

Planning Committee

30 May 2013

Reference:
APP/12/01267

Area Team:
North Team

Case Officer:
Mr M Rushton

Ward:
Hoylake and Meols

Location:
Proposal:

The Old Garden, 4 MEOLS DRIVE, HOYLAKE, CH47 4AQ
Change of use existing residential site to proposed Dementia Care Home comprising the adaptation of the existing single storey dwelling into a staff / administration wing and extending to the rear (North West) of the site with a single-storey communal link to a new 3-storey bedroom wing. Includes the provision of staff and visitor parking (x15) with adjusted vehicular access from meols drive. AMENDED PLANS RECEIVED 1ST MAY 2013.

Applicant:
Agent :

Abbeyfield Hoylake & West kirby Society
Paddock Johnson Partnership

Site Plan:



© Crown copyright and database rights 2011 Ordnance Survey 100019803

Development Plan allocation and policies:

Primarily Residential Area
Density and Design Guidelines Area

Planning History:

Location: Old Garden, 4 Meols Drive, Hoylake, L47 4AQ
Application Type: Full Planning Permission
Proposal: Construction of second vehicular access
Application No: APP/75/03362
Decision Date: 13/10/1975
Decision Type: Approve

Location: Site of The Old Garden, The Priory, and The Paddock (4 - 8) Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Full Planning Permission
Proposal: Erection of 24 apartments 12 duplexes (2 storey apartments) and 1 town house (all in 2 separate buildings) and 3 terraced houses and 2 semi-detached houses, cycle and bin stores and car parking areas
Application No: APP/02/06327
Decision Date: 15/11/2002
Decision Type: Refuse

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Conservation Area Consent
Proposal: Demolition of garage
Application No: CON/05/07019
Decision Date: 18/10/2005
Decision Type: Not required

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Full Planning Permission
Proposal: Erection of single storey & two storey side & rear extensions
Application No: APP/05/07024
Decision Date: 19/12/2005
Decision Type: Refuse

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Conservation Area Consent
Proposal: Demolition of garage.
Application No: CON/06/06856
Decision Date: 29/11/2006
Decision Type: Returned invalid

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Conservation Area Consent
Proposal: Demolition of a residential garage.
Application No: CON/06/06961
Decision Date: 01/11/2006
Decision Type: Not required

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ
Application Type: Conservation Area Consent
Proposal: Demolition of existing garage
Application No: CON/06/07151
Decision Date: 09/01/2007
Decision Type: Approve

Location: The Old Garden, 4 Meols Drive, Hoylake, Wirral, CH47 4AQ

Application Type: Full Planning Permission

Proposal: Erection of a two storey garage extension to the front side a two storey extension and single storey extension to side and balcony to rear of proposed gym.

Application No: APP/06/06855

Decision Date: 02/04/2007

Decision Type: Returned invalid

Location: The Old Garden, 4 MEOLS DRIVE, HOYLAKE, CH47 4AQ

Application Type: Conservation Area Consent

Proposal: Conservation area consent for demolition of existing outbuildings and lean-to conservatory (amended description and plans received).

Application No: CON/12/01268

Decision Date:

Decision Type: Parallel Application - not determined.

Summary Of Representations and Consultations Received: REPRESENTATIONS

Having regard to the adopted Guidance of Publicity of Planning Applications, a 27 neighbour notification letters were issued, and a Site Notice posted on a lamp post in front of the application site on Meols Drive. In addition, given the location of the property within the Meols Drive Conservation Area, a Press Notice was placed in the Wirral Globe in the week commencing 07th January 2013. At the time of writing individual letters of objection have been received from the occupiers of: apartments 8, and 9 Meols Court (6 Meols Drive), apartments 5 and 6 Lynton Court (2 Meols Drive) and 1 Kings Gap. The objections can be summarised as follows:

