

Planning Committee

Reference:
APP/21/00229

Area Team:
**Development
Management Team**

Case Officer:
Mr P Howson

Ward:
Heswall

Location: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS
Proposal: Demolition of existing dwellinghouse and development of a three storey apartment building, comprising of 5 no. apartments, with associated hard and soft landscaping.
Applicant: Redwood Developments Wirral Ltd
Agent : Condry Lofthouse Architects

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area
Green Belt

Planning History:

Location: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS
Application Type: Full Planning Permission
Proposal: Erection of a three-storey apartment block comprising 4 no. two bedroom and 1 no. three bedroom apartments, following demolition of existing dwellinghouse (amended).

Application No: APP/19/00167
Decision Date: 21/06/2019
Decision Type: Approve

Location: 1 Oldfield Drive, Heswall, Wirral, CH60 6SS
Application Type: Full Planning Permission
Proposal: Convert garage to bedroom and erection of a front extension
Application No: APP/08/06398
Decision Date: 30/09/2008
Decision Type: Approve

Location: 1, Oldfield Drive, Heswall. L60 6SS
Application Type: Outline Planning Permission
Proposal: Erection of a bungalow, (outline).
Application No: OUT/96/06089
Decision Date: 13/09/1996
Decision Type: Refuse

Location: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS
Application Type: Discharge of Conditions
Proposal: Discharge of conditions
Application No: DIS/20/00411
Decision Date: 28/01/2021
Decision Type: Withdrawn

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

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS**REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 56 notifications were sent to neighbouring properties. At the time of writing 45 letters of representation comprising of 4 comments and 41 objections have been received against the proposal. The objections can be summarised as follows;

- Unsustainable development
- Highway safety
- Detrimental to the character of the area
- Overlooking

CONSULTATIONS

Highways (Traffic and Transportation: No objection subject to conditions

Having originally objected to the scheme due to the insufficient information having been provided in relation to details of any proposed vegetation clearance along the frontage of the site; elevations of the frontage of the site which detail the height of any proposed planting or boundary treatment; Visibility splay for the proposed access to the site and Vehicle tracking to ensure that residents vehicles can enter and leave the site in a forward gear.

The applicant submitted further information in response to Highway's original concerns. which address the original concerns. In response Highways state:

There are no objections from a Traffic and Transportation perspective, with the following caveats.

Access onto the unadopted Oldfield Drive is acceptable.

General vehicle parking bays must be a minimum of 2.4m wide. From the information given that dimension is not clear. At least one of the parking bays must be designated as a disabled persons parking bay with a minimum width of 3.6m (1 out of the first 10). This may be easily achievable with bay no. 4 and/or bay no.5 on the site plan.

(The applicant has since amended the plans to demonstrate correctly sized parking bays as well as providing disabled persons parking bays.)

Otherwise the proposed development meets parking standards for private vehicles (1 space per dwelling) with adequate cycle parking for six bicycles (although covered cycle parking is preferred). A set back of 2.4m from the development entrance/exit to the carriageway edge of Oldfield Road is adequate.

There will need to be a condition for a construction management plan. Site operative's vehicles could be an issue, potentially obstructing Oldfield Drive if not carefully managed.

Highways (Asset): No objection

Following additional information being provided by the applicant regarding the obsolete crossing , Highways Asset have no objection to the proposed development.

United Utilities: No objection subject to conditions

Dwr Cymru: No objection subject to conditions

Merseyside Fire and Recue Authority: No comments received

Environmental Protection: No objection

Trees: No objection subject to conditions

Impacts to amenity:

The trees in G2 that are proposed for removal sit behind the group of trees on adjacent POS so the impact of there loss will be low. The row of conifers offer a screening amenity but are not in the best condition or of good form and there are signs of dieback in one or two stems. The Rowan in the rear garden does not provide any visual amenity in the wider landscape. All the trees stand within the footprint of the proposed building and associated hard landscaping. Group 1 and Group 4 are to be retained and provide continuation of the amenity screen provided by the trees on adjacent POS.

Tree protection details and measures:

The Arboricultural method statement for retention and protection of the retained trees are adequate for the scale of the development and should be backed up by suitable conditions.

Mitigation:

To mitigate the loss of trees from the site replacement trees should be planted where possible. The proposed site will not support large mature trees, however smaller species would be suitable such as Parrotia persica 'vanessa' or sorbus aria 'lutescens'

Heswall Society: Objection

We feel that the increased size and mass of the proposed development over that previously approved is too large for such a prominent corner site, highly visible when entering Heswall from the Green Belt. The new design requires the south elevation to be largely obscurely glazed. We feel that a lack of a view from these windows will have an adverse impact on the amenity of the future occupants of the apartments. For the above reason we would urge you to reject this application.

