

## OUT/11/00645

### Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

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

2. No later than 10 years following the date of this permission, all outstanding applications shall have been submitted to the Local Planning Authority for the approval of Reserved Matters.

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

3. Each reserved matters application shall provide for approval, the details of the access, appearance, landscaping, layout and scale within the upper and lower limits for height, width and length of each building stated in the application hereby approved (hereinafter called "the reserved matters") shall be obtained for each phase of the development from the local planning authority in writing before any development of that phase is commenced

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

4. Application for approval of the first reserved matters shall be made to the local planning authority before the expiration of [three] years from the date of this permission

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

5. The landscaping details referred to in condition 3 shall include details of all earthworks [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. design, materials position and type of boundary treatment to be erected, outdoor furniture, refuse or other storage units, signs, lighting, floodlighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.)

**Reason:** In the interest of visual amenity and to secure sustainable development in accordance with National Policy PPS1 – Delivering Sustainable Development and UDP Policy GR5 – Landscaping & New Development

6. Soft landscape works for the relevant phase of development shall include planting plans; written specifications (including cultivation and other operations associated with tree, plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and implementation programme]

**Reason:** In the interest of visual amenity and to secure sustainable development in accordance with National Policy PPS1 – Delivering Sustainable Development and UDP Policy GR5 – Landscaping & New Development

7. All hard and soft landscape works for the relevant phase of development shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme to be submitted to and approved by in writing local planning authority

**Reason:** In the interest of visual amenity and to secure sustainable development in accordance with National Policy PPS1 – Delivering Sustainable Development and UDP Policy GR5 – Landscaping & New Development

8. A landscape management plan, including long term design objectives including any necessary Green Infrastructure linkages with the wider Wirral Waters scheme, including necessary ecological measures sympathetic to bats, minimal disturbance bird zone, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

**Reason:** In the interest of visual amenity and to secure sustainable development in accordance with National Policy PPS1 – Delivering Sustainable Development and UDP Policy GR5 – Landscaping & New Development. To ensure that the proposed development makes a contribution to biodiversity in accordance with the NERC 'Biodiversity Duty', Policy NC7 of the adopted UDP and paragraph 14 of PPS9. To ensure no likely significant effect on Natura 2000 sites as set out in the HRA screening report.

9. No phase of development shall take place until a schedule of landscape maintenance for that phase of development a minimum period of 5 years for each relevant reserved matters application has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule

**Reason:** In the interest of visual amenity and to secure sustainable development in accordance with National Policy PPS1 – Delivering Sustainable Development and UDP Policy GR5 – Landscaping & New Development

10. No storage, display or sale of goods or vehicles shall take place outside the building(s) unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interest of visual amenity

11. The permitted hours of construction work and/or Site Engineering and Preparation Works shall be 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 on Saturdays and no construction or Site Engineering and Preparation Works shall be carried out outside these specified permitted hours without the prior written consent of the Local Planning Authority. No construction or Site Engineering and Preparation Works shall be carried out on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

**Reason:** To protect the amenities and environment of residents and other sensitive receptors in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

12. No development shall commence unless and until a Code of Construction Practice for

each relevant reserved matters has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the final Code of Construction Practice & Management Plan”) should cover the following minimum requirements:

- I. Site supervision;
- II. Machinery (Noise & Vibration Levels and mitigation measures, location and storage of plant, materials and fuel, access routes, access to banks etc.);
- III. Protection of areas of ecological sensitivity and importance;
- IV. Methods used for all channel and dock edge water margin works; and
- V. Methods for the control of dust and air pollution;
- VI. Methods for the prevention of dust, dirt, debris and other deposits on the highway;
- VII. Details of security hoarding including maintenance, decorative displays and facilities for public viewing.
- VIII. Lighting methods to avoid disturbance to birds and bats.
- IX. Methods to avoid construction related debris and pollution from entering controlled waters including West Float.
- X. Methods for the control and eradication of Japanese knotweed and other invasive species.

