

PLANNING COMMITTEE

At a meeting of this Committee held on
29 October 2019

(Present) Councillor Gomez-Aspron (Chairman)
Councillors CD Banks, Burns, Greaves, Grunewald,
Hattersley, Jones, Maloney, McCauley, Pearl and
van der Burg

(Not Present) Councillors Bowden, Fulham, McDonnell and L Preston

30 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bowden, Fulham, McDonnell and L Preston.

31 MINUTES

* Resolved that the minutes of the meeting held on 3 September 2019, be approved and signed.

32 DECLARATIONS OF INTEREST FROM MEMBERS

Item	Title	Member(s)	Declaration
4	P/2019/0590/FUL – 74 Rainhill Road, Rainhill	Councillor Pearl	Declared a Personal Non-Pecuniary Interest

33 PLANNING APPLICATIONS FOR DECISION BY THE COMMITTEE

* Resolved that the planning applications be dealt with as shown below:

P/2019/0309/FUL **Mersey Valley Golf Clubhouse, Warrington Road**
Creation of Temporary Access Road

In presenting the application to Members, the Services Manager, Development screened an aerial photograph of the application site.

Two residents appeared before the Committee to present their objections to the Application.

Grant Planning Permission Subject to the following conditions:

1. The access hereby approved shall only be used for a temporary period from the date of decision until 06/02/2022 when the use shall be discontinued and the land reinstated to its former condition, to the satisfaction of the Council as Local Planning Authority, in accordance with the details required by condition 3 below;
2. The development shall be carried out in accordance with the following application drawings unless otherwise required by another condition: 108/15

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Rev B (Plan of Temporary Access), 108/17 Rev A (Details of temporary Access Road);

3. Within two months of the date of this decision, a scheme for the reinstatement of the temporary site access point must be submitted to and approved in writing by the Planning Authority. The reinstatement works shall subsequently be implemented in accordance with the approved details within three months of the cessation of the use of the access;
4. The proposed development shall operate in accordance with the Construction Environmental Management Plan dated September 2019;
5. Except for site clearance and remediation, no development shall take place until a scheme for the design of highway improvement works has been submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt, the works shall include lining alterations on the A57 Warrington Road, in order to provide a dedicated right turn lane into the site. The approved scheme shall subsequently be implemented prior to first use of the access;
6. Except for the purposes of constructing the initial site access, there shall be no movement of construction or other vehicles between the highway and the application site until that part of the access extending from the nearside edge of the carriageway of A57 Warrington Road, for a minimum distance of 20 metres into the site has been appropriately paved in a bound material such as tarmac, concrete, block pavements or other material approved in writing by the Council as Local Planning Authority;
7. Any gate or other form of barrier across the access shall be positioned at least 10 metres back from the nearside edge of the carriageway of A57 Warrington Road, and shall be constructed to open into the site only;
8. Temporary measures to provide physical protection of all trees, hedges and shrubs shown to be retained shall be in accordance with the plans and specifications within the plan entitled "Plan of Temporary Access DWG NO. 108/15.REVB dated 08/03/2019 and details in Section 6 of the Design and Access Statement (Revision B) submitted with this application. The provision of total exclusion zones must be achieved by the erection of protective fencing as specified in the submitted plans, which should not be to a standard less than that specified in British Standard BS5837 (2012). The areas so defined shall be kept free of machinery, stored materials of all kinds and any form of ground disturbance not specifically catered for in the agreed measures, for the duration of site, demolition and building works. Once the fencing is installed the St. Helens Trees and Woodlands Officer must be notified and no development can then take place on site until the fencing has been inspected and approved in writing by the Council as Local Planning Authority;
9. Prior to any construction taking place on site, a method statement for tree works must be submitted to and be approved in writing by the Council as Local Planning Authority. All tree work must be to BS3998 (2010) and must be completed prior to any construction taking place on site. Tree work must only be carried out between the 1st September and 31st March to avoid any disturbance of breeding birds. Any work outside this period must only be carried out once a qualified ecologist / ornithologist has inspected the trees and ensured no breeding birds are present and confirmed this with the Council, in writing, prior to any work taking place on the trees;
10. Prior to any construction taking place on site a method statement for the construction and removal of the no dig temporary road, which must be in accordance with the drawing entitled "Details of Temporary Access Road Typical Cross Section DWG NO. 108/17revA" and Section 5 Construction of the Design and Access Statement (Revision B) submitted with this application.

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The methodology for removal of the no dig temporary road must also include assessment and reinstatement of the woodland floor, which may need to include de-compaction and enhancement of woodland soil through provision of mulch and nutrients. Construction can then only take place once the method statement has been approved in writing by the Council as Local Planning Authority;

11. Prior to any construction taking place on site there must be a pre-commencement meeting on site between the site manager, the St.Helens Council Trees and Woodlands Officer (or Countryside Development and Woodlands Officer) and individuals responsible for the supervision of tree work, construction (and removal) of the no dig road temporary access road as well as installation and maintenance of tree protection fencing. The purpose of this meeting will be to ensure that:

- All parties have a clear understanding of the method statements for construction, as well as the maintenance of tree protection measures.
- Agree a method of supervision and reporting to the Council as Local Planning Authority to evidence the maintenance of tree protection measures and the construction of the no dig temporary access, which must include the correct installation of the cellular confinement system. This reporting will include the reporting of key works, timescales and provide images / photographs to evidence that construction was carried out as specified.

