

# STRATEGIC APPLICATIONS SUB COMMITTEE

Thursday, 16 January 2025

Present:

Councillor S Kelly (Chair)

Councillors S Foulkes  
B Kenny  
K Stuart

K Hodson  
A Gardner  
H Gorman

## 1 WELCOME AND INTRODUCTION

The Chair welcomed Members of the Strategic Applications Sub-Committee, Officers, members of the public and those watching the webcast to the meeting.

## 2 APOLOGIES

There were no apologies for absence.

Councillor Steve Foulkes declared a personal interest in item 3 as, in his role as the Chair of the Liverpool City Region Transport Committee, some of the items involved in the application had been discussed over a number of years, but he had not pre-determined the application and was viewing the matter with an open mind.

Councillor Andrew Gardner declared a personal interest in item 3 as he was a member of the Economy, Regeneration and Housing Committee where this development had been discussed but he retained an open mind on the subject.

## 3 **OUT/23/01259 - LAND BOUNDED BY APPIN RD, BIRKENHEAD CENTRAL STATION, BOROUGH RD, CLIFTON CRESCENT, ARGYLE STREET, CONWAY STREET, KINGS SQUARE, A41, ROCK RETAIL PARK, GREEN LANE AND HELMINGHAM GROVE. HYBRID PLANNING APPLICATION FOR THE PHASED DEVELOPMENT OF HIND STREET URBAN GARDEN VILLAGE**

The Principal Planning and Enforcement Team Leader presented the report in relation to the above application for consideration.

Representatives of the applicant addressed the Committee with the details of the application and answered Members questions.

Members debated the application.

The Chair suggested that the reference to 'consultation with the Chair' in the recommendation should be amended to 'consultation with Chair and Spokespersons'. This was noted by the Committee. The Chair also made reference to the addendum report, which was noted by the Committee.

On a motion proposed by the Chair, Councillor Stuart Kelly, seconded by Councillor Steve Foulkes it was –

**Resolved (unanimously)– That for the reasons set out in the officers' report:**

- 1. the Chief Planner, Assistant Director of Regeneration and Place be authorised to approve the application subject to:
  - a. Referral to Secretary of State as the application is a departure from the Unitary Development Plan;**
  - b. The satisfactory completion of an agreement under S106 of the Town and Country Planning Act 1990 that will secure the planning obligations set out at section 8.14 of this report on land owned by the Applicant;**
  - c. The conditions set out below.****
- 2. That delegated authority is given to the Chief Planner, Assistant Director of Regeneration and Place in consultation with the Chair and spokespersons of the Strategic Applications Sub-Committee to make minor non substantive amendments to the S106 Heads of Terms and planning conditions as necessary.**
- 3. That the Chief Planner, Assistant Director of Regeneration and Place be authorised to refuse the application in the event that a satisfactory section 106 agreement is not received within 12 months of the date on which Strategic Applications Sub Committee resolve to approve the application unless an extension of time is agreed to the satisfaction of the Chief Planner, Assistant Director of Regeneration of Place in consultation with the Chair and Spokespersons of the Planning Committee.**

**Conditions - full planning permission only (1-4)**

**Conditions - outline planning/reserved matters permission only (5-44)**

**Conditions - both planning permissions (45-82)**

**Notes to Applicant**

**Glossary of Terms;**

**Where a condition refers to “remediation or enabling works”, this refers to the works in Phase A and B as sought under the full approval, with particular regard to; construction of Mollington Link Active Travel Route, bus gate, remediation works including but not limited to demolition, reprofiling of land levels, tidal flood mitigation, gas decommissioning, sewer diversion works and works to create Dock Branch Park, where stated.**

**A. Conditions - full planning permission only (1-4)**

**1. The development hereby permitted IN FULL (as indicated in Design and Access Statement & Design Code: Part 3 Phasing & Delivery, 13.1 Enabling Phase and 13.2 Phase A; (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06) shall be begun before the expiration of 3 years from the date of this permission.**

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

**2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23rd August 2023 and listed as follows:**

***Demolition & Retention Plan - HSM-BDP-YY-XX-DR-A-000015 P07;***

***Parameter Plan\_01 (PP1) - Uses & Horizontal Limits of Deviation - HSM-BDP--ZZ-XX-DR-A-202001 P11 (revised received 13th November 2024);***

***Parameter Plan\_02 (PP2) - Vertical Limits of Deviation - HSM-BDP--ZZ-XX-DR-A-202002 P09 (revised received 13th November 2024);***

***Parameter Plan\_03 (PP3) - Public Open Spaces - HSM-BDP--ZZ-XX-DR-A-202003 P09 (revised received 13th November 2024);***

***Mollington Link to Hind Street Active Travel Route - HSM-CUR-XX-XX-D-C-04401-P05;***

***Play Features & Art - 2879-PLA-XX-XX-DR-L-4001 P03 ;***

***Furniture GA - 2879-PLA-XX-XX-DR-L-4000 P03;***

***Levels GA - 2879-PLA-XX-XX-DR-L-3000 P05 (revised received 13th November 2024);***

***Softworks Trees GA - 2879-PLA-XX-XX-DR-L-2001 P04 (revised received 13th November 2024);***

***Softworks GA - 2879-PLA-XX-XX-DR-L-2000 P04 (revised received 13th November 2024);***

***Hardworks GA - 2879-PLA-XX-XX-DR-L-1000 P05 (revised received 13th November 2024);***

***DBS General Arrangement - 2879-PLA-XX-XX-DR-L-0002 P04 (revised received 13th November 2024);***

***DBS Landscape General Arrangement - 2879-PLA-XX-XX-DR-L-0001 P06 (revised received 13th November 2024);***

***Hind Street Landscape GA - 2879-PLA-01-XX-DR-L-0002 P06;***

***Design and Access Statement & Design Code Including Infrastructure Plan / Delivery Strategy (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06 ;***

***Dock Branch South Design and Access Statement (Plant-IE) - 2879-PLA-00-XX-RP-0001 – P04 (revised received 13th November 2024); and***

***Demolition Method Statement (ION; June 2023)***

**Reason: For the avoidance of doubt and to define the permission Highways/Flyovers**

**3. The stopping up and demolition of the Queensway (Birkenhead Tunnel) Approaches and Borough Road (A5227) Flyovers, and the delivery of associated highway mitigation shall be undertaken in a phased manner following the approval processes set out in parts A to D below. Prior to works commencing on site, the applicant shall establish a Flyover Demolition Steering Group to inform consideration by the Local Highway Authority and the LCRCA of the detailed design, phasing and implementation proposals of all flyover demolition and highway mitigation measures. The make-up of the group shall be approved by the Local Highway Authority with, as a minimum, representatives being invited from, the applicant, the Local Highway Authority, Local Planning Authority, and the Liverpool City Region Combined Authority.**

**A The implementation of the element of the overall Flyover stopping up order as it relates to the Queensway (Birkenhead Tunnel) Approaches off ramp into King's Square and its subsequent demolition and the Tunnel Approaches/Marshalling area to the west of the proposed King Square Link Road cannot take place until the following works illustrated on plans labelled Highway Stage 01 and Highways Stage 02 on Page 200 of the Hind Street Urban Gardens Village Design and Access Statement & Design Code have been designed and implemented to the satisfaction of the Local Planning Authority.**

**I The upgrading of the Argyle Street/Conway Street junction to a traffic signalled controlled junction incorporating pedestrian and cycle facilities.**

**II The upgrading of the Hamilton Street/Conway Street junction to a traffic signalled controlled junction incorporating pedestrian and cycle facilities.**

**III The upgrading of the Borough Rd East/Jackson Street junction to a traffic signalled controlled junction incorporating pedestrian and cycle facilities.**