3.1 Reason for referral to Planning Committee

3.1.1 Under the Council's scheme of delegation, planning applications with fifteen or more individual objections are to be referred to Planning Committee. At the time of writing there are currently 41 individual objections against the proposal.

3.2 Site and Surroundings

3.2.1 The development site is sited along the southern axis of Oldfield Drive towards the junction with Telegraph Road. The site and the surrounding land to the east, south and west all lies within a designated Primarily Residential Area under the current Wirral UDP Proposals Map and forms the edge of the settlement as the land to the north is open countryside and designated Green Belt.

3.2.2 The site is currently occupied by a dormer bungalow which sits back from Oldfield Drive behind a landscaped front garden. There is no prescribed architectural style along Oldfield Drive, some of the larger, detached dwellings appear to have been constructed towards the beginning of the 19th Century whilst the later dwellings are not as grand, they appear to be variants on this architectural style.

3.3 Proposed Development

3.3.1 The application proposes the demolition of the existing bungalow and the erection of three storeys of flatted development which would contain five apartments. There is a previous planning approval for a two and a half storey flatted development comprising of five apartments within this site under APP/19/00167.

3.3.2 At the request of the Local Planning Authority revised plans have been submitted which reduce the extend of glazing across the gabled front facing aspect. The fenestration within the side elevation has also been revised in order to address concerns over overlooking. Details of boundary treatments have also been provided in order to address comments raised by the Highways Engineers and the proposed car port has been removed from the proposal.

3.3.3 In terms of the changes proposed under this submission, the architectural language of this proposal would be similar to that previously approved. Two gabled features with a central circulation area would contain the proposed apartments. The gable feature would be carried around into the east elevation but would be omitted from the west elevation. The development area would be the same as planning approval APP/19/00167, however the dimensions of the building would increase from 15.2 metres in width to approximately 18.1 metres (taken from the principal elevation) and 8.7 metres in height to approximately 9.3 metres. The proposal would fall slightly closer to the adjacent and rear boundaries. An additional car parking space is proposed.

3.4 Development Plan

3.4.1 The Wirral Unitary Development Plan 2000

- HS4 Criteria for New Housing Development
- GR5 Landscaping and New Development
- GR7 Trees and New Development
- TR9 Requirements for off Street Parking

3.4.2 Supplementary Planning Document 2: Designing for Self-Contained Flat Development and Conversions

Supplementary Planning Guidance 4: Parking Standards

3.5 Other Material Planning Considerations

3.5.1 The Joint Waste Local Plan for Merseyside and Halton

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

3.5.2 The National Planning Policy Framework (2019)

- Achieving sustainable development
- Decision-making
- Making effective use of land
- Achieving well-designed places

3.6 Assessment

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

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

3.7 Principle of Development:

3.7.1 There is a previous planning approval for a two and a half storey flatted development comprising of five apartments within this site under APP/19/00167. As the development site and the surrounding land to the east, south and west lies within a designated Primarily Residential Area the principle of a residential development is acceptable subject to all other material planning considerations.

3.8 Design:

3.8.1 The standards for new housing development are set out under UDP Policy HS4 which includes visual implications. Development proposals should be of a scale that relates well to surrounding property with regard to existing densities and form of development. Proposals should not result in detrimental change in the character of the area.

3.8.2 Policy HS4 requires development proposals to consider other, practical matters such as servicing, access and parking. However, these matters cannot be considered in isolation as excessive areas of hardstanding and/or poorly located cycle and bin stores can detract from the quality of development and character of the area. Landscaping and boundary treatments should relate proposals to their surrounds. UDP Policy GR5 requires development proposals to be supported by landscaping proposals.

3.8.3 As the proposal involves the erection of a flatted development the Supplementary Planning Document (SPD) for Designing for Self-Contained Flat Development and Conversions applies.

3.8.4 The SPD advises that applicants will be expected to show how good design and layout has

been taken into account through drawings and design statements that show how the proposed development will fit in with surrounding properties and within the wider setting of the area.