**Reason:** In the interests of amenity and to ensure that the construction of the development uses the best practicable means to avoid adverse environmental impacts in accordance with National Planning Policy Statement 1: Delivering Sustainable Development. To ensure that there is no likely significant effects on Natura 2000 sites and European protected species. To avoid pollution to controlled waters. To ensure that the proposed development makes a contribution to biodiversity in accordance with the NERC ‘Biodiversity Duty’, Policy NC7 of the adopted UDP and paragraph 14 of PPS9.

13. Construction shall be carried out strictly in accordance with the approved Code of Construction Practice & Management Plan.

**Reason:** In the interests of amenity and to ensure that the construction of the development uses the best practicable means to avoid adverse environmental impacts in accordance with National Planning Policy Statement 1: Delivering Sustainable Development.

14. No Development shall be commenced for each phase of development unless and until a Demolition and Site Waste Management Plan including a scheme for recycling/disposing of waste resulting from demolition and construction works, has been submitted to and approved in writing by the Local Planning Authority. The approved Strategy and Management Plan shall be revised and be submitted for written approval from the Local Planning Authority every 3 years until construction is complete. The development, including any related demolition works, shall thereafter only be carried out in accordance with the approved Demolition and Site Waste Management Plan.

**Reason:** To ensure effective demolition and waste management in accordance with the mitigation measures described in the Environmental Statement in accordance with National Planning Policy Statement 10: Planning for Sustainable waste Management.

15. The first reserved matters application shall include the submission of a Schedule of Highway Work for the written approval of the local planning authority. For the avoidance of doubt, the Schedule of Highway Work shall include timetables, triggers and methods of implementation of infrastructure and facilities for pedestrians, cycling, parking, public transport and vehicular traffic and shall include the following works and any other works identified through reserved matters applications as necessary to mitigate the highway and transport impacts of the development:

- Improvements to the roundabout junction of Dock Road / Poulton Bridge Road and A5139 (known as “Wallasey Docks Link”);
- Pedestrian and cyclist provision on Beaufort Road and Wallasey Bridge Road, including footways, cycleways, Toucan crossings and bus stop provision on both

roads;

- Vehicle, pedestrian and cycle access into the development site from Beaufort Road and Wallasey Bridge Road, including servicing and delivery traffic;
- Vehicle, pedestrian and cycle routes within the development site, including servicing and delivery traffic;
- Cycle parking facilities within the development site.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

16. Each reserved matters application following the first reserved matters application shall include the submission of an updated Schedule of Highway Work for the written approval of the local planning authority. For the avoidance of doubt the updated Schedule of Highway Work shall include timetables, triggers and methods of implementation of all implemented and proposed highway mitigation measures and shall include the following works and any other works identified through reserved matters applications as necessary to mitigate the highway and transport impacts of the development:
- Improvements to the roundabout junction of Dock Road / Poulton Bridge Road and A5139 (known as “Wallasey Docks Link”);
  - Pedestrian and cyclist provision on Beaufort Road and Wallasey Bridge Road, including footways, cycleways, Toucan crossings and bus stop provision on both roads;
  - Vehicle, pedestrian and cycle access into the development site from Beaufort Road and Wallasey Bridge Road, including servicing and delivery traffic;
  - Vehicle, pedestrian and cycle routes within the development site, including servicing and delivery traffic;
  - Cycle parking facilities within the development site.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

17. The construction of any part of the development approved under each reserved matters applications shall not begin until the Local Planning Authority has approved in writing detailed plans of those works identified in the approved Schedule of Highway Work for completion prior to the first occupation of the relevant reserved matters application.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

18. The occupation of any part of the development approved under each reserved matters applications shall not begin until those works identified in the approved Schedule of Highway Work for completion prior to the first occupation of that part of the development have been completed in accordance with the Local Planning Authority’s approval and have been certified in writing as complete by or on behalf of the Local Planning Authority.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

19. The first reserved matters application shall include the submission of a **Monitoring Strategy** for the written approval of the local planning authority. For the avoidance of doubt, the Monitoring Strategy shall include:
- Vehicle, cycle and pedestrian surveys of the development site and surrounding public highway;

- Public transport provision and usage;
- Parking provision and usage;
- Impact of committed development;
- Details of how the system of monitoring shall be implemented and maintained;
- Details of the monitoring equipment and how the data shall be collected;
- Details of how the data obtained through implementation of the Monitoring Strategy shall be used to inform and update the Schedule of Highway Work and the Travel Plan;
- Details of how the Monitoring Strategy shall be regularly reviewed and updated.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1.

