

# Planning Committee

23 January 2014

**Reference:**  
**OUT/13/01184**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mr M Rushton**

**Ward:**  
**Claughton**

**Location:** Unused Land, NOCTORUM DELL, NOCTORUM, CH43 9UL  
**Proposal:** Erection of up to 4 dwellings, associated hard and soft landscaping and access from Pipistrelle Rise.

**Applicant:** Strachan Developments (uk) Ltd  
**Agent :** Condy & Lofthouse Architects Ltd

## Site Plan:



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**Development Plan:**  
Density and Design Guidelines Area

Primarily Residential Area

**Planning History:**

Location: North of (adj) Wetherscroft, Noctorum Dell, Noctorum, Wirral, CH43 9UL  
Application Type: Full Planning Permission  
Proposal: Erection of 2 detached houses  
Application No: APP/03/05651  
Decision Date: 07/11/2003  
Decision Type: Refuse

Location: North of (adj) Wetherscroft, Noctorum Dell, Noctorum, Wirral, CH43 9UL  
Application Type: Full Planning Permission  
Proposal: Erection of 2 detached houses  
Application No: APP/02/06331  
Decision Date: 12/08/2002  
Decision Type: Withdrawn

Location: Pipistrelle Rise, NOCTORUM DELL, NOCTORUM, CH43 9UL  
Application Type: Full Planning Permission  
Proposal: Retention of gates and engineering operation.  
Application No: APP/12/01147  
Decision Date: 23/01/2013  
Decision Type: Refuse

**Summary Of Representations and Consultations Received:**

**REPRESENTATIONS**

Having regard to the Council's adopted Guidance on Publicity for Planning Applications, 19 letters of neighbour notification were issued to adjoining residents and a number of Site Notices displayed. At the time of writing a petition of objection listing signatures from 26 households has been received, and representations of objection have been received from the occupiers of 14 properties – no.s 1 and 9 Pipistrelle Rise, no.s 7, 9, 11, 13, 15, 18 and 21 Wernbrook Close, no.s 19a and 21 Noctorum Dell, Flat 3 Merida West Road. Representations have also been by the occupiers of 23 Duncan Drive, Greasby and 41 Waun Gron, Pontardawe, Swansea – raising concerns at the development directly, and on behalf of parents residing at Wernbrook Close. A number of the properties have submitted a number of representations, either from different individuals within the household, or raising additional issues.

The grounds of opposition can be summarised as follows:

1. Detrimental impact to wildlife – bats, foxes, birds, great crested newts
2. Concern at further tree loss, and damage to root systems through the development (including access roads and parking areas)
3. Increased strain to drainage infrastructure, which is at capacity (as evidenced by recent events)
4. Concern at sewerage problems
5. Concern at surface water flooding – particularly with the removal of trees and given the lack of soil and loose sandstone substrate within the site
6. Detrimental impact to the environment through loss of one of the few remaining areas of open land with mature trees and natural habitat
7. Loss of view
8. Overlooking and privacy issues to gardens and property (bedroom windows) within Wentworth Close, and other surrounding property
9. Loss of light/overbearance from the three storey development proposed
10. Noise disruption
11. Overdevelopment of the area, given the amount of green field development undertaken in recent years (e.g. at Wethersfield House, West Road, Bidston Road)
12. Traffic impacts to Noctorum Dell and Pipistrelle Rise, during the construction process and once built, Pipistrelle Rise being unsuitable as an access given its narrowness (difficulties for

- servicing) and the absence of a pavement,
13. Character and appearance concerns - three storey houses would be inappropriate in an area dominated by two storey development, particularly with the change in levels; the design would be an eyesore; the site currently provides a visual break between high density areas of housing; the properties would not be in keeping
  14. It was understood that the site is part of the 'protected' Noctorum Ridge, and cannot be built on
  15. Properties at the top of Wernbrook were restricted to bungalow height – planning did not allow them to be above 1 storey
  16. Concern at the impacts of development to the health of adjoining residents (it is indicated that an adjoining resident had suffered a stroke, and cannot cope with noise and change)
  17. Concern at impacts of construction to Pipistrelle Rise – stressful and disturbing to the young and the elderly on this quiet residential street
  18. Concern at loss of value to property
  19. The illegal activities undertaken at the site, including felling of trees and the erection of inappropriate fencing, instill a feeling that the developer will not comply with any planning rules once started
  20. The site is green field and should not be developed

### **CONSULTATIONS**

Head of Environment and Regulation (Traffic and Transportation Divisions) – no objection subject to requirement for full details to be submitted of the proposed entrance point to the development, including works to provide a dropped kerb access and relocate a lighting column.