1. Concerns at the extent to which the large three-storey extension will impact amenity and overbear on the outlook from homes at Meols Court. It is considered that the proximity of the accommodation proposed to the common boundary wall with Meols Court will unduly compromise the light to windows in north-west facing windows as well as causing overbearance to the back garden areas of Meols Court.
2. Concern that the proposed development will be 'out of kilter' with the way Meols Drive has evolved over more than a century. Recent developments at no. 16 and no. 6 Meols Drive respect and conform to the Arts and Craft style with rakes tiled roofs and red brick and stone dressed walls, and are consistent in massing with properties in the area, achieving comparable height and floor area. The proposal would fail to comply either with the architectural style of the built environment of Meols Drive or with the ratio of built area to the plot on which it stands.
3. Concern at the physical size of the projection of the new building beyond the rear elevation of Meols Court, given its size, and given the central extension proposed with balcony extending very close to the rear boundary fence of the site.
4. Concern at loss of privacy to the communal rear garden of Meols Court.
5. Whilst appreciating that the existing cottage would be retained, concern at how it would blend with the modern construction proposed to the rear and the acceptability of this approach.
6. Loss of privacy to Lynton Court.
7. Concern at service bins proposed adjacent to the boundary wall with Lynton Court – because of smells in the summer, and the noise and disturbance from collection vehicles.
8. Concern at additional vehicle parking in this area, adding to those parking for functions at 'The Chapel'.
9. Concern that the felling of sycamore trees would lead to loss of privacy [for Lynton Court].
10. Concern at the proximity of the rear of the building to the party boundary with no.1 Kings Gap, and the impact this would have to sunlight in the garden of that property.
11. Loss of privacy to no. 1 Kings Gap (house and gardens), given the proposal for a balcony to the rear elevation.
12. Concern that the building would be lit 24 hours a day due to the nature of the business.
13. Concern at the smell from an industrial kitchen.

14. Concern at an increase in noise disturbance to no. 1 Kings Gap.
15. Concern at mature tree loss, added to the removal of trees that has already occurred.
16. Devaluation of property.
17. The illustrative viewpoint drawing (drawing number 1916.110A) is misleading, does not display the full height of the proposal and omits rubbish/recycling bins from the storage yard.
18. Fire brigade access will be limited – it is questioned whether this is adequate for the safety of patients.
19. Concern at noise emissions from the plant room and switch room proposed to the front of the existing building.
20. Concern at the absence of information on the storage of medical waste and medical gases.
21. There are inaccuracies in the application – the ecological report refers to the site being adjacent to the car park of the Royal Liverpool Golf Club, and the application form does not acknowledge the loss of a residential unit.
22. Concern at damage to the roots of trees indicated to be retained.
23. Parking provision is inadequate, and will add to the existing on-street parking taking place in front of Lynton Court.
24. The development is too large for a 0.3 hectare site and would be intrusive to neighbours – it should be reduced in scale to be proportionate to the site.
25. The development would be out of character with the residential nature of Meols Drive.

CONSULTATIONS

Merseyside Cycling Campaign – the plans do not appear to include any secure, internal covered cycle storage for long term use by staff at the site. Nor are there stands provided for visitors. Whilst four cycle spaces are referred to in the application documents, these are not evident in the plans – the Campaign feels that two Sheffield stands should be available for visitors located at the entrance doors and that a secure purpose built store for staff bicycles should (and can easily) be accommodated in the overall design of the site.

Hoylake Conservation Areas Committee – whilst not a listed building, the Committee notes that the age and architectural features of the Old Garden make noteworthy contributions to the character and history of old Hoylake. As such the Committee considers that the building would be a prime candidate for local listing if that procedure becomes accepted. No objection is raised to the proposed change of use, providing various safeguards are undertaken as conditions to approval: conservation of the style, character and historical integrity of the single storey building; use of good quality materials and finishes to the intended new build which are compatible and in sympathy with the original building, and; appropriate tree preservation orders are in place and observed to maintain the secluded nature of the site and screening from adjacent properties.

Wirral Wildlife – the location backs onto the Royal Liverpool Golf Course Site of Biological Importance (SBI), cited for its sand dune flora and fauna, and along the western edge as a foraging and hibernation area for natterjack toads (protected under the Wildlife and Countryside Act 1981). The proposed site is well away from the Natterjack areas. The good ecological reports submitted with the application are welcomed, and it is requested that conditions are applied to pick up the recommendations of these reports, to: prevent clearing of trees and shrubs in the bird breeding season; protect the retained trees by suitable fencing and construction methods, and; provide some bird boxes as some of the trees to be removed have potential nesting sites.

Head of Housing (Housing and Environmental Protection) – no objection.

Head of Environment & Regulation (Traffic Management) – no objection, subject to the imposition of planning conditions to secure the detail of access arrangements including visibility splays to the 'out' access, and cycle parking provision - refer to Director's Comments.

Mersey Fire and Rescue Service – no objection, informative note provided.

United Utilities – no objection to the development.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application seeks permission for the erection of a building with a floorspace in excess of 1000 square metres, which is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

PROPOSAL

The proposed development is for alterations and a change of use to the existing building, 'The Old Garden' no. 4 Meols Drive, and the construction of extensions including new entrance point, and a three-storey bedroom wing to the rear (north west) to create a dementia care home.

