

# PLANNING COMMITTEE

Thursday, 12 December 2024

Present:

Councillor S Kelly (Chair)

Councillors	S Foulkes	G McManus
	H Gorman	J Walsh
	A Gardner	M Jordan
	B Kenny	K Stuart
	S Powell-Wilde	M Booth (In place of K Hodson)

34 **WELCOME AND INTRODUCTION**

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

35 **APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor Kathy Hodson Councillor Max Booth was in attendance as substitute.

36 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

No interests were declared.

37 **MINUTES**

**Resolved – That the minutes of the meeting held on 7 November 2024 be approved as an accurate record.**

Following a request from the ward councillor the Chair changed the order of the agenda so that Item 7 (APP/24/00672 - 71 Albion Street, New Brighton) was considered first as the councillor had a ward matter to attend to that evening.

The order of the minutes (below) reflects this change.

38 **APP/24/00672 - 71 ALBION ST, NEW BRIGHTON, WALLASEY, WIRRAL, CH45 9JQ - PROPOSAL: CHANGE OF USE OF THE PROPERTY TO A 12-BEDROOM HMO AND PROVISION FOR OFF-STREET CAR PARKING AND CYCLE AND BIN STORES. ALSO PROPOSED IS THE REMOVAL OF EXTERNAL STAIRCASE AND INSERTION OF WINDOW TO REPLACE THE EXISTING DOOR LEADING ONTO THE EXTERNAL STAIRCASE. CONVERSION OF GARAGE TO HABITABLE ACCOMMODATION INCLUDING A NEW DOOR, WINDOW AND**

## **ROOF. REINSTATEMENT OF WINDOWS TO THE BASEMENT APERTURES AND REDUCTION TO HEIGHT OF EXISTING LIGHTWELLS.**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

Councillor Tony Jones as ward councillor addressed the Committee and was questioned by Members.

The Applicant addressed the committee and was questioned by Members.

Members debated the application.

On a motion proposed by the Chair, seconded by Councillor Steve Foulkes, it was:

**Resolved (Unanimously) – That the application be approved for the reasons set out in the officers report subject to the following conditions:**

- 1. The development hereby permitted shall begin not later than 3 years from the date of this decision.**
- 2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on October 23rd, November 5th and 25th 2024 and listed as follows:**
  - Proposed Details drawing no. (20)A003 Revision A dated 23/10/24**
  - Site & Location Plans drawing no. (20)A004 Revision E dated 25/11/24**
- 3. The number of persons residing in the property as their sole or main residence shall not exceed twelve persons at any one time.**
- 4. The landscaping shown on the approved drawing Site & Location Plans drawing no. (20)A004 Revision D dated 05/11/24 shall be carried out no later than the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**
- 5. The cycle parking shown on approved drawing Site & Location Plans drawing no. (20)A004 Revision E dated 25/11/24 shall be made available for use prior to occupation and shall thereafter be retained. For the avoidance of doubt the structures shall be stained brown prior to first occupation of the development hereby permitted.**
- 6. Prior to first occupation of the development, full details of the bin store shown on drawing Site & Location Plans drawing no. (20)A004 Revision E dated 25/11/24 shall be submitted to and approved in writing by the Local Authority. The approved details shall be provided in accordance with the approved details and available for use prior to first occupation of the development and shall thereafter be retained.**

7. Prior to occupation, the South-Westerly facing window panes in the ground floor windows serving Bedroom 5 shall be glazed with obscure glass and shall thereafter be retained as such.

39 **LDP/24/01605 - CHERRY COTTAGE, WALLRAKE, GAYTON, WIRRAL, CH60 8PG - PROPOSAL: APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE USE OF A DWELLINGHOUSE (C3) AS A HOME TO SUPPORT CHILD IN NEED OF CARE (C2)**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for a Lawful Development Certificate for the use of a dwellinghouse (C3) as a home to support child in need of care (C2) for consideration. It was reported that within the addendum report that an additional 4 objections had been received since the agenda was published. The objections did not raise any new planning considerations that were not already set out in the Committee Report.

The Lead Petitioner addressed the Committee and was questioned by Members.