A second meeting is held prior to the removal of the temporary road to again confirm that there is a clear understanding of the methodology for removal and also the mitigation measures to be carried out both to enhance the woodland floor and also carry out and implement any woodland mitigation measures approved.

12. Prior to construction taking place on site a plan for the mitigation of the impacts of the temporary access road must be submitted to and be agreed in writing by the Council as Local planning Authority before any construction can take place on site. This plan must include:-
 - The removal of any rhododendron that lies within at least 30 metres of the temporary access road;
 - The scheme shall make provision for replacement planting on a 2 for 1 basis.
 - A plan for the reinstatement of the woodland floor where the track is to be removed e.g. provision of mulch and decompaction measures;
 - Tree and shrub planting within the woodland areas that lie within at least 30 metres of the temporary access road (which must use a mixture of native woodland species suitable for the location e.g. English oak, small leaved lime, hazel, holly etc); and
 - The planting of native woodland flora such as bluebell, primrose etc.The development shall be implemented in accordance with the details agreed.
13. Tree no T6 as identified on Plan of Temporary Access DWG NO. 108/15.REVB dated 08/03/2019 and detailed in Appendix A of the Design and Access Statement (Revision B) must be soft felled under instruction and supervision of a suitably qualified ecologist;
14. The access hereby approved shall only be used by vehicles associated with importation inert waste material to the site in accordance with planning permission P/2018/0794 and shall only be used between the hours of 07.00 -

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17.00 hours Monday - Friday and not at all on Saturdays, Sundays, Public/Bank Holidays;

15. The total number of vehicles in excess of 7.5 tonnes gross vehicle weight accessing the site via the access hereby approved and via the existing temporary Warrington Road access to the east of Bargyloo shall be limited to a maximum of 42 vehicles per day. The operator of the site shall keep a record of all such vehicle movements and shall make such records available to the Local Planning Authority on reasonable request; and
16. The existing temporary access to the east of Bargyloo Farm shall be closed and the land restored in accordance with a scheme that has been submitted and agreed in writing with the Local Planning Authority before the first use of the access hereby approved. The scheme shall include appropriate planning within the context of the existing mature hedgerow on either side of the access. It shall remain closed thereafter.
17. Notwithstanding the detail of the steel gate shown on plan 108/17 Rev A, details of the appearance and finish of the gate shall be submitted to and approved in writing by the Council as Local Planning Authority prior to installation on site.

P/2019/0590/FUL

74 Rainhill Road, Rainhill

Erection of a two story building incorporating 4no self-contained apartments, including associated parking.

In presenting the application to Members, the Services Manager, Development screened an aerial photograph of the application site.

A resident appeared before the Committee to present their objection to the Application.

Grant Planning Permission Subject to the following conditions:

1. The works hereby permitted must be begun within 3 years of the date of this decision notice.
2. The development shall be carried out in accordance with the following application drawings:
 - Proposed Elevations, Dwg No.0602 04 Rev E;
 - Proposed Site Layout Plan, Dwg No.0602 05 Rev E;
 - Proposed Internal Layout, Dwg No.0602 02 Rev B; and
 - Method Statement Arboricultural Works and Tree Protection.
3. Prior to the commencement of development;
 - a) A Phase 1 site investigation and risk assessment shall be carried out to investigate the potential for contamination to impact upon the proposed development. The Phase 1 site investigation shall include a desk study, site walkover, human health and environmental risk assessment, and if necessary, a Phase 2 investigation and assessment methodology. A report on the Phase 1 investigation shall be submitted to and agreed in writing by the local planning authority.
 - b) Should the Phase 1 investigation identify any sources of contamination warranting further investigation then a Phase 2 site investigation and assessment shall be undertaken in accordance with the agreed methodology. The results of the site investigation and assessment shall be submitted to and agreed in writing with the local planning authority.