**IV The rationalisation of the highway link incorporating cycle paths between the Argyle Street/ Conway Street and Hamilton Street/Conway Street junctions.**

**V The construction of a new highway link incorporating cycle paths between the Hamilton Street/Conway Street junctions and Borough Rd East /Jackson Street junctions.**

**VI Hamilton Street being made 2-way between Conway Street and Hinson Street**

**VII Making the turn from William Street into Conway Street left turn only.**

**Discussion Note – 29th November – It may be that the off ramp will need to be closed traffic in order to build the link referenced at V. above. If this is the case the works outlined at point 5 will need to be undertaken as part of B below.**

***Reason To establish a suitable alternative route between Borough Road and the Queensway (Birkenhead Tunnel) entrance and to ensure that the development is implemented in a way that delivers the sustainable transport benefits in a co-ordinated way and to benefit the safe and efficient movement of pedestrians, cyclists and bus users.***

**B** The implementation of the element of the overall Flyover stopping up order as it relates to the Queensway (Birkenhead Tunnel) Approaches exit flyover from the tunnel exit to the east of Argyle Street and its subsequent demolition cannot take place until the works identified in Part A above and the following works illustrated on plans labelled Highway Stage 03 and Highways Stage 04 on Page 200/221 of the Hind Street Urban Gardens Village Design and Access Statement & Design Code have been designed and implemented to the satisfaction of the Local Planning Authority t.

- I** The demolition of the King's Square – Queensway Tunnel flyover off ramp
- II** The upgrading of Jackson Street between Borough Road East and Waterloo Place to include active travel measures and a north bound contra flow bus lane.
- III** The introduction of a temporary road link across the Wilbraham Street Car Park between Clifton Crescent and Borough Road East
- IV** The upgrading of Borough Road East and Tunnel Road to make it capable of accommodating two-way traffic.
- V** The implementation of a suitable first phase of works to the A41 (Wirral Circular Trail)/Tunnel Road junction to accommodate additional traffic.
- VI** The implementation of suitable preparatory works to the Chester Street/ Tunnel Road junction to accommodate the eventual introduction of a traffic signal-controlled junction in this location.
- VII** The upgrading of the Chester Street tunnel exit toll booths arrangement.

***Reason To establish a suitable alternative route between Queensway (Birkenhead Tunnel) exit and Borough Rd and to ensure that the development is implemented in a way that delivers the sustainable transport benefits in a co-ordinated way and to benefit the safe and efficient movement of pedestrians, cyclists and bus users.***

**C** The implementation of the element of the overall Flyover stopping up order as it relates to the off ramp section of the eastbound elevated section of Borough Rd (A5277) and its subsequent demolition of flyover cannot take place until the works identified in Part A and B above plus the following works illustrated on plans labelled Highway Stage 06 and Highways Stage 07 on Page 203 of the Hind Street Urban Gardens

Village Design and Access Statement & Design Code have been designed and implemented to the satisfaction of the Local Planning Authority .

I The demolition of the Queensway (Birkenhead Tunnel) tunnel exit flyover permitted by Part B above.

II The remodelling of the Conway Street approach to the Tunnel entrance

III The construction of a new section of highway to accommodate northbound traffic between the A41/Wirral Circular Trail and the Tunnel entrance.

IV The remodelling of the tunnel entrance and exit toll booths.

V The remodelling of the southbound tunnel egress between the Tunnel exit and the A41.

VI Reversing the traffic flow on the current westbound Borough Road (A5227) flyover between Clifton Crescent and Chester Street (A41).

*Reason To allow for the completion of the A41/Wirral Circular Trail northbound tunnel approach route and to ensure that the development is implemented in a way that delivers the sustainable transport benefits in a co-ordinated way and to benefit the safe and efficient movement of pedestrians, cyclists and bus users.*

D The implementation of the element of the overall Flyover stopping up order as it relates to the current westbound and remainder of the eastbound Borough Road (A5227) flyover from Chester Street (A41) to Borough Road and its subsequent demolition together with closure of the remaining Tunnel Approaches/Marshalling areas cannot take place until the works identified in Part A, B and C above plus the following works illustrated in plan labelled Highway Stage 09 ON Page 204 of the Hind Street Urban Gardens Village Design and Access Statement & Design Code have been designed and implemented to the satisfaction of the Local Planning Authority Is.

I The demolition of the section of the Borough Road (A5227) Flyover permitted by Part C

II The construction of the balance of the A41/Wirral Circular Trail northbound approach to the tunnel entrance

III The completion of the traffic signal control junction at New Chester Rd/A41 to accommodate 2- way traffic on Tunnel Road

IV The completion of the traffic signal control junction at Tunnel Road/Chester Street to accommodate two-way traffic on Tunnel Road

V Introducing two-way traffic movement on Tunnel Road/Borough Rd East and Clifton Crescent

In addition, the design of the of the new Argyle Street/Borough Road junction will need to be approved by the Local Highway Authority

***Reason To allow for the completion of the flyover demolition works and facilitate the subsequent construction of the new Argyle Street/Borough Rd junction and to ensure that the development is implemented in a way that delivers the sustainable transport benefits in a co-ordinated way and to benefit the safe and efficient movement of pedestrians, cyclists and bus users.***

**4. A Road Safety Audit (stages 1, 2, 3 and 4) shall be submitted and agreed in writing with LPA as the Overseeing Authority at appropriate stages of the highway design and construction to ensure highway safety.**

**Following completion of the off-site highway works and prior to the first opening of the active travel route a Stage 3 Road Safety Audit shall be provided for assessment by the Local Highway Authority. Safety Audit monitoring will be carried out at the appropriate stage following the opening of the active travel route. The measures agreed will be retained thereafter.**

**Reason: In the interest of highway safety and to comply with UDP Policy SH1.**

**B. Conditions outline planning permission/reserved matters only (5-45)  
Time Limits**

**5. Application(s) for the approval of all the reserved matters pertaining to phase A-E of the 'OUTLINE' component of the development, (as indicated in Design and Access Statement & Design Code: Part 3 Phasing & Delivery, 13.3 - 13.5; (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06), must be made no later than the expiration of 15 years from the date of this permission and shall begin no later than two years from the date of approval of the last reserved matters to be approved, whichever is later.**

**Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990**

**Design & Layout**

**6. Approval of the appearance, scale, layout, access and landscaping for the phase approved in outline, hereafter called the "reserved matters" shall be obtained from the Local Planning Authority before any development is commenced on that phase of the application site.**

**For the avoidance of doubt, all reserved matters applications should include full details of:**

- facing/roofing/window materials;**
- landscaping details including scheme of planting including indigenous species, and shall demonstrate how the scheme results in a net gain of tree canopy cover when assessed against the base position of the site;**
- existing site levels;**
- finished site and floor levels;**

- secure covered cycle parking and/or storage facilities;
- full details of the sustainable urban drainage system;
- a plan showing the areas to be offered up for adoption on completion of the development phase or part thereof and details of the maintenance strategy to be introduced prior to the works being approved within the adopted highway.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