20. The Monitoring Strategy shall be implemented in accordance with the written approval, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

21. The developer commitments contained within the submitted Framework Travel Plan shall be implemented prior to first occupation.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

22. A Full Travel Plan for the site shall be submitted to and approved in writing by the local planning authority within 6 months of first occupation. The provisions of the Full Travel Plan shall be implemented and operated in accordance with the programme and shall not be varied other than through agreement with the local planning authority. For the avoidance of doubt, such a plan shall include:

- Access to the site by staff;
- Car park management plan;
- Information on existing transport services to the site and staff travel patterns;
- Travel Plan principles including measures to promote and facilitate more sustainable transport;
- Realistic targets for modal shift or split;
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- Measures and resource allocation to promote the Travel Plan, including a budget allocation and timetable for the implementation of a shuttle bus to connect the site with key transport hubs;
- Details of how the approved Travel Plan shall be updated for each subsequent Reserved Matters approval;
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1

23. No development shall commence until a Construction Transport Management Plan, for each phase of the development, including details of vehicle parking for site operatives and visitors, has been submitted to and approved in writing by the Local Planning Authority.

The approved Management Plan shall be revised and be submitted for written approval within three months of approval of each reserved matters following the first reserved matters approval.

Construction shall be carried out strictly in accordance with the approved Management Plan

**Reason:** In the interests of amenity and to ensure that the construction of the development uses the best practicable means to avoid adverse environmental impacts in accordance with National Planning Policy Guidance 13: Transport

24. Noise levels at any occupied residential property due to construction or demolition or Site Engineering and Preparation Works shall not exceed 75dB LA eq (10 hour) measured at 1m from the façade of the nearest occupied property, during the hours from 08.00 to 18.00 Monday to Friday, and 75dB LA eq (5 hour) during the hours from 08.00 to 13.00 on Saturday unless such works have the prior approval of the Local Authority, under s61 of the Control of Pollution Act 1974.

**Reason:** To ensure that best practicable means are used to reduce noise generated by construction in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

25. No development shall commence within any given Phase unless and until an detailed scheme for Noise and Vibration monitoring and assessment for all proposed construction plant and processes associated with development in that Phase Sub-Phase or Plot has been submitted to and approved by the Local Planning Authority. The scheme shall include:

- a) the identification of noise and vibration sensitive premises, , to be used as the location for noise monitoring, including any arrangements proposed for amending the selected locations if new Noise and vibration sensitive premises are introduced during the construction period;
- b) an assessment of any cumulative noise and vibration impacts from other planned construction works nearby that are excepted to arise concurrently;
- c) the noise and vibration parameters to be measured, the frequency and duration of monitoring;
- d) the arrangements for reporting the results of noise and vibration monitoring (measured noise data shall be retained and made available upon request);
- e) the implementation of mitigation measures, including those set out in the CoCP;
- f) Construction work shall not commence on any building until a statement has been submitted to and approved by the Local Planning Authority, which conforms, or if necessary modifies, the arrangements set out in the approved scheme for noise and vibration monitoring and assessment.