- 3.8.5 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development.
- 3.8.6 The Government's policies in relation to design are set out in Section 12 of the Framework. Paragraph 124 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 3.8.7 Paragraph 127 of the Framework requires planning decisions to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 3.8.8 Planning approval APP/19/00167 was for two and a half storeys of flatted development which would have been contained within a double gable feature orientated so as to maximise views out towards the open countryside. An area of circulation space would have sat between the two gable features. The previous approval picked up on some of the characteristics of some of the earlier properties (such as the symmetrical façade seen on No. 33) along Oldfield Drive which have also been incorporated into some of the later additions to the street. The revised proposal would retain the previously approved gable feature and general arrangement. The window arrangement of this proposal, and use of materials would give the proposal a characterful asymmetry which is also a characteristic of some of the earlier properties along Oldfield Drive such as No. 15. These features have been carried across into other, prominent elevations such as the east (Telegraph Road) elevation to create an overall improved development.
- 3.8.9 Although the footprint and height of the proposal is greater, its general relationship with the plot (siting etc.) and surrounding property is similar to that previously approved.
- 3.9 Highways:
- 3.9.1 The requirements for off-street vehicle and cycle parking are set out as maximums under Policies TR9 and TR12 of the UDP and the accompanying Supplementary Planning Document on Parking Standards.
- 3.9.2 Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development should give priority first to pedestrian and cycle movement, address the needs of people with disabilities and reduced mobility, create safe, secure and attractive places whilst minimising the scope for conflict between different users and allowing for the efficient delivery of goods and emergency access.
- 3.9.3 The Highways Engineer has considered the submitted details and advises that the level of car parking would meet the Council's adopted standards which are set out as maximums.
- 3.9.3 Oldfield Drive is an unadopted road not maintained by the Council. Following the submission of revised details, the Engineer advises that the proposed vehicular access is acceptable subject to an informative being attached to any approval.
- 3.10 Ecology/ Landscaping:
- 3.10.1 The Local Planning Authority rely on Merseyside Environmental Advisory Service (MEAS) to provide advice and guidance on ecological matters. The protection of wildlife species is enshrined in UDP Policy NC7 which states that development which would have an adverse

impact on wildlife species protected by law will not be permitted unless the protection of said species can be secured.

- 3.10.2 The applicant has prepared a Bat Survey which has been assessed by MEAS who have raised no objection. MEAS advise that the proposal is unlikely to result in significant recreational pressure on protected European sites. MEAS have advised that any planning permission should be subject to conditions which include mitigation measures to promote habitat.
- 3.10.3 Given the development sites close proximity to a possible Roman road, MEAS advise that any approval is granted subject to a condition requiring the applicant to undertake an archaeological watching brief.
- 3.10.4 The development site is not covered by a Tree Protection Order (TPO) and thus any trees within the site could be lopped at any time. Nevertheless, the applicant has prepared an Arboricultural Impact Assessment and Arboricultural Method Statement reports which has been considered by the Planning Authority's Tree Officer.
- 3.10.5 The Tree Officer initially had some concerns over the loss of the tree group (G2) fronting the eastern boundary to Telegraph Road and the impact this would have on the visual amenity of the area. However, it would appear some of these trees would have been lost as part of planning approval APP/19/00167 and, as these sit behind a group of trees within the public realm adjacent to Telegraph Road, there would still be some screening and thus the impact would be low. Other trees which are proposed for removal are either in poor condition or have a low visual value.
- 3.11 Amenity:
- 3.11.1 Policy HS4 requires new residential developments to provide adequate access and servicing arrangements. Adequate private garden space should be provided for each dwelling.
- 3.11.2 Whilst UDP Policy HS4 does not stipulate what constitutes an adequate interface between separate dwellings, the Supplementary Planning Guidance on new flat development sets out the following standard; habitable room windows facing each other should be at least 21 metres apart. Main habitable room windows should be 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of a different ridge height a greater separation should be provided. For every metre difference in ridge height the distances should be increased by 2 metres.
- 3.11.3 Paragraph 127 of the revised National Planning Policy Framework states that planning decisions should create places that provide a high standard of amenity for existing and future users.
- 3.11.4 The development proposal differs only slightly from planning approval APP/19/00167, which is illustrated on drawing No. 20-172-110 Rev. G as a dashed pink line. Whilst the proposal would fall closer to No. 3, the majority of the bulk and mass would sit alongside the side elevation of No. 3. No. 3 also benefits from a detached garage which sits beyond the rear of the main house and would sit between the development proposal mitigating any overbearing impact.
- 3.11.5 Whilst British homes typically have habitable rooms within front and rear elevations to allow for an adequate outlook, it is understood that No. 3 has a habitable window at ground floor level in its side elevation, sited towards the rear of its dwelling and facing on to the application site. Following amendments made by the applicant to the proposed scheme, the first floor level habitable windows located within its west facing side elevation have been repositioned to sit forward of the habitable window to No. 3, akin to the previously approved scheme. Given that they would not directly face onto No. 3's habitable window, it is unlikely therefore that these habitable openings within the proposed apartment block would result in any overlooking or loss of privacy to No. 3's occupants.