The registered manager at the dwelling addressed the Committee on behalf of the Applicant and was questioned by Members.

Members debated the application.

On a motion proposed by the Chair, seconded by Councillor Harry Gorman, it was:

**Resolved (Unanimously) – That the application for a Certificate of Lawfulness of Proposed Use or Development be approved for the reasons set out in the officers report subject to the following conditions:**

1. **The dwelling would be used as a children's home supervised by non-resident carers. This puts the proposed use within use class C2 rather than the current use which is class C3. Nevertheless, on the basis of the submitted evidence on the balance of probabilities the use of the building and the character of activity associated with that use would not be significantly different to that which could be expected at a single dwellinghouse of this size. Therefore, a material change of use would not occur by virtue of the proposed use.**

40 **APP/23/01510 - LAND OFF DOCK ROAD NORTH, BROMBOROUGH, WIRRAL, CH62 4LN - PROPOSAL: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 115 DWELLINGS WITH VEHICULAR ACCESS, CAR PARKING AND ASSOCIATED INFRASTRUCTURE**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration. The addendum report set out changes to the conditions as set out within the officer's report as a result of changes to paragraph numbers within the revised National Planning Policy Framework (NPPF), a revised site plan reference, and an updated advisory leaflet link.

Councillor Kieran Murphy as ward councillor addressed the Committee and was questioned by Members.

The Applicant's agent addressed the committee and was questioned by Members.

Members debated the application.

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

**Resolved (unanimously) – That**

**A. The Director of Regeneration and Place be authorised to approve the application subject to the following conditions and subject to the completion of an agreement pursuant to section 106 of the Town and County Planning Act 1990 to be prepared, in accordance with section 8.12 of this report:**

- 1. The development must be begun not later than the expiration of three years beginning with the date of this permission**
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2040 001; 2040 002; 2040 003; 2040 010 UU; 2040 012 D; 2040 013 D; 2040 014 C; 2040 015 D; 2040 016 B; 2040 017 D; 2040 018 B; 2040 500; 2040 501; 2040 502; 2040 503; 2040 019; LPL66 XX-BET-XX-XX-DR-C-7000 P01; 2040 801-763-763-763-859; 2040 801-789-789-789- 789; 2040 801-859-763-763-859; 2040 801-859-763-763-859 A; 2040 801-897-897 B; 2040 801- 897-897 B; 2040 801-897-912; 2040 801-936-936 A; 2040 801-1141-1141; 2040-801-SG; 2040 801-920 A; 2040 801-936 A; 2040 801-980 A; 2040 801-1016 A; 2040 801-1134 A; 2040 801- 1179 A; 2040 801-1242; 2040 801 1277 A; 2040 810-1170; 2040 810-1277.**
- 3. Prior to commencement of the development above slab level, a Materials Schedule setting out proposed facing materials for all dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise approved in writing, the Materials Schedule shall be implemented in full.**
- 4. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Management Strategy (Betts Hydro Ref: HYD644\_DOCK.ROAD.NORTH\_FRA&DMS, August 2023) and the following mitigation measures it details: - Finished floor levels shall be set no lower than 8.18 metres AOD. These mitigation measures shall be fully implemented prior to occupation of the first dwelling and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.**
- 5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning**

Authority. The drainage schemes 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 in accordance with BRE365; (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); (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

6. No development shall commence until detailed plans and particulars of the sustainable drainage system, 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. This is to include details of how surface water will be managed during the construction phase and detailing mitigation measures to ensure no increase in flood risk to adjacent plots, highway or properties. The drainage strategy shall comply with the Terms of Condition below and shall be developed in accordance with the discharge hierarchy. The sustainable surface water drainage strategy shall be in accordance with the following submitted documents:

- Preliminary Drainage Layout [21.07.22/ Drawing No BETXX00-DR001/ Rev P5/ Betts Hydro]
- North West SuDS Proforma [08/11/23/Betts Hydro]
- Flood Risk Assessment and Drainage Management Strategy [16.08.2023 / HYD644\_DOCK.ROAD.NORTH\_FRA&DMS/ Rev 4.1/ Betts Hydro]