**Reason:** To protect the amenities of local residents and other sensitive receptors in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

26. No phase of Development shall begin until a assessment has been undertaken identifying the requirement for a scheme for protecting existing and proposed residential uses from vibration, has been submitted for the written approval of the Local Planning Authority. The Vibration Protection Scheme shall include such combinations of land separation, vibration control techniques and other measures, as maybe be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

**Reason:** To ensure that the amenities of occupiers are not prejudiced by road traffic vibration in the immediate surroundings in accordance with National Planning Policy

Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

27. The noise mitigation measures outlined in Section 8 of the Environmental Statement submitted with the application shall be implemented in full concurrently with the development.
- Reason:** In the interests of aural amenity in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.
28. No development shall commence within each reserved matters phase until a scheme including a programme for monitoring air quality and dust and its assessment and control arising from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a) the identification of sensitive premises to be used as the location for air quality and dust monitoring, including any arrangements proposed for amending the selected locations if new air pollutant and dust sensitive premises are introduced;
  - b) the frequency and arrangements for monitoring dust and air pollutants including PM10 and Nitrogen Dioxide before, during and after the development;
  - c) the arrangements for reporting the results of the monitoring of dust and air pollutants and the implementation of any necessary mitigation measures. The approved scheme shall be reviewed every five years following commencement of the development and shall be re-submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and programme timetable.
- Reason:** In the interest of the amenity of the occupiers of the future development and surrounding properties in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPS23: Planning & Pollution Control and Policy POL1 in the Wirral Unitary Development Plan. To provide a robust evidence base to inform any future HRA screening of atmospheric emissions from the development at reserved matters to avoid likely significant effects on Natura 2000 sites.
29. No phase of development shall commence within each reserved matters phase until full details of all extraction and ventilation equipment for that phase have been submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed before the related use is commenced and shall be maintained as such thereafter.
- Reason:** To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPS23: Planning & Pollution Control and Policy POL1 in the Wirral Unitary Development Plan.
30. No development shall commence until a scheme of odour control for any proposed kitchen extraction equipment in commercial premises has been submitted to and approved in writing by the Local Planning Authority. The approved odour control scheme shall be implemented before the related use is commenced and shall be maintained as such thereafter.
- Reason:** To prevent the emission of fumes that would be detrimental to the amenity of the area National Planning Policy Statement PPS1: Delivering Sustainable Development, PPS23: Planning & Pollution Control and Policy POL1 in the Wirral Unitary Development Plan.
31. A scheme of noise control for any external air conditioning plant to be installed on site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved scheme shall be implemented before the

plant is brought into operation and the approved noise protection measures shall thereafter be retained.

**Reason:** To prevent the emission of noise above a level that would be detrimental to the aural amenity of the area National Planning Policy Statement PPS1: Delivering sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

32. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) 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. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The remediation strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Upon completion of each phase of the development a verification report must be produced that demonstrates the effectiveness of the remediation carried out. The verification reports should address any potential risks associated with cross-contamination from adjacent phases awaiting remediation.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy PO5 Criteria for the Development of Contaminated Land Policy of the Wirral UDP.

33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

**Reason:** To ensure a safe form of development that poses no unacceptable risk of



pollution to ground waters through inappropriate foundation techniques pursuant to Policy PO5: 'Criteria for the Development of Contaminated Land' & Policy WAT2: 'Protection Of The Water

34. The first reserved matters application shall include the submission of a **Monitoring Strategy** for the written approval of the local planning authority. For the avoidance of doubt, the Monitoring Strategy shall include:
- Details and survey methodology for passage and wintering bird surveys;
  - Details of shipping vessel movements;
  - Details of how the Monitoring Strategy shall be regularly reviewed and updated.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1. To ensure that there are no likely significant effects on Natura 2000 sites as set out within the HRA screening report.

35. In the event that significant ground contamination, not anticipated by the relevant remediation strategy, is encountered during development, the Local Planning Authority shall be notified immediately and an assessment of proposed remediation measures shall be submitted for the written approval of the Local Planning Authority. To protect human health and the environment and prevent contamination of controlled waters, all works shall be suspended on the relevant part of the Site and any temporary contingency works needed to minimise any risks associated with such ground contamination shall be implemented in accordance with a specification to be submitted for the written approval (as soon as possible after its discovery) of the Local Planning Authority. The approved remediation measures shall then be implemented accordingly.