The existing building would be retained for use as a staff and administration wing, with a single storey link with a pyramid shaped roof constructed to link to the proposed bedroom wing, which would provide 30 bedrooms. The proposal also includes hard and soft landscaping, with 15 no. car park spaces provided and alterations proposed to the access arrangements onto Meols Drive – including the repositioning of an access point.

The design proposed incorporates a roof terrace at first floor level and a balcony at 2nd floor level – each of which would be between the retained cottage and proposed bedroom wing. A balcony initially proposed to the rear elevation of the building has been deleted from the proposal in amended plans received.

Demolition of a number of outbuildings is indicated and is the subject of a Conservation Area consent application being considered in parallel.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

The site is designated as a Primarily Residential Area and Conservation Area in the Unitary Development Plan. Relevant Development Plan criteria for assessing the application can be found at UDP Policies HS8, HS4, CH01, CH2, GR5, GR7, TR9 and TR12, along with associated supplementary planning guidance.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of planning applications, setting out a presumption in favour of sustainable development, the definition of sustainable development being given by paragraphs 18 to 219 of the Framework. The Core Planning Principles established in the NPPF include the requirement to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and the requirement to take account of the different roles and character of different areas. Notably, Part 7 of the NPPF establishes the approach to be taken to design, whilst Part 12 sets out the approach to be taken to heritage and conservation.

Policy HS8: Nursing Homes/Residential Care Homes, establishes that such a care home development – whether a proposal for new build care homes or the conversion of existing buildings – is acceptable in principle in a Primarily Residential Area. The Criteria of Policy HS8 require consideration of the scale of the proposal and whether it relates well to surrounding property; and seek to avoid concentrations of such uses, in particular on either side of a private dwelling house. The issue of scale is given consideration within the Appearance and Amenity section of this report. In terms of a concentration of such uses, the proposal would be located between two self-contained flat developments, Lynton Court and Meols Court, rather than individual dwellings. There are no other care facilities in the immediate vicinity, and as such a detrimental concentration of such uses is avoided.

Policy HS8 cross-refers to the requirement for such development to address the criteria in UDP Policy HS4: Criteria for New Housing Development. In addition to the criteria set out in Policy HS8 there are requirements in Policy HS4 that: access, car parking and servicing are capable of being satisfactorily provided; there is provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings; there is appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime; and that there is provision of adequate communal garden space. Again, it is considered that these requirements are met. Access,

car parking and servicing are considered within the Highway/Traffic Implications section below. The proposal includes areas of soft landscaping to the north west, south west and north east of the buildings, including the retention of trees in each location. The spaces would serve a dual purpose, both softening the appearance of the development and providing spacing and a buffer to adjoining properties, and providing amenity garden and seating areas for the occupants of the care facility. A Design Out Crime Assessment was submitted with the application, which considers measures to be incorporated within the building to reduce the potential for crime.

There is a statutory requirement to have special regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area under sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. UDP Policies CH01 and CH2 establish that development within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will only be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance: the distinctive characteristics of the Area, including important views into and out of the designated Area; the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces; and the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

In this instance, the design which has been achieved is considered to relate well to the surrounding townscape. The height and massing of the proposed extension is significant, however, by setting these elements well back from the road and linking it to The Old Garden, the impact of the development is lessened significantly. The rooflines and massing of buildings do rise up here towards Hoylake Town Centre, and the retention of no. 4 is important – it is a significant property in its own right, and a key building within this part of the Meols Drive Conservation Area. Whilst there would be significant change in its context, it is considered that the building has sufficient presence and is forward enough of the new build proposed to retain its essential character intact. The standard of materials will be very important in ensuring the design proposed achieves a satisfactory form of development in this location – planning conditions are required to secure samples of the proposed materials palette.

The Heritage Statement submitted does not address the issue of archaeological potential, despite this issue having been raised with the applicant. In the absence of any appraisal to date, and given the known potential of the site, it is considered reasonable to impose a planning condition requiring archaeological assessment of the development.

SITE AND SURROUNDINGS

As noted above, the application site consists of no. 4 Meols Drive, a 'cottage' style single-storey dwelling set in heavily treed and landscaped grounds. The property is set at 45 degrees to Meols Drive, and in this respect and in the design and scale of the building, is unusual and adds interest to the streetscene. The surrounding land uses are predominantly residential, though a boundary is shared with the First Church of Christ Scientist Church to the north east, and a small portion of the north western boundary of the site would adjoin the Royal Liverpool Golf Club.