Head of Environment and Regulation (Environmental Health Division) – no objection.

Merseyside Fire and Rescue – no objection, observations/information provided regarding water supplies and fire appliances.

Wirral Wildlife – note that the site was the subject of police investigation when TPO trees containing bird nests and probably a bat roost were felled without permission in the summer of 2012. Unfortunately the police do not seem to have been able to proceed with a prosecution. Given this, Wirral Wildlife are pleased that the current application has presented detailed ecological survey work and a woodland management plan. Bidston ridge is a major hot spot for bats in Wirral, and the loss of roost sites is probably the biggest problem in maintaining that, as the roosts are in trees and older buildings. No trees should be removed before a bat emergence survey has been undertaken [NB: survey work was undertaken in response to this comment, and is summarized below], and if roosts are found, then a license will be needed from Natural England and suitable mitigation must be agreed with them. It is agreed that the presence of badgers is most unlikely in this area. Conditions are recommended to ensure that all retained trees are protected, to implement the recommendations of the arboricultural report regarding ground protection, and to enforce the recommendations of the ecological report. A condition or legal agreement should be applied to ensure the woodland management plan is implemented, and that monitoring is subsequently carried out, to ensure no net loss of biodiversity.

United Utilities – no objection, subject to the imposition of a condition requiring a scheme in relation to the disposal of foul and surface waters at the site.

Environment Agency – the EA are not aware of any surface water flooding occurrences at the site. Modeled information on surface water flooding suggests that the site is not at risk.

### **Director's Comments:**

Consideration of this application was deferred from Planning Committee on 19 December 2013 to allow Members to carry out a formal site visit.

### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition signed by more than 25 separate households has been received. As such, under the provisions of the current Scheme of Delegation for Determining Planning Applications, this application is required to be considered and determined by the Planning Committee.

## **INTRODUCTION**

The application submitted seeks outline planning approval for the erection of 4 dwellings on an a greenfield site accessed via Pipestrelle Rise. The application seeks approval of the means of access to the site, landscaping, and the scale of the development (scale meaning: the height, width and length of each buildings proposed within the development), but reserves the matters of layout and appearance for consideration as reserved matters.

## **PRINCIPLE OF DEVELOPMENT**

The site is within a designated Primarily Residential Area. As such, the principle of a residential development is acceptable.

## **SITE AND SURROUNDINGS**

The application site has not been previously been developed, and remains open and vegetated. The site supports a number of significant mature trees and other vegetation, areas of stone rubble, lengths of boundary fencing and hedging. The site is steeply sloping from north east to south west. The surrounding land uses are residential - to the east Pipestrelle Rise is immediately adjacent - a narrow residential road serving 9 properties, which ends in a turning head adjacent to the site. To the north/north east is Buerton Close, the rear boundary of no. 12 Buerton Close sharing a boundary with the site. To the north, a large property Merida is subdivided into three units and set within landscaped grounds. To the west Wernbrook Close runs up to the application site, with no.s 13, 15 and 18 sharing a boundary with the application site. Lastly, to the south Noctorum Dell passes the site. The parts of this road adjacent to the site are 'unmade' and unadopted, but provide access between the adopted sections of Noctorum Dell to the west and Wethersfield Road.