**Reason:** To protect human health and the environment and prevent contamination of controlled waters in accordance with Policy PO5: 'Criteria for the Development of Contaminated Land' & Policy WAT2: 'Protection of the Water Environment' of the Wirral Unitary Development Plan and National Planning Policy Statement 23: 'Planning and Pollution Control

36. No hazardous substances, included in the schedule of Planning (Hazardous Substances) Regulation 1992, shall be used, handled or stored on site until details of such use, handling or storage of any hazardous substance have been submitted for the written approval of the Local Planning Authority and such approval in writing received by the applicant. Such use, handling or storage shall thereafter only take place in accordance with the approved details.

**Reason:** To protect human health and the environment and prevent pollution of controlled waters in accordance with Policy PO5: 'Criteria for the Development of Contaminated Land' & Policy WAT2: 'Protection of the Water Environment' of the Wirral Unitary Development Plan and National Planning Policy Statement 23: 'Planning and Pollution Control

37. The docks freight line shall be retained in accordance with details to be submitted as part of the reserved matters application for the layout and access of any part of the development that would affect the freight line.

**Reason:** For the avoidance of doubt and to ensure other port related uses are not adversely affected in accordance with RSS Policy RT6

38. The development permitted by this planning permission shall only be carried out in

accordance with the approved Flood Risk Assessment, (Ref: 11171477-IFA, WSP Development and Transportation, May 2011) and the following mitigation measures detailed within the FRA:

- a) Gradients of hardstanding areas around buildings designed to shed overland flow routes away.
- b) Minimum finished floor level for all buildings on the site to be constructed at 6.87m AOD.
- c) Suitable flood resilience measures to be included in the design of the buildings.
- d) The management of the development will ensure inclusion on the Environment Agency's Flood Warning service.
- e) A flood warning and evacuation plan shall be developed to enable occupiers of the site to be safeguarded from the risk of flooding.
- f) During construction and operational phases a temporary drainage system will be in place and provisions will be made for extra flood storage capacity within the dock system

**Reason:** To reduce the risk of flooding to the proposed development and future occupants pursuant to the requirements of Planning Policy Statement 25: Development and Flood Risk.

39. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water for each phase of the development has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme should include provision for incorporating sustainable drainage systems (SUDS) in line with PPS25 and demonstrate that the rate and volumes of surface water run-off from the proposed development is no greater than the existing rate. The scheme shall be implemented as approved.

**Reason:** To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment in compliance with WA5 Protecting Surface Waters of the Wirral UDP. To demonstrate that the requirements of PPS25 have been met. To ensure no likely significant effects on Natura 2000 sites.

40. The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment in compliance with WA5 Protecting Surface Waters of the Wirral UDP.

41. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment in compliance with WA5 Protecting Surface Waters of the Wirral UDP.

42. Prior to access being provided to within 50m of the dockside, full details of **life saving equipment** and its location shall be submitted to and approved in writing by the Local Planning Authority. The approved life saving equipment shall be installed in accordance with approved details along the dock edges and shall be maintained thereafter.

**Reason:** In the interests of public safety in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development.

43. Prior to the submission of an application for any reserved matters: a detailed Port

Relocation Strategy, including a timetable for implementation, detailing proposals for the methodology and arrangements to facilitate or support the relocation of existing businesses/tenants within the site to be satisfactorily relocated either within the regeneration area or to suitable alternative premises; shall be submitted to and approved in writing by the Local Planning Authority

**Reason:** For the avoidance of doubt and to comply with RSS Policy RT6.

44. No development shall take place until full details of the finished floor levels for the development and the surrounding ground levels in comparison with existing ground levels within and adjoining the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed levels.