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- c) Should the Phase 2 investigation identify any requirements for remediation then a remedial strategy, including a validation methodology, shall be submitted to and agreed in writing with the local planning authority. Prior to the occupation of the development; The agreed remedial strategy (if required) will have been implemented, and a site validation/ completion report shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, the site validation/ completion report shall include, but will not necessarily be limited to;
- i) full details of all remediation works undertaken;
 - ii) validation (in accordance with the validation methodology detailed within the agreed remedial strategy) of the adequacy of the remediation;
 - iii) sampling, testing and assessment of the suitability of any imported or site won soils;
 - iv) the fate of any excavated material removed from site.
4. The development hereby permitted shall be completed in accordance with a sound insulation scheme; which shall have first been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the development and shall thereafter be retained;
5. Temporary measures, to provide physical protection of all trees, hedges and shrubs shown to be retained shall be in accordance with the plan entitled "Proposed Site Plan Dwg No.05 Rev E" and document "Method Statement Arboricultural Works and Tree Protection" submitted with this application; The provision of total exclusion zones must be achieved by the erection of protective fencing as specified in the submitted plans, which should not be to a standard less than that specified in British Standard BS5837 (2012) and located as per the plan Proposed Site Plan Dwg No. 05 Rev E submitted with this application.
- The areas so defined shall be kept free of machinery, stored materials of all kinds and any form of ground disturbance not specifically catered for in the agreed measures, for the duration of site, demolition and building works. The St.Helens Trees and Woodlands Officer shall be contacted prior to any development taking place on site so that the tree protection fencing can be inspected and be improved in writing before any development commences on site;
6. The car parking surface within the root protection area must be constructed as per the Cellweb Cell Confinement System within the document entitled "Method Statement Arboricultural works and Tree Protection, submitted with this application.
- Prior to construction of the car park the St.Helens Trees and Woodlands Officer shall be notified as to when the work on the cellular confinement system is taking place so it can be inspected. Photographic evidence must also be submitted to the Council as Local planning Authority, showing the construction and installation of the cellular confinement;
7. Before their use on site, precise details of the external facing materials and finishes to be used shall be submitted to and approved in writing by the Council as Local Planning Authority. The development shall be constructed in accordance with the agreed details and retained as such thereafter;
8. The areas indicated on the submitted plans to be set aside for parking and servicing shall be surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown, prior to the first occupation of any apartment hereby permitted. The parking and servicing areas shall be retained as such thereafter and shall not be used in a manner that prevents the parking of vehicles;

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9. Before first occupation of the development hereby permitted, cycle parking provision in accordance with the Council's current standards (1 cycle stand per apartment), shall have been completed in accordance with a scheme which shall have first been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any other Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council;
10. Foul and surface water shall be drained on separate systems; and
11. Construction work shall not take place outside the hours of 08.00-18.00 hours Monday to Friday, 08.00-13.00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

The Committee also resolved that the Chairman send a letter out to the Highway Agency and Head of the Local Authority's Highways Department on behalf of the Committee requesting that the junction of Ellerslie Avenue and Rainhill Road be reviewed with a view to adding greater restrictions to the junction.

Councillors Hattersley and Pearl here left the meeting.

34 CONSIDERATION OF FUNDING FOR IMPROVEMENTS TO SANKEY VALLEY CORRIDOR FROM S106 MONIES

A report on consideration of funding for improvements to Sankey Valley Corridor from section 106 monies was presented by the Service Manager, Development.

Planning permission for application reference P/2014/0627 was granted for a residential development comprising the construction of 324 dwellings, creation of public open space and associated works at the former Deacon Trading Estate, Earle Street, Newton Le Willows. The planning permission was granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

The legal agreement signed on 15 July 2015 required the developer of the site to pay the Council a total of £239,568, comprising of four triggered instalment amounts of £59,892 for the Council to expend on "Green Space Improvement Works" on identified "Green Space Land".

Members were informed that payment of three amounts had been triggered and a total of £179,676 has been paid to the Council to date. The final instalment of £59,892 is to be paid in due course prior to the occupation of the 195th dwelling.

The Committee was informed that Lancashire Wildlife Trust had received an offer of a grant support for the "Sankey Valley Wildlife Corridor" from Enover Community Trust (who distribute Landfill Community Fund Grants for areas including St Helens Borough Council) for the sum of £34,953.00, which is conditional on the provision of a 10% third party contribution of £3495.30 under the terms of the Landfill Community Fund ENTRUST.

The Lancashire Wildlife Trust had approached the Council to seek provision of the third-party contribution.

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The Lancashire Wildlife Trust - Sankey Valley Project covers an identified area which runs from The Carr Mill Dam catchment area, through Stanley Bank and Clipsley Brook, through the Section 106 Sankey Brook "Green Space Land", includes parts of the Newton Brook tributary then south into Warrington Borough, taking in Callands Brook and Penketh Brook and then out towards the Mersey Estuary.

The Services Manager, Development screened an aerial photograph of the application site which outlined the Sankey Valley area as detailed above.

* **Resolved that:**

- (1) **the "Sankey Valley Wildlife Corridor" project meets the criteria of the Section 106 agreement dated 15 July 2015;**
- (2) **the proposed method of spending of £3495.30 from the commuted sum monies held by the Council, subject to the terms of the Section 106 agreement dated 15 July 2015 be approved; and**
- (3) **authority be delegated to Officers to agree the detail of the delivery of those works identified as suitable "Green Space Improvement Works" under the terms of the Section 106 agreement.**

35 CURRENT PLANNING APPEALS

A report was submitted which informed Members of the current position with regard to the planning appeals that were pending or had recently been concluded.

* **Resolved that the report be noted.**

36 PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A report was submitted which informed Members of planning applications determined under delegated powers.

* **Resolved that the report and update be noted.**

37 CURRENT ENFORCEMENT CASES

A report was submitted which informed Members on the current position with regard to enforcement cases.

* **Resolved that the report be noted.**