**7. Applications for the reserved matters for each phase of the development hereby approved shall include the following information: (i) a statement to demonstrate how the development will conform with the updated Environmental Statement; (ii) an updated Design & Access Statement based on the Hind Street Urban Garden Village Masterplan Area (MPA-RA5.1) within the emerging Local Plans setting (iii) details demonstrating accordance with the principles and parameters described and illustrated in (Design and Access Statement & Design Code: Part 7.0 Building Design Parameters and Part 8.0 Street Design Principles; (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06) (iv) a Design Code (as identified in the Design and Access Statement & Design Code: Part 12.0 Plot Design Code; (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06) to demonstrate how the proposed development will relate to neighbouring sites and or phase(s) ; (v) a detailed Design Brief (vi) An updated Economic Impact Assessment when: a. the overall floor space for purposes within Uses (E(a0, E(b), E(d), E(g), F1(a) and F2(b)) would exceed 39,250 square metres b. the overall floor space for purposes within Use Class Sui Generis would exceed 25375 square metres (vii) a housing delivery plan linked to scaled drawings (for applications involving residential development) showing: a. the number, size, type and tenure mix for each dwelling; b. the tendering/procurement stage for any social rented, shared ownership and key worker sub market rented units; c. the dates for the start of construction and completion; d. the ownership and management arrangements for each tenure of affordable housing units; e. the number, unit size and mix of wheelchair accessible homes and their storey, level, f. and the quantity and type of private residential amenity space; (viii) an updated retail assessment here appropriate for retail development within Use Classes E;**

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

**8. All reserved matters applications shall be brought forward in accordance with the maximum and minimum development parameters identified on the drawings Parameter Plan\_01 (PP1) - Uses & Horizontal Limits of Deviation - HSM-BDP--ZZ-XX-DR-A-202001 P11; Parameter**



**Plan\_02 (PP2) - Vertical Limits of Deviation - HSM-BDP--ZZ-XX-DR-A-202002 P09; Parameter Plan\_03 (PP3) - Public Open Spaces - HSM-BDP--ZZ-XX-DR-A-202003 P09.**

**Reason: To ensure that the quantum of development pursued is in accordance with the level assessed and found to be acceptable by this planning permission.**

**9. Reserved matters applications for development on phases (A-E) ,shall be submitted with a masterplan for the whole phase, where possible demonstrating a comprehensive and phased approach to delivery including timescales for development of associated infrastructure and public realm and demonstrating how the phase and sub-phases of the development will be in accordance with the approved Design Code and Parameters Plan.**

**Reason: To ensure a comprehensive approach is followed and to ensure that the scheme accords with the approved Design Codes and safeguards residential amenity**

**10. All reserved matters shall be designed to consider and achieve Secured By Design principles . Details of how each plot complies with Secured By Design principles shall be submitted with all reserved matters applications including,:** - Security provisions in place prior to and through the construction phase; - Details of new street lighting; - Installation of CCTV; - Site layout utilized to maximise natural surveillance; - Avoidance of blank elevations in order to reduce opportunities for graffiti, inappropriate loitering and potentially anti-social ball games

**The approved measures shall be implemented and retained thereafter.**

**Reason: To provide a safe and secure environment, having regards to the principles of the National Planning Policy Framework**

**11. Each reserved matters application which includes non-residential uses shall include a breakdown of the non-residential floorspace within that phase and all previous phases.**

**Reason: In the interests of safeguarding the vitality and viability of nearby town centres and having regard to the NPPF.**

#### **Ecology**

**12. An updated preliminary ecological appraisal for each phase or sub-phase of the development hereby permitted in outline shall be undertaken in accordance with CIEEM (2017) guidelines and submitted as part of any reserved matters application relating to that phase or sub-phase. The agreed recommendations shall be fully implemented and if relevant retained thereafter.**

**Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 187 of the NPPF**

**13. Prior to development of phase C, no development shall commence until a programme of Historic Building Investigation and Archaeological Works has been undertaken in accordance with a Written Scheme of Investigation which must be submitted to and approved in writing by the Council prior to archaeological work being carried out.**

**Reason: To safeguard any archaeological interest of the site**

**14. An up-to-date bat survey for each phase (post Phase A & B) of the development hereby permitted in outline shall be undertaken in line with best practice and submitted as part of the reserved matters application relating to that phase. The agreed recommendations shall be fully implemented and if relevant retained thereafter.**

**Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 187 of the NPPF**

**15. Each reserved matters application shall include details of how the impact on bats will be mitigated for any buildings and structures which cannot be accessed for safety reasons. Any agreed mitigation shall be implemented and if relevant retained thereafter.**

**Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 187 of the NPPF**

**16. For each phase or sub-phase of the development hereby permitted in outline a lighting scheme for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting. All lighting shall be designed to protect ecology and minimise light spill into habitats in accordance with "Bats and Artificial Lighting at Night". The lighting shall thereafter be installed in accordance with the agreed details and retained thereafter.**

**Reason: To safeguard protected species and their habitats and to comply with Policy NC7 in the Wirral Unitary Development Plan and Paragraph 187 of the NPPF**

**17. Prior to the commencement of above ground works on each phase or sub-phase subject of the outline permission a Servicing and Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the strategy shall set out design and operational proposals for servicing and the storage, transfer and collection of waste ensuring that appropriate arrangements are made and that logistical requirements are**

appropriately considered and addressed. The Strategy shall be subsequently implemented prior to occupation in accordance with the approved details and adhered to thereafter

**Reason:** To ensure that the proposed development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, whilst to ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, to accord with Policies WM8 and WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP), National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49).

**18.** No development shall be occupied on each phase or sub-phase subject of the outline permission until details of servicing arrangements in accordance with the Servicing Strategy approved pursuant to Condition 17 above and a programme for their implementation has been approved by the local planning authority. The servicing details shall include the following: (a) details for the servicing of the units to be provided as part of each phase or sub-phase; (b) details of the proposed changes in servicing to the existing retained units; (c) the proposed management of the service areas. The approved details shall be implemented in accordance with the approved programme and the facilities shall be retained thereafter.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8).

#### **Trees/Landscaping**

**19.** The landscaping details submitted and approved with each reserved matters application shall be completed either: (a) not later than the first planting season following completion of the development; or (b) during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.

Any trees or shrubs which die, become diseased, damaged or are removed within 3 years of planting shall be replaced with trees and shrubs of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter, all works to be carried out to BS 4428: 1989 "Code of Practice for General Landscape Operation".

**Reason:** It is in the interests of visual amenity and in accordance with Policy GR5 of the Wirral Unitary Development Plan

**20.** No plot containing residential development (Use Class C3), shall be occupied until details of the walls, fencing or any other form of boundary treatment proposed as part of that plot have been submitted to and approved in writing by the local planning authority. The approved

**details shall be implemented prior to the occupation of the development and retained thereafter.**

**Reason: To ensure the proper planning and operation of servicing provision both during and following completion of the development**

**21. Prior to first occupation of any residential units approved as part of this permission, full details of the proposed children's play space/area shall be submitted to and approved in writing by the Local Planning Authority. The approved play space/area shall be installed and made available for use prior to occupation of the 100th residential unit approved as part of this permission and retained as such thereafter.**

**Reason: To ensure adequate play provision for future occupiers of the development having regards to Wirral Unitary Development Plan Policy GR6, the National Planning Policy Framework and Sport England's Active Design principles**

## **Highways**

**22 Prior to the occupation of the development hereby approved on Plot 1, a Travel Plan designed in accordance with the Framework Travel Plan shall be submitted to and approved by the local planning authority. The approved Travel Plan must be implemented in full within 3 months of occupation and shall be adhered to at all times thereafter, unless otherwise agreed in writing by the local planning authority.**

**Reason: In the interests of Highway safety**

**23 No development shall take place on each phase subject of the outline permission until details of the advisory traffic signage strategy and relevant Traffic Regulation Order's for Heavy Goods Vehicles, long-axel vehicle or the movements of vehicles carrying abnormal loads have been approved by the local planning authority. The approved details shall be implemented in accordance with the approved programme.**

**Reason: In the interests of Highway Safety.**

**24. No development shall take place on each phase subject of the outline permission until details of the advisory traffic signage strategy and relevant Traffic Regulation Order's for access and egress movements for Queensway Tunnel for all vehicles have been approved by the local planning authority. The approved details shall be implemented in accordance with the approved programme .**

**Reason: To direct traffic to the most appropriate route (Queensway Tunnel left exit or towards the Hotel California gyratory to U-turn) through appropriate traffic signage to limit the traffic impact throughout the local highway network.**

**25 All reserved matters applications (other than those relating solely to residential) shall be accompanied by a Car Parking Strategy which shall include a Car Parking Survey. The Survey shall provide details of the**

current parking demands within the town centre car parks and considers those spaces calculated and required for each plot being brought forward, together with any lost as part of the reserved matters application. The parking surveys must have been undertaken within 12 months of the date of the relevant reserved matters application and are required to satisfactorily demonstrate to the Local Planning Authority that sufficient parking capacity is provided and maintained with the addition of each phase of development. Any agreed car parking shall be laid out before occupation or use of the associated development and retained thereafter.