## **POLICY CONTEXT**

### **National Planning Policy Framework**

Unitary Development Plan  
HS4: Criteria for New Housing Development  
HS5: Density and Design Guidelines Area  
GR5: Landscaping and New Development  
GR7: Trees and New Development  
NC01: Principles for Nature Conservation  
NC7: Species Protection  
WA1: Development and Flood Risk

**Joint Waste Local Plan for Merseyside and Halton** - formally adopted with effect from 18 July 2013.

### **Other**

SPD4 - Parking Standards  
SPD2 – Density and Design Guidelines, Noctorum Ridge  
SPG14 – Residential Roads and Footpaths

### **Submission Draft Core Strategy DPD**

Policy CS21 - Criteria for New Housing Development

The application site is designated within the adopted Unitary Development Plan (UDP) for Primarily Residential Purposes. As such, the principle of development is acceptable, subject to consideration of UDP Policy HS4 and any other material considerations.

Policy HS4 establishes a number of criteria that must be met if new housing development is to be permitted, as follows:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;

(iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;

(iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;

(v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;

(vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and

(vii) the provision of adequate individual private or communal garden space to each dwelling.

The policy also sets out that for all proposals whose main elevations are parallel to other residential properties, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

Unless it can be demonstrated that privacy would not be unduly affected, habitable room windows directly facing each other should normally be at least 21 metres apart. Main habitable room windows should normally be at least 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of different ridge height, such as three storey development adjacent to two storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

SPG2 Noctorum Ridge Design & Density Control Guidelines, which supplements UDP Policy HS5 seek to ensure that future development safeguards as many natural features as possible in neighbourhoods of high environmental quality.

The proposal is in outline at this stage, and so final conclusions cannot be drawn on matters of appearance or layout of the site, however, indicative plans seek to demonstrate that a layout for the quantum (4 dwelling houses) of development can be satisfactorily achieved.

The proposal is for a relatively low density proposal, which would achieve a relatively generous spacing, provision of private amenity space, would enable retention of trees at the site, and landscaping, including boundary treatment has been detailed in compliance with UDP Policies GR5 and GR7. The density achieved, and the scale of development proposed is in line with the recommendations of Policy HS5 with regards Density and Design.

#### Access

Turning to criteria (iii), indicative detail has been provided in relation to car parking and access to the properties. Full details have been provided in relation to access to the site from Pipestrelle Rise, with a new drop kerb proposed to allow continuation of the current road, the installation of 1.8m high electronic gates, block paving surfaces to the driveway access, and the cladding of an existing blockwork retaining wall to the north side of the access point. It is considered that the details provided would create a satisfactory access to the development, and the details provided provide for a satisfactory appearance to the entrance that it is deemed can overcome the reasons for refusal of planning permission APP12/01147. Whilst provision of parking spaces within the development might be considered a matter reserved (layout not being detailed in the current application), the number of garaging and parking spaces provided within the development does not highlight conflict with Policy HS4, nor with SPD4: Parking Standards. The Head of Environment and Regulation (Traffic and Transportation Divisions) has raised no objection to the proposed development. Highway and Traffic Implications are considered further below.

#### Scale

The application seeks approval of the scale of development - that is the widths, lengths and heights of the residential units within the proposal. Criteria (i) and (ii) of Policy HS4 are relevant here, requiring

that the proposal is of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development, and requiring that the proposal does not result in a detrimental change in the character of the area.

The keenest impacts of the scale of the development would be felt on Wernbrook Close, to the west of the application site. The majority of this residential street supports two storey residential properties, though there are two bungalows at the head of the close, immediately adjacent to the development site. The proposal indicates 3 residential dwellings close to the party boundary with these properties, that would be part 2-storey, part 3-storey. The dwellings would, however, be partly cut-into the slope of the site - and the applicant has confirmed that the intention is to limit habitable room windows to the ground floor on the elevations facing west - outlook to 'upper' floors would be limited to the east facing elevations, or south facing elevations (over patio areas proposed). Given this, the scale does not raise concerns of privacy or overlooking. The proposed dwellings would be set at a distance of not less than 19m from the rear elevations of the bungalows, and other surrounding properties (13 Wernbrook Close, Wetherscroft and no. 20 Noctorum Dell), and greater separation distances are achieved to those parts of the proposed dwellings that are three storey (at least 25m). There is a difference in ridge levels of approximately 2.3m indicated to the two storey parts of the proposed dwellings, 7.3m to the three storey elements, and as a result, even with blank or non-habitable elevations facing, a separation distance in excess of 14m should be achieved to avoid loss of outlook and overbearance from the dwellings proposed. The distances achieved are, however, considered sufficient to avoid loss of outlook - bearing in mind the layout indicated (in which the proposed dwellings would only partially face the bungalows), the slope of the land in between the properties (the rear gardens of properties on Wernbrook slope up to the party boundary), and intervening boundary treatment existing and anticipated.