- 3.11.6 The proposal would sit approximately 0.5 metres closer to No. 295 Telegraph Road. However, given that the proposed development splays away from the shared boundary, it would achieve a minimum separation distance of approximately 6.8m to this boundary, increasing to approximately 8m to the rear. Despite the proposal increasing in height from 8.7 metres to (approximately) 9.3 metres, given the stated separation distance between the rear boundary shared with No. 295 it is not considered that this proposal would have a significantly greater overbearing impact over and above planning approval APP/19/00167 to warrant refusal.
- 3.11.7 The development proposal would incorporate a series of oriel windows across its rear elevation orientated to prevent overlooking of No. 295 and allow a reasonable outlook to prospective occupiers. In terms of the amenity of prospective occupiers, this is not significantly different to the previously approved arrangement.
- 3.12 Other:
- 3.12.1 At the time of writing 45 letters of representation comprising of 4 comments and 41 objections have been received against the proposal. The objections can be summarised as follows;
- Unsustainable development
 - Highway safety
 - Detrimental to the character of the area
 - Overlooking

The proposal is lies within a Primarily Residential Area and is thus not within an isolated location. There is no requirement for an air quality assessment for minor developments.

The Highways Engineer has raised no objection on highway safety grounds. The level of vehicle and cycle parking is within adopted standards.

There is a previous approval for a similar scheme which could be implemented at any time. Previous planning decisions are material planning considerations.

The Supplementary Planning Guidance on new flat development sets out the following standard; habitable room windows facing each other should be at least 21 metres apart. Main habitable room windows should be 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of a different ridge height a greater separation should be provided. For every metre difference in ridge height the distances should be increased by 2 metres. The proposal would meet the stated interfaces.

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 will not harm the appearance or character of the area or the amenities of neighbouring properties and the proposal is therefore considered to comply with Policies HS4, GR5, GR7 and TR9 of the Wirral Unitary Development Plan, Supplementary Planning Documents SPD2 and SPD4 and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

Reason: In order to protect the residential amenities of nearby occupants and to accord with Policy [S] of the Wirral Unitary Development Plan.

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 5th February 2021 and listed as follows:

20- 172-100/A, received 8th February 2021;
20- 172-120/B, received 8th February 2021;
20- 172-121/C, received 15th March 2021;
20- 172-122/C, received 15th March 2021;
20- 172-123/A, received 15th March 2021;
20- 172-150/C, received 15th March 2021;
20- 172-151/C, received 15th March 2021;
20- 172-152/B, received 19th March 2021;
20- 172-110/G, received 17th May 2021;
20- 172-111/E, received 17th May 2021;
20- 172-112/D, received 17th May 2021; and
20- 172-124, received 25th March 2021.

As well as:

Bat Survey Report (Mulberry, 24th March 2021);
Arboricultural Implications Assessment (Mulberry/ TRE 10D, 23rd March 2021); and
Arboricultural Method Statement (Mulberry/TRE 10D, 23rd March 2021)

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

3. No above ground works shall take place prior to details of all materials to be used in the external construction (facings, roof, openings etc) of this development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details.

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. With the exception of the south-east facing glazed panes within the angled v-shaped openings, all openings (including rooflights) within the south facing rear elevation of the hereby approved apartment block, shall not be glazed otherwise than with obscured glass which obscuration level is no less than Level 3 of Pilkington Glass scale (or equivalent) and fixed shut up to a height of 1.7m from the internal finished floor level, and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral Unitary Development Plan.

5. Tree Protection Barriers:

Prior to the commencement of site clearance, demolition, storage of plant (non-tree

related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall conform to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning, then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

Prohibited Activities:

The following activities must not be carried out under any circumstances:

- a, No fires to be lit within 20 metres of existing trees and shrubs to be retained.
- b, Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
- c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d, No builders debris or other materials to be stored within the Root Protection Areas.
- e, No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be used and located not within 10 metres of any Root Protection
- f, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
- g, No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

Arboricultural Site supervision:

The Arboricultural Method Statement (Ref: TRE/1OD) and plan (1ODH/MS/01) submitted in support of the application shall be adhered to in full.

Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy GR7 of Wirral's Unitary Development Plan.

6. Retaining trees:

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy GR7 and the Tree, Hedgerow and Woodland Strategy 2020-2030.

7. Tree Planting:

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy GR7 and the Tree, Hedgerow and Woodland Strategy 2020-2030

8. Prior to the commencement of the development, including any works of demolition, a Construction Method Statement for the construction of the development hereby approved shall have been submitted to, and approved in writing by the Local Planning Authority. The construction works shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to protect the amenities of the area and to accord with Policy HS4 of the Wirral Unitary Development Plan.