**Reason:** To ensure satisfactory appearance, in the interests of public safety and to ensure that the development responds appropriately to any increased risk of flooding in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development and PPS23: 'Planning and Pollution Control and PPS25 Development & Flood Risk

45. The Development shall not commence (including Temporary Works and Preparatory Works save and except the works required in accordance with this condition) in any given Phase unless and until a pre-construction survey has been carried out in respect of that Phase or Sub Phase to identify any areas that are affected by buried or surface invasive non-native plants including but not limited to Japanese Knotweed, Giant Hogweed and Himalayan Balsam and that the extent of invasive species is clearly identified on an appropriately scaled plan. The survey shall be accompanied by a method statement containing measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. In the event that the survey identifies the presence of such plants, or any other proscribed noxious weeds, details of the locations and methods for their removal or long-term management/eradication with methods of working and measures that will prevent its spread during any works operations, (such as gaining access, erection of security fencing, clearance and demolition, site investigation, earthworks, mowing, trimming and other vegetation management, or soil movement,) shall be submitted to and approved in writing by the Local Planning Authority and implemented before development commences within that Phase or Sub Phase. Development shall only proceed in full accordance with the approved method statements.

**Reason:** To ensure a sustainable form of development takes place in accordance with in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development.

46. Notwithstanding the provisions of the Schedule 2, Part 3, Class B of the Town & Country Planning (General Permitted Development) Order 1995, development within classes B2/B8 within parcels three and four of the scheme as shown on the plans hereby approved shall only be used for industrial and (or) storage and (or) distribution purposes within Use Classes B2 and (or) B8 (and for no other purpose whatsoever) of the Town and Country Planning (Use Classes) Order 1987(or any legislation revoking, re-enacting or modifying those Orders)

**Reason:** To ensure development takes place within the assessed amount under the tests to serve a sustainable development in accordance with National [Planning Policy Statement PPS4: Planning for Sustainable Economic Growth](#)

47. At each reserved matters stage for each Phase of the development all drainage plans, Construction Environmental Management Plan including construction methods, identification of working areas and methods to prevent disturbance to any Natura 2000 qualifying bird species during construction, waste disposal methods shall be carried out such that no pollution enters the West Float dock water or River Mersey, Mersey Narrows and North Wirral Foreshore pSPA, pRAMSAR and Mersey Estuary SPA, RAMSAR site

**Reason:** To protect the Mersey Narrows and North Wirral Foreshore pSPA, pRAMSAR and Mersey Estuary SPA, RAMSAR site in accordance with National Policy PPS9: Biodiversity and Geological Conservation and PPS23: Planning & Pollution Control and Policy NCO1 in the Wirral Unitary Development Plan. To prevent construction related pollutants entering controlled waters. To ensure that there is no likely significant effect on Natura 2000 sites.

48. No development shall take place until a scheme of archaeological investigation as identified within the submitted Environmental Statement June 2011 with a programme of work has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the agreed timetable in the programme of work.

**Reason:** To safeguard any archaeological interest of the site in accordance with National Policy PPS5: Planning for the Historic Environment.

49. No development shall take place until full details of a scheme to assess the site for unexploded ordnance with remedial measures have been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

**Reason:** In the interests of public safety in accordance with National Planning Policy PPS1: Delivering Sustainable Development

50. Notwithstanding the details of the bat and bird survey carried out as part of the Habitat Survey dated May 2010 and August 2011, prior to demolition of any building within the site:

- A dusk and dawn bat emergence/re-entry survey of the building to occur no more than two days prior to demolition of any brick buildings between 01 May and 31 August. The survey shall be carried out by a suitably qualified ecologist and the survey report shall be submitted to and approved in writing by the Local Planning Authority. The survey report shall include appropriate mitigation measures, which shall be implemented prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority.
- Soft demolition, under the supervision of a licensed bat handler to be undertaken for any brick buildings to be demolished between 1 September and 30 April.
- If bats are found within any buildings at any time during demolition all works within 3m of the building must cease and a bat licensed ecologist contacted.

**Reason:** To prevent harm to wildlife species protected under the Wildlife and Countryside Act 1981 in accordance with PPS9: Biodiversity and Geological Conservation NERC 'Biodiversity Duty' and Policy NC7 of the adopted UDP. Additional bat survey is required should the development not commence within 12 months of the date of the previous bat survey.

51. Prior to the commencement of each phase of development, details of emergency arrangements to ensure safe evacuation of the area to be developed within that phase shall be submitted to and agreed by the Local Planning Authority in writing. The approved procedures should include the evacuation of vulnerable people and visitors who are not used to their surroundings and should include for language barriers.