#### **Terms of Condition 6**

Final/Confirmed Sustainable Drainage Strategy to comply with DEFRA's technical standards for sustainable drainage systems, and the SuDS Manual and include:

- Justification of final design, including evidence that the discharge hierarchy has been followed.
- Drawings to include:
  - Final layout of site with proposed ground and finished floor levels
  - Final Pre and post development flow paths
  - Final layout of sewers; outfalls; SuDS. Invert levels (to OS datum), manhole and pipe sizes; pipe gradients; emergency

- overflows and annotation that correlates to the hydraulic calculations
  - Plan showing ownership and maintenance responsibility for all SuDS components, including hard engineered and landscaped.
  - Hydraulic modelling for final drainage strategy to include:
    - System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance
    - Demonstration of sufficient on-site storage for the 1 in 100 year (plus climate change) critical rainfall event, including with a surcharged outfall
    - Design criteria summary, Full network details table, pipe and manhole schedules, contributing area summary, control/storage structure details, results summary print outs
    - Volumetric runoff co-efficient (Cv) should be set to '1'
  - Timetable including any phasing and demonstrating completed SuDS construction prior to occupation
  - Construction Phase Surface Water Management Plan
  - Evidence of appropriate permissions for surface water outfall from Environment Agency and third-party landowner as applicable
  - Secure means of access for maintenance and easements, where applicable
7. 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. The approved drainage scheme shall be fully constructed prior to occupation. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements in accordance with the approved details, shall be submitted prior to occupation 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.
8. Excluding demolition works and site clearance, no development shall commence until a scheme of landscaping (including a Landscape Management Plan) in accordance with the recommendations set out in the approved Biodiversity Enhancement Measures (version 3) document and to include at least 4 new trees, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out and completed in accordance with those approved details no later than the first planting season (October – March) following first occupation of the specific dwelling to which it relates or before occupation of the 1st dwelling, for all other areas of the development. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives

its written consent to any variation. The approved landscaping should be managed for the lifetime of the development in accordance with said details.

9. Prior to their occupation, all properties identified as numbers 84 to 96 on approved plan Proposed Site Layout (Ref: 2040 010 Rev UU) shall be fitted with Mechanical Ventilation Heat Recovery (MVHR) and double glazing across the rear elevations. The (MVHR) system and double glazing shall be retained thereafter unless otherwise agreed with the local planning authority.
10. Except for site clearance and remediation works no development shall commence until a scheme for the design and construction of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For avoidance of doubt, the works shall include: (i) The formation of the site access junction including dropped kerbs and tactile paving to Dock Road North and the provision of accesses to the two sub-stations with dropped kerbs and tactile paving as necessary. (ii) Resurfacing of the footway of Dock Road North contiguous with/along the development site frontage to provide a continuous palette of material and the provision of parking bays to the Dock Road North carriageway in accordance with drawing reference no. 010. Rev UU Proposed Site Layout (iii). The provision of a waiting restriction to the turning head at the Dock Road cul-de-sac and waiting restrictions to the New Road A carriageway. (iv) The provision of an emergency access with collapsible bollards (or similar vehicle deterrent) and widened footway at the north end of New Road E. (v) Replacement/upgrade of street lighting necessary as part of the detailed design. The approved scheme shall subsequently be implemented prior to first occupation of the development hereby approved.
11. No occupation of any of the approved dwellings shall take place until details of the proposed arrangements for future management and maintenance of the proposed roads within the development have been submitted to and approved in writing by the Council as Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.
12. Except for demolition and site clearance works, no development shall commence until full engineering, drainage, street lighting and construction details of the roads proposed for adoption have been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Council as Local Planning Authority.
13. Except for demolition and site clearance works, no development shall take place until the surface water drainage of the site has been designed to prevent the discharge of water on to the public highway. The

drainage design shall be submitted to and approved in writing by the Council as Local Planning Authority.

14. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number 2040 010 Rev UU Proposed Site Layout. The parking and servicing areas shall be retained as such thereafter.
15. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Council as Local Planning Authority. The method statement shall include, but not be limited to:
  - Construction traffic routes, including provision for access to the site
    - Entrance/exit from the site for visitors/contractors/deliveries
  - Location of directional signage within the site
  - Siting of temporary containers
  - Parking for contractors, site operatives and visitors - Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
  - Temporary roads/areas of hard standing
  - Schedule for large vehicles delivering/exporting materials to and from site
  - Storage of materials and large/heavy vehicles/machinery on site - Measures to control noise and dust
  - Details of street sweeping/street cleansing/wheelwash facilities
  - Details for the recycling/disposing of waste resulting from demolition and construction works
  - Hours of working
  - Phasing of works including start/finish datesThe development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.
16. Prior to first occupation of Units 1 and 2 and/or use of the sub-station, the access adjacent to the northwest boundary onto Dock Road North (serving the sub-station and Units 1 and 2) shall be laid out in accordance with details to be approved under Condition 10 of this permission and retained in perpetuity thereafter
17. The development shall adhere to the provisions of the submitted Habitat Creation and Management Plan (Amenity Tree Care Ltd, Version 1, dated 30.07.2004) in full.
18. The submitted Construction and Environmental Management Plan (Lovell, Rev. B) shall be adhered to in full throughout the development process unless otherwise agreed by the local planning authority.



- 19. The development should be undertaken in accordance with all the recommendations set out in section 4 of the submitted Biodiversity Enhancement Measures document (Amenity Tree Care Ltd, Version 3, dated 12.07.2023).**
- 20. Prior to the occupation of the first dwelling of the development hereby permitted, a lighting scheme that is designed to protect bats and other wildlife, and does not result in excessive light spill shall be submitted to the Local Planning Authority for approval in writing. The scheme will be designed with regards to the guidance provided by the Bat Conservation Trust website. The lighting scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings and shall be maintained as such for the lifetime of the development.**
- 21. The development shall be undertaken in full accordance with the measures set out in the submitted Small Mammal and Breeding Bird – Reasonable Avoidance Measures Statement (Amenity Tree Care Ltd letter, dated 06.08.2022).**
- 22. Prior to the occupation of each specific dwelling, a scheme for hedgehog highways shall be installed in close boarded fences on site with 13cm x 13cm gaps and shall be submitted for approval in writing to the Local Planning Authority. The hedgehog highways scheme shall be implemented in accordance with the approved details prior to the occupation of any of the relevant dwellings and shall be maintained as such for the lifetime of the development.**
- 23. Prior to the commencement of the development hereby approved, a Construction Site Waste Management Plan (CSWMP) shall be submitted to, and approved by, the LPA in writing. Thereafter, unless otherwise approved in writing, the construction of the development shall be managed in accordance with the approved details. Unless otherwise approved in writing, the approved CSWMP shall be implemented in full.**
- 24. Prior to the commencement of development, the following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on any hedgehogs, a priority species, on the site:**
  - A pre-commencement check for hedgehogs;**
  - All trenches and excavations should have a means of escape (e.g. a ramp);**
  - Any exposed open pipe systems should be capped to prevent hedgehog gaining access; and**
  - Appropriate storage of materials to ensure that hedgehogs do not use them.**
- 25. No development shall take place until an assessment is carried out in accordance with authoritative Land Contamination Risk Management technical guidance has been submitted to and approved in writing by the Local Planning Authority. If any contamination posing unacceptable risks is found, a report appraising remedial options and specifying the measures to be taken to remediate the site to render it suitable for the**

approved use shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures prior to first occupation and a verification report shall be submitted to and approved by the Local Planning Authority.