APPEARANCE AND AMENITY ISSUES

The main appearance and amenity issues for consideration are: the potential impacts of the development to the characteristics of the streetscene and the Conservation Area, and the potential impacts to the amenities of adjoining residential properties.

Considering the first, as noted above, the design which has been achieved relates well to the surrounding townscape. The height and massing of the proposed extension is significant, however, by setting these elements well back from the road and linking it to The Old Garden, the impact of the development is lessened significantly. The rooflines and massing of buildings do rise up here towards Hoylake Town Centre, and the retention of no. 4 itself is important – it is a significant property, and a key building within this part of the Meols Drive Conservation Area. Whilst there would be significant change in its context, it is considered that the building has sufficient presence and is forward enough of the new build proposed to retain its essential character intact.

Considering the impacts to neighbouring properties, the extension proposed is large in scale, and as such the potential impacts to Meols Court, Lynton Court, and no.s 1 and 3 Kings Gap in particular

must be given careful consideration.

Meols Court is a three storey residential apartment scheme, built by virtue of a planning permission granted in 2003. The side elevation of the Meols Court includes kitchen windows at the ground and first and second floor level that face towards the application site. There are also windows to bathrooms and bedroom ensuite rooms. There is one habitable room window on this elevation – at the second floor level. The windows would be separated by a distance of approximately 8m from the side gable of the proposed bedroom wing extension. Whilst this distance is relatively short, given that an essentially 'blank' gable is proposed (the windows above ground floor level would serve stairwells and a service corridor only), and that the facing windows are to a secondary elevation of Meols Court, it is not considered that the loss of outlook to these rooms would warrant refusal of planning permission. The windows in the side elevation to Meols Court at first and second floor level are small 'v-shaped' projecting bays, directing views to the north and east, which is reflective of the fact that this is a side elevation to the building – this design would further reduce the potential impact of the development. The bedroom window at second floor level would retain an open outlook to the east, where it would look over the glazed link and retained Old Garden buildings. Lastly, the application proposes the retention of Elm to the south west boundary of the application site, and fencing and planting beds, which would assist to soften the appearance of the application site when viewed from Meols Court.

There are also potential impacts to the amenity open space provided for residents of Meols Court, and the outlook from rear elevation windows, given that the bedroom extension would project some 8m beyond the rear elevation of Meols Court. The side elevation of the proposed extension would, at this point, be set 2.5-3.0m from the party boundary, and 6m from the side elevation of Meols Court. A 45-degree splay would remain un-observed from the centre-point of rear windows in Meols Court ('the 45 degree test'). Given this relationship, the orientation of the two properties (in relation to the path of the sun), the size and layout of the amenity open space area within the curtilage of Meols Court, and the tree retention and landscaping proposed, it is not considered that there would be significant impacts to the enjoyment of amenity open space within Meols Court.

Considering Lynton Court, to the north east of the site, the proposed bedroom extension would be set back from the rear elevation of Lynton Court by approximately 25m - sufficient distance to avoid overbearance, loss of outlook or loss of privacy. The two buildings would not directly face, and the retention of groups of Sycamore, Elm and Lawton Cypress to the northern boundary would retain a landscaped buffer at this point.

Concerns raised by residents of Lynton Court include the potential for noise and nuisance from deliveries, odour from bins if they are located on the northern boundary of the site, and impacts from plant and kitchen operations in terms of noise and odour. The Director of Law, Human Resources and Asset Management has raised no objection to the proposed development, however it is considered reasonable to impose planning conditions to restrict servicing and deliveries, and to secure details of proposed bin storage and fume extraction proposals, to ensure that due regard is given to residential amenity, bearing in mind UDP Policy PO1 – Potentially Polluting Development.