**Reason:** In the interest of personal safety in accordance with National Planning Policies PPS1: Delivering Sustainable Development

52. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.

**Reason** To prevent pollution of controlled waters.

53. Prior to the commencement of development, wintering bird surveys and spring and autumn passage surveys will be undertaken and submitted to the Local Planning Authority for approval in the appropriate season from September 2011 to May 2013, to ensure two years of bird data is available to inform reserved matters and future phases of the Wirral Waters scheme. The detailed scope of the surveys to be agreed by the Local Planning authority as advised by MEAS and Natural England in writing prior to undertaking the survey and will include any bird mitigation areas secured as part of the development.

**Reason:** To ensure no significant disturbance impacts to Natura 2000 site qualifying bird species, to ensure no likely significant effects on Natura 2000 sites as set out within the HRA screening report. To ensure an suitably robust and current evidence base for future HRA screening purposes.

54. For the first reserved matters application and prior to the commencement of the first phase of the development a minimal disturbance bird zone will be identified based on information regarding bird use of the site and will include suitable habitat for undisturbed Cormorant roosts. The detailed scope and design of the minimal disturbance bird zone is to be agreed with the Local Planning Authority as advised by MEAS and Natural England in writing prior to development commencing and will be informed by site design and layout including landscaping proposals.

**Reason:** To ensure no likely significant effects on Natura 2000 sites as set out within the HRA screening report. To ensure detailed design of mitigation is agreed and secured for future phases of development and provides suitable mitigation for any displacement of qualifying bird species from previously consented schemes within Wirral Waters.

55. Full details of an operational access through the site to Graving Dock No.3 from Beaufort Road shall be submitted as part of the reserved matters application for the layout and access of any part of the development that would affect the existing access to Graving Dock No.3. The approved access through the site shall be installed concurrently with the remainder of the development in accordance with the approved plans and shall be retained as such thereafter. No part of the development and its associated functions shall prevent the ability to continue ship repair/building operations and other port related uses at Graving Dock No.3.

**Reason:** For the avoidance of doubt and to ensure other port related facilities are not adversely affected in accordance with RSS Policy RT6.

56. The first and subsequent Reserved Matters applications should include an analysis and assessment of the impacts of shipping movements to the site to inform a supplementary HRA screening exercise. Details of the survey will be agreed in writing with the Local Planning Authority prior to undertaking the assessment.

**Reason:** To ensure should vessel movements change in the long term that the Competent Authority is able to undertake a revised HRA screening at reserved matters or should variation to consent be needed, to ensure no likely significant effects on Natura 2000 sites and compliance with the requirements of the Habitats Regulations.

57. The first reserved matters application shall include the submission of a **Monitoring Strategy** for the written approval of the local planning authority. For the avoidance of doubt, the Monitoring Strategy shall include:

- Details and survey methodology for passage and wintering bird surveys;
- Details of shipping vessel movements;
- Details of how the Monitoring Strategy shall be regularly reviewed and updated.

**Reason:** To ensure that a sustainable, co-ordinated and high quality form of development is required by National Policy PPS1. To ensure that there are no likely significant effects on Natura 2000 sites as set out within the HRA screening report

58. Development of a detailed sustainability and infrastructure plan for the ITC development to be prepared and agreed at reserved matters stage. This should include but not be limited to the following matters:

- The commitment to provide an unspecified proportion of the carbon emissions from a low or zero carbon source of heat and power.
- Linkages to the wider Wirral Waters proposals for Combined Heat and Power and 2 off-site wind turbines.
- Proposals for on site low carbon / renewable energy generation e.g. green roofs, solar photovoltaic technology.
- The use of appropriate design tools to govern the energy and carbon profile of the site according to the energy hierarchy.
- Land within the Wirral Waters scheme for the above purposes.
- Plan to implement the waste hierarchy.

**Reason:** To provide a mechanism to update the sustainability analysis at reserved matters stage to enable firm proposals to come forward and be assessed for the ICT and its wider integration into the Wirral Waters scheme.