**Reason:** To ensure adequate provision is made for each phase of development; in the interests of highway safety and the convenience of car park uses and to ensure that an adequate level of parking capacity and the safety of car users and pedestrians is accommodated within each phase during the course of the development and on completion

**26. All reserved matters applications shall be accompanied by a programme for the following in respect of car parking for the relevant (phase/sub-phase) subject to that application: - total number of spaces (including EV charging points) having regard to the Car Park Survey required under Condition 25 and the Council's most up-to-date Parking Strategy at the date of submission of the reserved matters application; - directional signs and their locations; - surface markings; - pedestrian routes within the car parks (if any); - details of car parking for people with disabilities, parents with toddlers -car parking signage including car park guidance systems; - lighting; - means of access and egress control, including location of any barriers; - working details of any ramps and entrances/exits, including any consequent amendments to their widths; - the layout and operation of car parks, including a detailed dynamic capacity study to demonstrate whether there is sufficient reservoir capacity to prevent queuing extending onto the public highway; - details of the ventilation of basement car parks. The approved proposals shall be implemented in accordance with the approved programme and thereafter car parking with the agreed infrastructure shall be retained in accordance with the approved proposals.**

**Reason:** To ensure adequate provision is made for each phase of development; in the interests of highway safety and the convenience of car park uses and to ensure that an adequate level of parking capacity and the safety of car users and pedestrians is accommodated within each phase during the course of the development and on completion

#### **Employment/Economy**

**27. Prior to first occupation of each building approved as part of any phase by an occupier with over 20 Full time equivalent employees, each occupier shall submit an Employment and Skills occupation plan to the Local Planning Authority and such plan shall be approved by the LPA.**

**The plan will set out proportionate and appropriate measures to provide training opportunities to prepare young people and out of work residents for employment and provide opportunities for local residents to obtain work. Each Employment and Skills Occupation Plan shall be implemented in accordance with the agreed details.**

**Reason: To safeguard and provide local employment opportunities**

**28. Prior to the commencement of development on phase C, an Employment and Skills Plan relating to the construction phase of phase/building/plot (where appropriate) must be submitted to and agreed in writing with the local planning authority. The Employment and Skills Management Plan should include measures to provide training opportunities to prepare young people and out of work residents for employment, including new jobs created at or for the Development as appropriate. This should include, but is not be limited to: - working with local employment and skills providers to provide pre-recruitment training opportunities for out of work residents to prepare to apply for vacancies at or for the Development; - providing mentoring/coaching for workless residents to prepare for employment, including but not limited to open days, speaking at events, CV assistance, and mock interviews; - working with schools, colleges and training providers to raise the aspiration of young people and support them to make informed career choices and prepare for the transition into the labour market; - providing apprenticeship job opportunities; and - targeting specific support for out of work residents who are furthest from the labour market, including but not limited to, Care Leavers; residents who have a health condition or disability; young people aged 16 to 25 who are not in employment, education or training. The Employment and Skills plan shall be in place prior to the commencement of the development and shall be kept in place throughout the construction period.**

**29. Prior to the commencement of development of each plot a Digital Infrastructure Strategy setting out full details of all internet provisions for the phase including consideration of provision to link to fibre network, must be prepared and submitted for approval by the Local Authority. Once agreed the Digital Infrastructure Strategy must be implemented in accordance with the approved details prior to the occupation of development of the relevant plot.**

**Reason: To ensure that the development provides required digital infrastructure having regards to the National Planning Policy Framework**

**30. Any reserved matters applications which contain residential use shall demonstrate that 94% of residential units within that reserved matters application are accessible and adaptable (in accordance with M4(2) of the Building Regulations); and that a minimum of 6% of residential units are either 'wheelchair adaptable' (in accordance with M4(3)(2) of the Building Regulations); or, where the Council are**

responsible for allocating or nominating a person for immediate occupation, those 6 % will be 'wheelchair user' (in accordance with M4(3)(2) of the Building Regulations) . The number of wheelchair accessible units to be provided and fitted out on a plot by plot basis shall be agreed in writing by the Local Planning Authority.  
Reason: To provide adequate wheelchair accessible dwellings having regards to Wirral Unitary Development Plan Policy HS9 and emerging Local Plan Policy WS 3.1.

31. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any legislation revoking, re-enacting or modifying that Order) the total gross floorspace for uses, other than those falling within Use Class C3 (dwelling houses) shall not exceed 64, 625 sq m, of which: i) Not more than 21,425 sq m gross internal area shall fall within Use Classes E, ii) Not more than 25,375 sq m shall fall within Use Class Sui Generis, iii) Not more than 11,325 sq m shall fall within (Hotel and conference facilities)., iv) Not more than 4,125 sq m shall fall within (culture, education, leisure, community and amenity uses). V) Within the total maximum floorspace, and subject to the limits set out in clauses (i) to (iv) of this condition, a maximum of 21,425 sq m shall only be subject to Schedule 2, Part A, Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) for the following uses: E(a), E(b), E(d), and E(g)

Reason: In the interests of safeguarding the vitality and viability of nearby town centres and having regard to the NPPF.

32. Prior to the occupation of any units for purposes within Use Classes identified within Condition (31), the operating hours shall be submitted to and agreed in writing by the Local Planning Authority. No part of the (non- residential) floorspace approved under this application shall be occupied other than in accordance with the particulars so approved.  
Reason: In the interests of safeguarding the vitality and viability of nearby town centres and having regard to the NPPF.

#### **Amenity**

33. Prior to the occupation of a unit that includes Use Class E(b) food and drink, or Sui Generis hot food takeaway or drinking establishments, the specification of any required fume extraction plant and flues and accompanying odour risk assessment shall be submitted to and approved in writing by the Local Planning Authority. Any fume extraction plant and flue shall be installed and maintained in accordance with the approved information.