Considering no.s 1 and 3 Kings Gap, the windows in the rear elevation of the proposed development would be located a minimum of 10m from the shared boundary, with the exception of bedrooms 14 and 15 (on the first floor) that are located in a projecting bay and are approximately 8.2m from the shared boundary - however, these rooms have windows orientated to principally look away from the party boundary. The projecting balcony originally proposed to the rear elevation at second floor level has now been deleted from the proposed development, with a balcony instead proposed above the glazed link between the extension and no. 4 Meols Drive. A line of trees would also be retained on this boundary of the site. Given this, and that the proposal would only face a portion of the gardens to no.s 1 and 3, it is not considered that the impacts would be significant, though some loss of light might be anticipated at some times of the day in winter months in particular.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposal includes retention of one existing gateway to the north east of the site, and repositing of an access at the south east of the site, to provide an 'in and out' arrangement onto Meols Drive. Parking provision is in line with the maximum parking standard set out in Supplementary Planning Policy SPD4 (which would equate to 16 spaces based on the staff and bedroom numbers) - 15

spaces, a drop off space and a service area/fire tender access would be provided. The Director of Technical Services (Traffic Management) has raised no objection to the proposed development, noting that the scale of development would not trigger the requirement for a Transport Statement and is unlikely to generate significant vehicle movements. The 'in and out' arrangement allows visitors and service vehicles to enter and leave in a forward gear and visibility sight lines are adequate. Conditions are required to ensure that the out access is splayed 2.4m by 2.4m from the back of pavement, and to secure the detail of cycle parking provision for staff and visitors. An informative is also required to notify the applicant that the existing vehicular crossings will need to be reconstructed so as to be suitable for the use proposed.

ENVIRONMENTAL/SUSTAINABILITY

One key issue is the significant loss of trees from within the site, and an assessment of the proposal is needed against UDP Policy GR7 - Trees and New Development, which set out the protection to be given to trees on development sites. The application was accompanied by a Report on Arboricultural Issues, which assessed the condition and value of trees within the development site, and makes recommendations in relation to retention and retention of trees. A number of trees would be removed to facilitate the development. The amenity value of the majority of these trees is limited by their location within the garden areas of the dwelling, where they are not readily visible from the streetscene. A number of trees are also assessed as being in poor condition, their form or condition being such that their retention is not warranted. A number of trees on the south west boundary are considered too close to the adjoining development, with crown spread over or touching that development (Meols Court) - in this location the proposal is to remove a number of larger trees, retaining a regenerating elm under storey as a short term screen while new planting is established. Importantly, the northern and southern boundaries of the site (front and rear boundaries) would be largely unaffected by the development proposed.

The conclusions of the Arboricultural Report are accepted, and the recommendations for tree removal are not considered to conflict with UDP Policy GR7. The Report includes recommendations for the replacement of species lost - an indicative drawing is submitted which indicates the potential locations for new trees as well as suitable species for the site. There are also recommendations in relation to protection of trees within the site, with the proposal that a Tree Protection Method Statement is submitted and agreed by the Local Planning Authority. Suitably worded planning conditions can secure such matters, including the retention, protection and replacement of trees.

There are no significant sustainability issues in relation to the development - the site is accessibly located in relation to public transport and services.

HEALTH ISSUES

There are no significant health implications.

CONCLUSION

It is considered that the proposed development presents significant benefits through the retention and re-use of no. 4 Meols Drive. Having regard to the desirability of preserving or enhancing the character or appearance of the surrounding Conservation Area, and the requirement to consider residential amenity as set out in UDP Policy HS8, the development is acceptable. The proposal is acceptable in design terms and considered consistent with Policies HS8, CH2, TR9, TR12, GR5 and GR7 of Wirral's Unitary Development Plan and the National Planning Policy Framework.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposed development presents significant benefits through the retention and re-use of no. 4 Meols Drive. Having regard to the desirability of preserving or enhancing the character or appearance of the surrounding Conservation Area, and the requirement to consider residential amenity as set out in UDP Policy HS8, the development is acceptable. The proposal is acceptable in design terms and considered consistent with Policies HS8, CH2, TR9, TR12, GR5 and GR7 of

Wirral's Unitary Development Plan and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. PRIOR TO THE FIRST USE/OCCUPATION OF THE DEVELOPMENT a scheme of works shall be submitted to and agreed in writing with the Local Planning Authority showing details of all mechanical extraction/ventilation units, air conditioning units, chillers and cooler systems to be installed at the premises prior to their first installation. The scheme should include the sound power levels for each piece of equipment. The development shall only be implemented in accordance with the approved details, and shall be retained as such thereafter.

Reason: In the interests of residential amenity and to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties having regard to Policy HS8 of the Wirral Unitary Development Plan.

3. PRIOR TO THE COMPLETION OF DEVELOPMENT AND PRIOR TO THE FIRST USE/OCCUPATION OF THE DEVELOPMENT details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority. The fencing, walls, gateways and means of enclosure shall be erected in accordance with the details so approved, and retained as such thereafter.

