 - Sunday: No noisy work
 - Public Holidays: No noisy work
 5. Should the construction/demolition contractor need to carry out noisy work outside of the permitted hours they can apply for permission from Environmental Health via an online application form that can be accessed at: -
<https://www.wirral.gov.uk/environmental-problems/pollution-control/construction-site-noise>
 6. The applicant must enter into a Section 106 agreement before the grant of planning permission requiring that the sustainable drainage system is maintained for perpetuity in accordance with a specified maintenance and inspection schedule approved by the LLFA.
 7. For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.
 The applicant should obtain Land Drainage Consent from Wirral Council before starting any works on site. Information on the application process and relevant forms can be found here:
<https://www.wirral.gov.uk/communities-and-neighbourhoods/emergencies/flooding/flood-monitoring-and-reports>

Last Comments By: 27/06/2019

Expiry Date: 12/08/2019

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