Reason: In the interest of protecting residential amenity

34. All reserved matters applications for residential use shall take account of the mitigation measures set out in the submitted

**Environment Statement, Chapter 10: Noise and Vibration, in particular paragraphs 10.105 and 10.109.**

**Reason: In the interest of protecting residential amenity  
Climate/Energy**

**35. Each plot subject of the outline permission shall be designed subject to the systems and technology available at the time of design. The Developer will use reasonable endeavours (and subject to viability, impact on delivery timescales and potential adverse impact on the sustainability rating of the developed plot) to consider as part of each Reserved Matters application the potential connection of any relevant plot to a potential district heating network being brought forward in Birkenhead.**

**Reason: To achieve sustainable, low-carbon development in accordance with the National Planning Policy Framework.**

**36 Each reserved matters application shall include an updated energy statement to demonstrate how all NPPF climate change and energy policies can be met.**

**Reason: To achieve sustainable, low-carbon development in accordance with the National Planning Policy Framework.**

#### **Drainage**

**United Utilites:**

**Foul and Surface Water Drainage Details for Each Phase Granted in Outline**

**37. As part of the submission of any reserved matter for a phase or part phase granted in outline, full details of a foul and surface water drainage scheme for that phase or part phase based wholly on sustainable drainage principles shall be submitted to and approved by the local planning authority in writing. The details for each phase must be consistent with the Updated Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition [75] below and shall include a timetable for implementation including temporary arrangements during construction. The drainage schemes shall 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);**

**(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;**

**(iv) Storage requirements and rate of discharge for any pumped discharge;**

**(v) Foul and surface water shall drain on separate systems; and**



**(vi) A drainage management and maintenance plan for the lifetime of the development (including a management and maintenance plan for on-site watercourses / culverts). The sustainable drainage management and maintenance plan shall include as a minimum:**

**a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and**

**b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the foul and surface water drainage scheme throughout their lifetime. The surface water drainage details shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

**The development shall be completed, maintained and managed in accordance with the approved details. Prior to first occupation of the proposed development, the drainage schemes for that phase or part phase shall be completed in accordance with the approved details and thereafter retained for the lifetime of the development.**

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

#### **Foul and Surface Water Drainage Details for Each Phase Granted at Reserved Matters**

**38. Prior to the commencement of development for any phase or part phase granted as part of the reserved matters stage, full details of a foul and surface water drainage scheme for that phase or part phase based wholly on sustainable drainage principles shall be submitted to and approved by the local planning authority in writing. Foul and surface water shall drain on separate systems. The details for each phase / part phase must be consistent with the Updated Site-Wide Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition [75] below and shall include a timetable for implementation including temporary arrangements during construction. The drainage schemes shall 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);**

**(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;**

**(iv) Storage requirements and rate of discharge for any pumped discharge; and**

**(v) Foul and surface water shall drain on separate systems;**

**(vi) A drainage management and maintenance plan for the lifetime of the development (including a management and maintenance plan for on-site watercourses/culverts). The sustainable drainage management and maintenance plan shall include as a minimum:**

**a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company where appropriate; and**

**b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the foul and surface water drainage scheme throughout their lifetime. The surface water drainage details shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

**The development shall be completed, maintained and managed in accordance with the approved details. Prior to first occupation of the proposed development, the drainage schemes for that phase or part phase shall be completed in accordance with the approved details and thereafter retained .**

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

#### **Asset Protection for Each Phase Granted in Outline**

**39. As part of the submission of any reserved matter for a phase or part phase granted in outline, details of the means of ensuring that any water main and public sewer that are laid within the site boundary for each phase are protected from damage as a result of the development shall be submitted to and approved by the Local Planning Authority in writing. The details shall include a survey of the exact location of the water mains and public sewers (line and depth) and outline the potential impacts on the water mains / public sewers from construction activities and the impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water mains / public sewers both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details and retained thereafter.**

**Reason: To safeguard United Utilities' assets**

**40. At the same time as the submission of each subsequent Reserved Matters application for a phase or part of a phase, an updated Foul and Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval, such Strategy to include as a minimum the details listed below at condition [76].**

**The detailed drainage schemes for each phase or part phase of development required by conditions 37], and [38], shall be submitted for approval in accordance with the site-wide foul and surface water drainage strategy approved under this condition.**

**Reason: To prevent flooding and pollution and to ensure a holistic approach to the construction of the detailed drainage infrastructure for the site so that the drainage infrastructure which is constructed is able to cope with the foul and surface water discharges from the entire development site and to ensure a proliferation of pumping stations is avoided.**

**LLFA:**

**41. Except for site clearance and remediation, no development shall commence until full details of the proposed finished floor levels for the development and the surrounding ground levels in comparison with existing ground levels within and adjoining the site and in accordance with the most up to date Flood Risk Assessment for that phase, have been submitted to and approved in writing by the Local Planning Authority. Ground floor and basement access levels of all development should be at least a minimum of 300mm above the 1 in 100 annual probability surface water flood level, considering the residual risks of failure of the surface water drainage system. The development shall be carried out in accordance with the agreed levels and retained thereafter. Reason: To reduce the risk of flooding to the proposed development and future occupants pursuant to Policy WD 4 of the submitted draft Local Plan and comply with Section 14 of the National Planning Policy Framework “Meeting the challenge of climate change, flooding and coastal change” and the “Flood risk and coastal change” section of the Planning Practice Guidance**

**42. Except for site clearance and remediation, no development shall commence until a surface water drainage phasing plan and accompanying schedule is submitted. The approved surface water drainage phasing plan shall be implemented in full to ensure any cumulative impacts of flood risk are avoided, controlled and mitigated by developing high risk sites first. Reason: To reduce the risk of flooding to the proposed development and future occupants by ensuring satisfactory drainage facilities are provided to serve the site during all phases pursuant to Policy WD 4 of the submitted draft Local Plan and to comply with Section 14 of the National Planning Policy Framework “Meeting the challenge of climate change, flooding and coastal change” and the “Flood risk and coastal change” section of the Planning Practice Guidance**

**43. Applications for the reserved matters for each phase of the development hereby approved shall include detailed plans and particulars of the sustainable drainage system, in the form of a Final Sustainable Drainage Strategy, for the management and disposal of surface water from the site subject to approval in writing by the Local Planning Authority.**

**The strategy and supporting modelling must demonstrate that flooding does not occur on any part of the site for a 1 in 30-year rainfall event (including climate change allowance) and that no part of a building or any utility plant is flooded for the 1 in 100 year rainfall event (including climate change allowance and 10% urban creep). The discharge rate for the area served by the proposed new surface water drainage system (and each phase within that area) shall be limited to greenfield rates. Where existing drainage systems will be reused, the discharge rate must demonstrate betterment in accordance with the Strategic Flood Risk Assessment.**

**The Final Sustainable Drainage Strategy shall be in accordance with the following submitted documents:**

- **Drainage Strategy – Hind St Urban Garden Village [10 August 2023/ Ref: 1HSM-CUR-XX-XX-T-C-00102/ Rev P04/ Curtins]**

**The Final Sustainable Drainage Strategy must comply with DEFRA's technical standards for sustainable drainage systems, and the CIRIA SuDS Manual (or subsequent replacement standards) and include:**

- **Justification of final design, referencing the FRA as appropriate and including evidence that the discharge hierarchy has been appropriately followed.**
- **Completed North-West SuDS proforma**
- **Relevant drawings and plans to support assertions in final sustainable drainage strategy**
- **Hydraulic modelling to support assertions in final sustainable drainage strategy**
- **Timetable demonstrating completed SuDS construction prior to occupation**
- **Secure means of access for maintenance and easements, where applicable**
- **A note for applicant sets out the recommended content of final submitted plans and drawings and the hydraulic modelling to be included as part of the strategy.**

**Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraphs 173 & 175 of the National Planning Policy Framework, Planning Practice Guidance and Non-statutory technical standards for sustainable drainage systems.**

**44. As part of the submission of any reserved matter for a phase or part phase granted in outline, a Flood Emergency Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The commitments explicitly stated in the Flood Emergency Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the building hereby permitted and shall be permanently kept in place unless otherwise**

agreed in writing with the Local Planning Authority. Upon written request, the applicant or their successors in title shall provide the Local Planning Authority with written details of how the measures contained in the Flood Emergency Plan are being undertaken at any given time.  
Reason: So that the proposal does not present a significant flood risk to the development and to comply with UDP Policy WAT1 (Fluvial and Tidal Flooding), WA1 (Development and Flood Risk), WA2 (Development and Land Drainage) and NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change), NPPG (Flood Risk and Coastal Change), WLP Policy WD4.2 (Flood Risk) and EA FRA Standing Advice for LPAs (2015)