Reason: In the interests of residential amenity, designing out crime and having regard to the character of the surrounding Conservation Area, UDP Policies HS8 and CH2.

4. PRIOR TO THE FIRST OCCUPATION OR USE OF THE DEVELOPMENT all windows to the first and second floor in the south western elevation of the bedroom 'wing' (as indicated on approved plan 1916.121 B) shall be glazed in obscure glass (not less than Obscurity Level 3) and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior approval of the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of neighbouring occupiers and having regard to Policy HS4 of the Wirral Unitary Development Plan.

5. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of a scheme of landscaping, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of development. Any trees, shrubs or plants that die within a period of five years from the completion of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: To ensure satisfactory landscape treatment of the site which will protect the character and appearance of the site and to ensure the proposed development enhances the visual amenity of the locality, having regard to Policies CH2, GR5 and GR7 of the Wirral Unitary Development Plan.

6. No deliveries or commercial waste collections shall be taken at or dispatched from the site outside of the following hours: 08.00 to 19.00

Reason: In the interests of residential amenity, having regard to UDP Policy HS8.

7. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of the proposed windows have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The details shall include sections of the proposed windows at a scale of no greater than 1:20 unless otherwise agreed by the Local Planning Authority. The development shall be in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy CH2 of the Unitary Development Plan.

8. NO WORKS OR DEVELOPMENT SHALL TAKE PLACE BEFORE a scheme for the protection of the retained trees - a 'Tree Protection Plan' (in accordance with section 5.5 of BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) has been submitted to and agreed in writing with the Local Planning Authority. For the avoidance of doubt, this scheme shall include:

A; the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.

B; a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

C; a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

The development shall only be implemented in accordance with the details and measures set out in the agreed Tree Protection Plan

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR5 of the Wirral Unitary Development Plan.

9. NO WORKS OR DEVELOPMENT SHALL TAKE PLACE BEFORE an 'Arboricultural Method Statement' detailing measures to be taken during construction to protect the health of the existing trees shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall contain:

E; the details and positions (shown on the plan at paragraph (a) of Condition 10) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

F; the details and positions (shown on the plan at paragraph (a) of Condition 10) of the Ground Protection Zones (para 6.2.3 of BS5837).

G; the details and positions (shown on the plan at paragraph (a) of Condition 10) of the Construction Exclusion Zones (section 6 of BS5837).

H; the details and positions (shown on the plan at paragraph (a) of Condition 10) of the underground service runs (para 5.5.6 of BS5837).

I; the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including

those on neighbouring or nearby ground.

J; the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

K; the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).

L; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)

M; the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

N; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

O; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).

P; the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).

Q; the timing of the various phases of the works or development in the context of the tree protection measures.

The measures contained in the approved Method Statement shall be implemented in full throughout the construction phase.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR5 of the Wirral Unitary Development Plan.

10. PRIOR TO THE FIRST USE/OCCUPATION OF THE DEVELOPMENT facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 of the Wirral Unitary Development Plan.

11. NO DEVELOPMENT SHALL TAKE PLACE BEFORE samples of all materials to be used in the external construction of this development, including facing, roofing and window materials, shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH2 of the Wirral Unitary Development Plan.

12. NO DEVELOPMENT SHALL TAKE PLACE BEFORE the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard any archaeological interest of the site and to accord with Policy CH25 of the adopted Wirral Unitary Development Plan.

13. PRIOR TO THE FIRST USE/OCCUPATION OF THE DEVELOPMENT visibility splays of 2.4 metres by 2.4 metres at the proposed exit point to Meols Drive shall be provided clear of obstruction to visibility at or above a height of 0.6 metres above the carriageway level of Meols Drive, in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy HS8 of the in the Wirral Unitary Development Plan.

14. PRIOR TO THE FIRST USE/OCCUPATION OF THE DEVELOPMENT space and facilities for bin storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of residential amenity and to accord with Policy HS8 of the Wirral Unitary Development Plan.

15. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 01st May 2013 and listed as follows: 1916.116b, 1916.117b, 1916.119c, 1916.120c, 1916.121c, 1916.122, 1916.123, 1916.124 and 1916.204a.

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

16. No removal of trees/scrubs/hedges or any other vegetation management shall be carried out on site between 1st March to 31st August inclusive in any year, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC01 in the Wirral Unitary Development Plan.

17. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of privacy screens to be erected to the roof terraces at first and second floor have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of amenity for nearby residents and to comply with Policy HS8 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 29/05/2013 16:07:05

Expiry Date: 20/02/2013