26. If, during development, any contamination posing unacceptable risks is found, which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures, and a verification report shall be submitted to and approved by the Local Planning Authority.
27. The recommended dust mitigation measures as outlined in the submitted Air Quality Assessment (Wardell Armstrong, Ref: GM12385, 001, V0.2) shall be employed during the construction and operation phase of the development. All of the relevant site-specific mitigation measures mentioned in the IAQM guidance on the assessment of dust from demolition and construction shall be employed.
28. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
29. No drainage systems for the infiltration of surface water to the ground where there are known or suspected adverse concentrations of land contamination are permitted, other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
30. Prior to any part of the development being occupied, a verification report demonstrating the completion of 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 results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
31. Prior to the occupation of the development, a scheme for cycle and bin storage shall be submitted to, and approved by, the Local Planning Authority. Thereafter the scheme shall be implemented prior to the occupation of any of the dwellings and retained as such thereafter.
32. Prior to occupation, each dwelling of the development hereby permitted shall be provided a colour copy of the Wirral advisory leaflet (current version available at the following link:  
<https://eas.merseysidebiobank.org.uk/wp->

[content/uploads/2024/01/lcr leaflet wirral.pdf](#) ) within the sales packs of the new dwellings.

33. Prior to first occupation of the development hereby permitted full details of the proposed footpath link as detailed on the Proposed Site Layout (Ref: 2040 010 Rev UU) and its connection with the footpath serving Port Sunlight River Park shall be submitted to and approved by the local planning authority.
34. Prior to any above ground construction works of any dwelling hereby approved, full details of the proposed boundary and landscaping treatment to the southern boundary of the development site shall be submitted to and agreed by the local planning authority and thereafter implemented prior to occupation.
35. Notwithstanding the details shown on the submitted plans, prior to the commencement of development (other than demolition and site clearance) full details of the proposed finished ground and floor levels of the hereby approved development and the existing ground levels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the approved details.

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

41 **APP/22/02041- 3 MARTIN CLOSE, IRBY, WIRRAL, CH61 0HP - PROPOSAL: TO DEVELOP SITE BY THE DEMOLITION OF EXISTING DWELLING AND THE ERECTION OF 8 DETACHED DWELLINGS WITH NEW ACCESS, LANDSCAPING AND ANCILLARY WORKS.**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration. It was noted that the addendum report detailed additional conditions for approval as a result of paragraph 185 of the revised NPPF superseding paragraph 175 of the previous version.

Members considered the written objections as detailed in the report.

The Applicant addressed the committee and was questioned by Members.

Members debated the application.

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

**Resolved (Unanimously) – That**

- A. That the Director of Regeneration and Place be authorised to approve the application subject to the following conditions and subject to the completion of an agreement pursuant to section 106 of the Town and County Planning Act 1990 to be prepared, in accordance with section 8.12 of this report:**
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
  - 2. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:**
    - **010 P – Proposed Site Layout**
    - **HT1-001 – Floor Plans – House Type 1**
    - **HT1-002 – Elevations – House Type 1**
    - **HT2-001 – Floor Plans – House Type 2 – Plot 01**
    - **HT2-002 – Elevations – House Type 2 – Plot 01**
    - **HT2-001(8) – Floor Plans – House Type 2 – Plot 8**
    - **HT2-002(8) – Elevations – House Type 2 – Plot 8**
    - **HT3-001 B – Floor Plans – House Type 3**
    - **HT3-002 B – Front and Rear Elevations – House type 3**
    - **HT3-003 B – Gable Elevations – House Type 3**
    - **G-001 – Single Garage – Floor Plan and Elevations**
    - **301 B – Proposed Site Sections**
    - **Materials Schedule**
  - 3. The following windows shall be installed as obscured glazing (Level 4 obscurity or above) prior to first occupation of the relevant dwellings and shall be maintained as such in perpetuity:**
    - **Plot 1 – Ensuite at first floor level**
    - **Plot 2 – Ensuite at first floor level**
    - **Plot 3 – Ensuite at first floor level**
    - **Plot 7 – Bathroom at first floor level**
    - **Plot 8 – Ensuite at first floor level**
  - 4. The provisions of the Construction Environmental Management Plan (ref: 11941 Irby CEMP 09.07.2024 V1) 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.**
  - 5. Any tree or scrub clearance shall be conducted outside of the breeding bird season (March – September). If this is not possible then a breeding bird survey should be conducted by a suitably qualified ecologist prior to works commencing. If nesting birds are discovered, then the area around the nest shall be isolated and works halted until nesting has finished.**
  - 6. All construction activities shall comply with the following best practice measures:**
    - **A pre-commencement check for badger and hedgehog mammals;**
    - **Measures set out in the Environment Agency’s Pollution Prevention Guidelines;**