**C. Conditions - both planning permissions (45-82)**

**S106**

**45. No development approved by this planning permission (other than the enabling and remediation works and Dock Branch Park) shall take place on any land within any phase or sub phase on the land edged red on the plan annexed to the Section 106 Agreement dated [X] unless and until all parties with any legal or equitable interest in the said phase or sub phase on the land have entered into an Agreement including any such agreements as may be required in support of any Reserved Matters Approval or any Additional Planning Permissions pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers) binding such interest with the obligations contained within the Section 106 Agreement dated [X] and title to such area of land has been properly deduced to the Council with the intent that all of the covenants, obligations and restrictions contained therein will be enforceable not only against the original covenantor but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in that land to ensure satisfactory enforcement of the obligations contained in the S106 Agreement**

**Reason: The planning permission has been granted subject to a S106 Agreement dated [ X ] and at the time of this permission being issued, the applicant is not able to bind all relevant parties and interests in the site to the terms of the planning obligations that it contains.**

**46. A monitoring schedule detailing the implementation and completion of Dock Branch Park including the access points into the park from the public realm shall be submitted to and agreed in writing prior to the construction of any dwellings. The Dock Branch Park works shall be implemented as agreed and shall be completed in their entirety prior to first occupation of the 100th dwelling.**

**Reason: To safeguard accessibility**

**47. Construction & Phasing**

(i) The development hereby permitted shall not be carried out save in accordance with the phasing programme as set out in Design and Access Statement & Design Code: Part 3 Phasing & Delivery, 13.3 - 13.5; (BDP Architects) - HSM-BDP-XX-XX-RP-A-000014-P06), which shall define Development Phases, is approved by the local planning authority before the development hereby permitted is begun.

(ii) The development shall thereafter only be carried out in accordance with the approved construction phasing programme. The approved construction phasing programme shall be monitored and reviewed in accordance with review mechanisms agreed by the Council in writing as part of the initial construction and phasing programme submission.

(iii) The construction phasing programme (per phase) shall comprise the following three documents :

- A construction Programme which shall set out the timetable for the construction of Development Blocks and for demolition works, earthworks, replacement of key Town Centre uses, public realm works, landscaping works, highways works, and utility works.

- A Planning Submission Programme on the submission of reserved matters which shall set out the order and dates for the submission of reserved matters, strategies, other details and samples of materials as referred to in other conditions attached to this permission and the reserved matters, strategies, other details and samples of materials shall thereafter be submitted in accordance with the approved Phasing Programme unless otherwise agreed in writing by the local planning authority, and in any event, within the time limits set out in Condition 2. Staged Phasing Diagrams relating to each phase submission shall include the following details:

- Development Block by Development Block works commencement and completion dates

- Landscape and highways works/highway drainage works/ private public realm works on Development Zone by Development Zone basis

- Access for vehicles and pedestrians

- Scaffolding and hoarding lines

- Services

- Access arrangements for existing and new premises

Reason: In order to ensure a phased programme of development in the interests of the proper planning and the comprehensive re-development of the area.

#### **Ecology**

48. Soft felling techniques shall be used to remove any trees identified as having a low suitability for nesting bats.

Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework

**49. No tree felling, scrub clearance, vegetation management, ground clearance and/or building works shall take place during the period 1 March to 31 August inclusive unless the buildings, trees, scrub and vegetation have been first checked by an appropriately qualified ecologist to ensure no breeding birds are present. If birds are present, details of how they will be protected shall be submitted to and approved in writing by the Local Planning Authority before the work is carried out. Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**50. For each phase of the development no development shall commence until a protocol for avoiding harm to nesting pigeons during works to buildings, bridges and structures has been submitted to and approved in writing by the Local Planning Authority. The protocol shall thereafter be implemented in accordance with the agreed details. Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**51. For each phase of the development details of all boundary enclosures shall be submitted for approval prior to occupation of the phase. Hedgehog highways (13cm x 13cm gaps) shall be installed into any close board fences. Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**52 For each phase of the development (excluding the enabling works and Phase A & B), no development shall commence until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. Unless the LPA have previously received a badger survey within the last 12 months for an adjacent phase.' Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**53. For each phase of the development no development shall commence until a method statement for the regrowth of rare species (including bee orchid, southern marsh orchid, broad-leaved helleborine, hare's-foot clover, rough hawkbit and yellow wort as identified in Environmental Statement Appendix 8.1) within that phase has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include:**

- Timing of the works;**
- Details of soil stripping;**
- Details of how the soil will be stored; and**

**- Details of the translocation site, including location.**

**The method statement shall be implemented as agreed by the Local Planning Authority and relevant mitigation measure retained thereafter.**

**Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**54. For each phase of the development (excluding the enabling works), no development shall commence until an Ecological Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the species-specific measures that will be adopted in order to enhance habitat for protected and notable species, namely breeding bird, roosting bats, hedgehog and invertebrates. The Plan should show the location, type and specification of each feature provided and include a timetable for implementation. The development shall be carried out in accordance with the approved Ecological Enhancement Plan and retained as such thereafter.**

**Reason: To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework**

**55. For each phase of the development where invasive species have been identified, no development shall commence until a method statement for the treatment of Japanese Knotweed, Japanese rose, several species of cotoneaster and false acacia has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:**

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

**Following completion of the agreed work a validation report (for Japanese knotweed only) shall be submitted to and approved in writing by the Local Planning Authority to confirm that the remediation treatment has been carried out and that the site is free of the Japanese knotweed.**

**Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with National Planning Practice Guidance: How to stop invasive non-native plants from spreading.**

**56. For each phase of the development, no development shall commence until a CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:**



- Details of how retained habitats, including trees, will be protected during works;
- Pollution prevention measures;
- Details of construction lighting designed to avoid light spillage onto retained habitats;
- Bat mitigation measures;
- Measures to avoid harm to breeding birds;
- Hedgehog RAMs;
- Notable plant species translocation method statement; and
- Invasive species method statements.

The approved CEMP to be accessible to site managers, all contractors and sub-contractors working on site and shall be complied with for the duration of the development.

**Reason:** To ensure that the development has regard to protected species and is in accordance with Wirral Unitary Development Plan Policy NC7 and the National Planning Policy Framework

**57.** For each phase of the development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority prior to development of that phase commencing. The development shall thereafter be carried out in accordance with the approved details.

**Reason:** To ensure that the development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Merseyside and Halton Joint Waste Local Plan (WLP), National Planning Policy for Waste (paragraph 8) and

Planning Practice Guidance (paragraph 49).

#### **Landscaping**

**58.** The landscaping hard and soft works set out in the document ' Dock Branch South Design and Access Statement (Planit-IE, 2879-PLA-00-XX-RP-0001 - P04 ) shall be completed in full prior to the occupation of the 100th dwelling.

Detailed drawings shall be submitted to and approved by the Local Planning Authority before any above groundwork is commenced at each phase to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land. The development shall be carried out and completed in accordance with the approved details.

Once constructed, individual Plots shall be managed in accordance with the Landscape Management Plan . The Plan shall be implemented in full as soon as that phase of the development is occupied and adhered to in full for the stated period thereafter.