9. 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. If it is necessary to undertake works during the bird breeding season then trees 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.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 175 of the NPPF.

10. Prior to first occupation of the hereby approved development, details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation shall be submitted to and approved in writing by the Local Authority. Thereafter, their implementation shall be carried out in accordance with the approved details.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 175 of the NPPF.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no window shall be added to the property without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

12. No external lighting shall be installed until details of the proposed lighting scheme to include

a type, location and illuminance level has been submitted to and approved by the Local Authority, thereafter development should be carried out in accordance with the approved details.

Please refer to the Bat Conservation Trust website

<https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Reason: To protect the habitats of commuting and foraging bats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 180 of the NPPF

13. The habitats on site are suitable for hedgehog which is a Priority Species and UDP Policy NC7 applies. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- A pre-commencement check for hedgehog;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them

Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 175 of the NPPF.

14. There are habitats on site suitable for use by amphibians. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

- Existing vegetation on the site will be gradually cut and removed to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 175 of the NPPF.

15. The development hereby permitted shall not be occupied until a detailed scheme for landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of a plan and specification and demonstrate:

- i) The materials to be used for hard and soft surfacing;
- ii) A planting scheme which includes native species congruent with the surrounding landscape;
- iii) Compensatory tree planting to replace those specimens removed as part of the development to include the location, number, species and size of trees to be planted;
- iv) Any earthworks required;
- v) The location and design of fences, gates, walls, railings or other means of enclosure; and
- vi) The timing of implementation of the scheme.

Thereafter the landscaping scheme shall be carried out as approved.

Reason: To safeguard protected species and their habitats, to enhance biodiversity of site

and in the interests of visual amenity and to accord with Policy NC7 and GR5 of the Wirral Unitary Development Plan.

16. No development shall take place until the applicant has submitted a written scheme of investigation for archaeological work for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

The applicant and/or developer shall afford access at all reasonable times to an archaeologist or archaeological organisation nominated by or acceptable to the Local Planning Authority and shall allow them to observe the excavations as they are carried out and to record items of archaeological interest and finds.

Reason: To safeguard any archaeological interest of the site and to comply with Policy CH25 in the Wirral Development Plan, Managing Significance in Decision Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2 (Historic England: 2015); and Paragraph 199 of the NPPF.

17. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Further Notes for Committee:

1. United Utilities advise the following;

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution

The applicant can discuss any of the above with Developer Engineer, Graham Perry, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and /or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk
Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further. Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website
<http://www.unitedutilities.com/builders-developers.aspx>

2. Trees:

The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3998:2010 Tree work – Recommendations
- c) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)

The London Tree Officers Association - www.ltoa.org.uk

- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use

3. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by

nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

Please quote our reference number (PLA0054965) in all communications and correspondence.

4. "Consent under the Highways Act is required for the construction of a new vehicle access or the amendment/removal of an existing vehicular access. Proposed vehicle access to be constructed in accordance with LPA commercial crossing specifications. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Highway Management team area manager via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details. "

5. Ecology

The applicant, their advisers and contractors should be made aware that if any bats or great crested newts are found, then as a legal requirement, work must cease and advice must be sought from an ecologist.

In line with recommendations with NPPF paragraph 175 and the NERC biodiversity duty, I advise that a pond, bat boxes, a hedgehog hibernacula/house and invertebrate boxes should be provided on site.

Archaeology

The Archaeological Watching Brief should be described in a Written Scheme of Investigation (WSI) produced by an appropriately qualified and experienced archaeologist. The WSI should contain a detailed programme of works that includes a specification of the methods to be used. The WSI should be of sufficient detail so that the methodology can be properly assessed by the Local Planning Authority.

At Wirral Council's request, MEAS will continue to liaise with the applicant's archaeological contractor, to ensure that all aspects of the proposed archaeological investigation are implemented in accordance with the appropriate professional standards.

Waste

The Merseyside and Halton Joint Waste Local Plan (WLP) Policy WM8 Waste Prevention and Resource Management, National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) require the use of construction and demolition methods that minimise waste production and maximise re-use, recycling of materials on-site and minimise off-site disposal where practicable. I advise the use of waste audits or a similar mechanism such as a demolition method statement to monitor waste minimisation, recycling, management and disposal.

6. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [**developer.services@dwrcymru.com**](mailto:developer.services@dwrcymru.com)

Last Comments By: 18/04/2021 17:25:41

Expiry Date: 02/04/2021