- Excavations should be sealed overnight or should have at least one shallow sloping side allowing animals to escape should they fall in;
  - An ecologist shall be contacted for advice should any protected species be discovered during construction; and,
  - 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.
  - Appropriate measures to suppress dust should be put in place during hot, dry, or windy weather.
7. Prior to development reaching damp-proof course level and installation of landscaping features a plan and details shall be provided to the Local Planning Authority for approval in writing, and should include clearly marked-up plans showing:
- bat and bird nesting boxes (number, type, location and timing of installation);
  - Hibernacula and areas of planting for amphibians, reptiles and hedgehog;
  - In the event that close board fencing is provided hedgehog highways (13cm x 13cm gaps).
- The approved plan shall be fully implemented as approved prior to first occupation of the residential dwellings hereby approved.
8. In conjunction with condition 7 a scheme of landscape proposals shall be submitted to and approved in writing by the Local Planning Authority prior development reaching damp-proof course level. For the avoidance of doubt, the landscaping scheme shall include a minimum of 10 trees and shall seek to maximise the number of trees and ecological habitat. All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
9. Prior to occupation of the approved houses, the rear gardens, garages, boundary treatments (including the stone wall to the front of Plots 1 and 8) and driveways shall be provided and/or made available for use, and the provision shall be maintained as such thereafter.
10. Prior to development above damp proof course level a Biodiversity Management Plan for the area between Plots 7 and 8 and to the rear of number 1 Martin Close shall be submitted to and approved in writing by the Local Planning Authority. This shall include details on who will be responsible for implementing and maintaining the Plan, Prior to occupation of the residential units hereby approved the

**Management Plan shall be enacted, and the development shall be operated in accordance with the approved Management Plan thereafter.**

**11. No demolition shall take place until a report on a programme of historic building investigation and accompanying Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The WSI must include the following:**

- A programme and methodology of site investigation and recording.**
- A programme for post-investigation reporting to include production of a final report of the significance of the historic building.**
- Provision for appropriate publication and dissemination of the archaeology and history of the historic building.**
- Provision for archive deposition of the report and records of the site investigation.**
- Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.**

**The subsequent demolition shall be undertaken in accordance with the Written Scheme of Investigation (WSI).**

**12. Development (except for the demolition of the existing building on site) shall not commence until a full scheme of works and a timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring, has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be constructed in accordance with the approved details and maintained as such thereafter.**

**13. Prior to the commencement of development (except for the demolition of the existing building on site), details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365; (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); (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems.**

**The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems**

**(March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.**

- 14. In the event that street lighting is proposed within the Site details of the lighting and the associated lighting columns shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include an assessment of the impact on bats. The lighting shall subsequently be installed in accordance with the approved details.**
  
- 15. Prior to the commencement of development (except for the demolition of the existing building on site) method statement to demonstrate how Cotoneaster will be removed from the Site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include:**
  - A plan showing the extent of the plant(s);**
  - The method(s) that will be used to prevent the plant/s spreading further, including demarcation;**
  - The method(s) of control that will be used, including details of post-control monitoring; and**
  - How the plants will be disposed of after treatment/removal**
  
- 16. Prior to the commencement of development (Except for the demolition of the existing building on site) details of measures to protect trees on land adjoining the site shall be submitted to and approved in writing by the Local Planning Authority. The measures shall subsequently be provided on site and maintained as such until the residential houses have been substantially completed.**
  
- 17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no works falling within Class A or B of Part 1 of Schedule 2 shall be undertaken to the houses hereby approved without the consent of the Local Planning Authority**
  
- 18. Notwithstanding the details shown on the submitted plans, prior to the commencement of development (other than demolition and site clearance) full details of the proposed finished ground and floor levels of the hereby approved development and the existing ground levels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the approved details.**
  
- 19. Notwithstanding the details submitted with the application, prior to any work above ground level full details of all facing materials (including where they will be used in each elevation) for the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved details.**

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