**Reason:** To provide appropriate open space in accordance with the Local Plan and the NPPF.

**59. Other than the remediation and enabling works and Dock Branch Park prior to the commencement of any phase, details of any LEAPS and LAPS associated with the developments, including a Development Management Plan, shall be submitted to the Local Planning Authority for approval. On completion of 50% of the housing of that phase the LEAPS and LAPS shall be implemented and available for use in full accordance with the agreed details.**

**Reason: To provide appropriate open space in accordance with the Local Plan and the NPPF.**

### **Highways**

**60. 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 /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 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 dates**

**The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.**

**Reason: In the interests of highway safety and residential amenity.**

**61. Prior to the commencement of development of each phase, with the exception of remediation and enabling works and Dock Branch Park , full details including a timetable of works, scaled plans and/or written specifications as necessary, shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following : (a) proposed highway layout including the proposed adoptable highway**

limits; (b) dimensions of any carriageway, cycleway, footway and verges within the adopted highway; (c) visibility splays; (d) proposed buildings and site layout, including levels; (e) accesses and driveways from the adopted highway; (f) parking provision; (g) drainage and sewerage system within the adopted highway; (h) all types of surfacing (including tactile paving), kerbing and edging within the adopted highway; (i) full working drawings for any structures which affect or form part of the adopted highway; (j) details of any sustainable drainage systems for the management and disposal of highway surface water drainage within the adopted highway limits; (k) details of any proposed landscaping located within the existing adopted highway limits; (l) a review of the existing traffic regulation orders and any proposed additions, amendments or revocations to the traffic regulation orders within, and adjacent to, the planning red line boundary. The development shall be carried out in accordance with the approved drawings and details.

**Reason:** In the interests of highway safety

**62.** Prior to the commencement of a Phase or sub phase with the exception of remediation and enabling works and Dock Branch Park the details of the cycle parking arrangements are to be submitted including: number, type and location of cycle parking stands and spaces to be provided within the private and public areas together with details of proposed cycle hubs including lockers and any electric cycle charging facilities to each Development Phase. The approved cycle parking arrangements shall be implemented in full prior to occupation of the associated development phase or part thereof.

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

**63.** The commencement of a Phase shall not begin until details of the means of vehicular access, parking and turning facilities together with associated means of access for mobility impaired pedestrians and, where appropriate, community transport vehicles and vehicles over 2 metres in height have been approved in writing by the local planning authority. The Development Plot shall not be occupied until the approved details have been implemented as approved and shall thereafter be retained and kept available for use

**Reason:** In the interests of accessibility and to ensure compliance with the principles of the National Planning Policy Framework

**64.** Prior to a Phase or sub phase becoming occupied/operational, details are required of satisfactory waste and recycle goods storage, including bin store locations and the size of any purpose-built storage buildings. These details are required to be submitted and approved by

**the LPA and those approved details implemented in full prior to any occupation of the development as approved and retained thereafter  
Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8).**

**65. The development of any Phase shall not begin until details of all cycle routes within and serving that phase and including linkages to the local cycle route network and details of associated road markings and signage, and a programme for the provision thereof have been approved by the local planning authority. The approved details shall be implemented in full in accordance with the approved programme and the cycle routes, markings and signage shall thereafter be retained and kept available at all times,**

**Reason: To encourage and make provision for cycle transport as an alternative mode of transport having regards to Wirral Unitary Development Plan Policy TR11**

**66. Prior to first use of each phase, details of advisory pedestrian and cyclist direction signs for all cycle routes and places of interest and a programme for their provision have been approved by the local planning authority. The approved details shall be implemented in accordance with the approved programme and the signs shall thereafter be retained and kept available at all times,**

**Reason: To encourage and make provision for cycle transport as an alternative mode of transport having regards to Wirral Unitary Development Plan Policy TR11**

**67. Within 9 months of the commencement of development a Framework Strategy for Wayfinder signs, including details of advisory pedestrian, highway and cyclist direction for all cycle routes, places of interest and highway directional signs, and a programme for their provision shall be submitted to and approved in writing by the local planning authority. Prior to the occupation of each plot a detailed scheme for wayfinding signage that is in accordance with the Framework Strategy shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved programme prior to first use of the relevant plot and the signs shall thereafter be retained and kept available at all times,**

**Reason: To provide adequate signage to and from the development and the surrounding area having regards to the Wirral Unitary Development Plan**

**68. Prior to a Phase being brought into use a Framework Travel Plan shall be submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing, and**

**long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:**

- a) Involvement of employees**
- b) Information on existing transport policies, services and facilities, travel behaviour and attitudes**
- c) Access for all modes of transport**
- d) Targets for mode share**
- e) Resource allocation including Travel Plan Co-ordinator and budget**
- f) A parking management strategy**
- g) A marketing and communications strategy**
- h) Appropriate measures and actions to reduce car dependence and encourage sustainable travel**
- i) An action plan including a timetable for the implementation of each such element of the above**
- j) Mechanisms for monitoring, reviewing, and implementing the travel plan**

**The Approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.**

**An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an updated action plan.**

**Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable.**

**69. Except for site clearance, remediation enabling works and Dock Branch Park, no development shall commence until a scheme for the design and construction of highway works, associated with the proposed Active Travel Route, has been submitted to and approved in writing by the Council as Local Planning Authority. For avoidance of doubt, the works shall include:**

- proposed highway layout and design details to the satisfaction of LPA and in accordance with WBC Highway Authority Adoptable highway standards.**
- The provision of a suitable signage to prohibit access for HGVs.**
- The provision of new footways and cycleways within the active travel route,**
- The provision of TRO(s) for the Bus gate, parking bays and cycleways along the proposed active travel route.**
- The provision of parallel parking bays adjacent to the active travel route and the necessary TRO(s).**

- Any necessary works to renew the existing street lighting and existing highway drainage requirements to accommodate the proposed adoptable highway works.
- The provision of cycle signage and fingerpost/direction signs appropriate to the development application site.
- Any necessary amendments or required new TRO's to accommodate the application proposals.
- The stopping up of any adopted highway and the dedication of highway necessary to accommodate the development proposals.
- The provision of segregated pedestrian and cycle signal-controlled crossings to all arms of the Mollington Link / Hind Street proposed junction.
- Pedestrian and cycle links along the active travel route including pedestrian & cycle crossing facilities with tactile paving to all junctions.
- Pedestrian and cycle links from the active travel route to the local existing highway network.
- Pedestrian and cycle links to the proposed Dock Branch Park from Waterloo Place
- Any necessary highway drainage requirements to accommodate the highway works at Waterloo Place to prevent surface water discharge from the development onto the local highway network.
- Any necessary works to provide an adoptable highway SuDS design in accordance with HA highway adoptable standards.
- The provision of 2 bus stops (one eastbound one westbound) on Mollington Link and 2 Bus stands on Hind Street.
- The provision of traffic directional signage associated with the development proposals.
- Provision of street lighting necessary as part of the detailed design.
- A plan showing any areas to be offered up for adoption upon completion of the works and an agreed maintenance strategy prior to the adoption taking effect.

The approved scheme shall subsequently be implemented prior to first occupation of the development hereby approved.

Reason: To encourage and make provision for cycle transport as an alternative mode of transport having regards to Wirral Unitary Development Plan Policy TR11

#### **Contamination**

70. Prior to development on each phase (excluding Phase A) a site investigation and, where necessary, a remediation strategy to deal with the risks associated with contamination of the relevant plot shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following components: · A site investigation scheme, based on the information already submitted, to provide (where needed) information for a detailed assessment of the risk to all receptors that may be affected, including those off site; · Where

necessary, the results of the site investigation and the detailed risk assessment referred to in (bullet point 1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; · A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (bullet point 2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: To protect groundwater quality and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework

71 Prior to the occupation of each plot, a verification report demonstrating the completion of works set out in the approved remediation strategy required by Condition 68 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.

Reason: To protect groundwater quality and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework

72. For each phase of the development (excluding Phase A), where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use. Thereafter the development shall be carried out in accordance with the approved remediation scheme.

Reason: To protect groundwater quality and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework

73. For each phase of the development in the event that contamination is found at any time when carrying out the approved development that was

not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

**Reason:** To protect groundwater quality and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework

**74.** For each phase of the development, where required by the Local Planning Authority, a monitoring and maintenance scheme of the effectiveness of the proposed remediation must be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented, and any reports produced as a result, shall be submitted and approved in writing by the Local Planning Authority.

**Reason:** To protect groundwater quality and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework

#### **Drainage**

##### **United Utilities:**

##### **Phasing**

**75.** Prior to the commencement of development, other than enabling and remediation works and Dock Branch Park, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include details of the nature of development (including the approximate quantum) to be implemented within each phase of the development. At the same time as the submission of each subsequent Reserved Matters application for a phase or part of a phase, an updated Phasing Plan shall be submitted to the Local Planning Authority for approval. The development shall only be implemented in accordance with the latest approved Phasing Plan.

**Reason:** To ensure the satisfactory phasing of the development and to ensure that utility infrastructure is delivered in a coordinated and planned way.

#### **An Overall Site Wide Strategy for Foul and Surface Water Drainage**

**76.** Prior to the commencement of development, other than enabling and remediation works and Dock Branch Park an updated Site-Wide Drainage Strategy for foul and surface water based on sustainable drainage principles shall be submitted to the Local Planning Authority



for approval and agreed in writing. The strategy shall relate to the entirety of the application site and be in accordance with the principles established in [latest flood risk and drainage strategy document references to be inserted]. The updated Site-Wide Foul and Surface Water Drainage Strategy shall include the following details as a minimum:

- a. Any proposed foul and surface water connection points to the existing public sewerage infrastructure for the entire site;
- b. any drainage infrastructure connections (foul and surface water) including the rates and volume of flows between the different phases/parcels of the development;
- c. identify any parts of the site where foul pumping is necessary and shall minimise the number of pumping stations throughout the site;
- d. a strategy for any temporary arrangements for foul and surface water drainage during the construction of the development;
- e. There shall be no foul and surface water connections between phases of development other than in accordance with the connections identified and approved under item [2b]; and
- f. The rates of surface water discharge shall not exceed those outlined in (latest document reference to be inserted when updated).

Reason: To prevent flooding and pollution and to ensure a holistic approach to the construction of the detailed drainage infrastructure for the site so that the drainage infrastructure which is constructed is able to cope with the foul and surface water discharges from the entire development site and to ensure a proliferation of pumping stations is avoided.

#### **Sewer Diversion**

77. Prior to abandonment or alteration of any public sewer on site or any change in land levels to the public sewers on site, the applicant shall submit written evidence to the Local Planning Authority that the full details of the diversion and the offline storm storage tank for the public sewer system identified in the Flood Risk Assessment and Drainage Strategy Addendum Reference HSM-CUR-XX-XX-T-C-00200 Revision P01 dated 13 September 2024 has been agreed with the relevant statutory undertaker in writing. The details shall include the timing for completion of the approved works. The development shall be implemented in accordance with approved details. If the applicant proposes to change any levels on site prior to the completion of the approved works to the public sewer system, the applicant shall submit written evidence of agreement with the relevant statutory undertaker that the proposed change in levels do not adversely affect the performance of the public sewerage system including any exceedance paths.

Reason: To safeguard the operation of existing public sewer network and to mitigate any adverse impacts of flooding.

Asset Protection for Each Phase Granted in Full/Reserved Matters

**78. Prior to the commencement of development in each phase or part phase granted in full or as reserved matters (including any earthworks), details of the means of ensuring that any water main and public sewer that are laid within the site boundary for each phase are protected from damage as a result of the development shall be submitted to and approved by the Local Planning Authority in writing. The details shall include a survey of the exact location of the water main/s and public sewers (line and depth) and outline the potential impacts on the water mains / public sewers from construction activities and the impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water mains / public sewers both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.**

**Reason: To safeguard United Utilities' assets**

#### **Water Efficiency**

**79. The dwellings hereby permitted shall incorporate water efficiency measures to achieve usage of no more than 110 litres of water per person per day under Part G of Schedule 1 and regulation 36 of The Building Regulations 2010. No occupation of any dwelling shall take place until a Building Regulations assessment confirms that the development has been constructed in accordance with Part G of Schedule 1 and regulation 36 of the Building Regulations 2010 for water efficiency and has been submitted to and agreed in writing by the local planning authority.**

**Reason: In order to meet part G of Building Regulations in achieving water efficiency**

#### **LLFA:**

**80. The development permitted by this planning permission, including associated highway works, shall only be carried out in accordance with the master Flood Risk Assessment (FRA) (22nd November 2024/ Ref: HSM-CUR-XX-XX-T-C-00101/ Revision P06/ Curtins) in addition to the following specific measures:**

**I Detailed design of flood protection and mitigation measures are to be proposed through the submission of additional site-specific FRAs as part of reserved matters applications for individual phases of development on the site. Each FRA will be subject to the need to comply with the planning policy and guidance requirements in use at the time of each individual submission.**

**I Plots modelled at residual risk of surface water flooding during pump failure for the 1 in 100 year critical storm within the site-specific FRA submitted at reserved matters, must include appropriate flood resistance and resilience measures to mitigate that risk. No residential accommodation shall be provided at ground floor level in any part of the**

**site at residual risk of surface water flooding during pump failure without appropriate flood resistance and resilience measures.**

**I The sustainable surface water drainage scheme for each phase shall be designed to ensure that there is no flooding in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development onsite or elsewhere up to and including the 1 in 100 year rainfall event including allowances for future climate change and urban creep. The design will be subject to the need to comply with the planning policy and guidance requirements in use at the time of each individual submission.**

**The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the phasing arrangements agreed, in writing, by the Local Planning Authority.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants and ensure the site is safe for its lifetime pursuant to Policy WD 4 of the submitted draft Local Plan and comply with Section 14 of the National Planning Policy Framework “Meeting the challenge of climate change, flooding and coastal change” and the “Flood risk and coastal change” section of the Planning Practice Guidance**

**81. No development shall commence until details of how surface water flood risk will be managed during the construction phase in the form of a Construction Phase Surface Water Management Plan have been submitted to and approved in writing by the local planning authority and thereafter submitted as part of any future reserved matters application. Those details shall include, as a minimum:**

- Location plan**
- Roles & responsibilities for key members of staff, contact details and company**
- How surface water will be managed: 1. Build use and remediate permanent surface water drainage system 2 Install, use and remove a temporary surface water drainage system, or 3 Utilise existing system with pollution control measures (brownfield only)**
- Construction Surface Water Drainage System Design**
- Construction Management, Maintenance and Remediation Schedules**
- Required Consents (e.g. Land Drainage Act, Environmental Permit etc)**
- Flood Risk Controls**
- Pollution, Water Quality & Emergency Control Measures**
- Phasing Plan**
- Construction Site Plan showing compounds, material storage areas, temporary site parking etc**

**Construction shall only be carried out in accordance with the approved Construction Phase Surface Water Management Plan**

**Reason: To ensure satisfactory drainage facilities are provided to serve the site during construction phase of the development in accordance with Policy WD 4 of the submitted draft Local Plan and to comply with Section 14 of the National Planning Policy Framework “*Meeting the challenge of climate change, flooding and coastal change*” and the “*Flood risk and coastal change*” section of the Planning Practice Guidance**

**82. 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 for each phase shall be fully constructed prior to occupation of that phase. ‘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 of each phase**

**Reason: To ensure a satisfactory drainage system serves the site for its lifetime in accordance with Paragraphs 173 & 175 of the National Planning Policy Framework, Planning Practice Guidance and Non-statutory technical standards for sustainable drainage systems.**

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