In terms of impacts to the garden areas of the properties on Wernbrook, generally, buildings would be set at no less than 7m from the party boundary. Given this, it is not considered that there would be undue overbearance to the properties to the west.

The fourth dwelling proposed would be adjacent to the side boundary of no. 17 Pipistrelle Rise, but is indicated as a single storey building, and is set away from the shared boundary by at least 5m (10m in the case of the main facing elevation). It is considered that the indicative layout confirms that a building of this scale would be acceptable.

Considering criteria (ii) - the character of the area, it must be borne in mind that appearance and layout are reserved matters in this instance. However, it is noted that the proposed dwellings will be prominent in Wernbrook Close. That said, the density of development proposed, and the relationship set out in indicative plans does not suggest an impact to character that would warrant refusal of outline permission. The details provided at the reserved matters will be important in confirming an acceptable relationship and avoiding harm to character through sympathetic design and material choices.

#### **APPEARANCE AND AMENITY ISSUES**

Appearance is a reserved matter, for which approval is not sought at this stage. Considering amenity issues, the issues of loss of privacy, overlooking and overbearance have been considered above in the appraisal of the scale of development put forward. Concerns have been raised at the potential impact to amenity of vehicle movements to access the site from Pipistrelle Rise. The development would add vehicle movements from 4 additional properties to a road currently serving 9 properties. It is not considered that this increase in use of an established and adopted road would result in detrimental harm to amenity. No. 17 Pipistrelle Rise would be immediately adjacent to the entrance gates proposed, but the front elevation of this property is set 5m from the back of pavement, behind a paved parking area. Whilst there would be some impact to this property through vehicle movements, it is not considered that the level of impact to amenity would be sufficient to be unreasonable or warrant refusal of permission.

#### **SEPARATION DISTANCES**

As noted above, since the appearance and layout of the development (including internal layouts and window locations) are reserved matters in this instance, conclusions cannot be drawn in relation to privacy and outlook - however, the indicative details and information provided sets out that adequate separation distances can be achieved which it is considered would accord with the standards

normally adopted by the Local Planning Authority.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Head of Environment and Regulation (Traffic and Transportation) has raised no objection to the proposed development, considering that there are no significant highway or pedestrian safety concerns, nor traffic congestion issues arising from the proposed development. A condition is proposed to secure the detail of work to provide a means of access to the site. It is noted that within the site itself, the land steeply slopes from north east to south west, and that appropriate surfacing and contouring (as well as passing places) will need to be considered by the applicant in order to create a safe environment within the development itself - such matters are not, however, considered to be within the remit of a planning decision.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

#### Flora and Fauna

The site is unusually rich in flora and fauna for its urban location, the mature trees and range of habitats within the site being a key feature. The potential impacts of the development to these features must be assessed, having regard to UDP Policies GR7 and NC7 in particular, and proposals for the future landscaping and management of the site appraised similarly. In this instance the applicant has undertaken a number of assessments to inform the development proposed - an Arboricultural Impact Assessment, a Report on Ecological Issues (following an Extended Phase 1 Ecological Assessment of the site), a Badger Survey, and a full Bat Roost Assessment (including Emergence Survey). In addition, a Landscape Management Plan has been drafted.

The outline application does seek to agree the landscaping approach to the site - notably, the removal of a number of existing trees (3 individual trees, and a grouping) is proposed. The arboricultural information submitted confirms that the development would avoid loss of the most important trees within the site - the three individual trees to be removed are categorized as C2 or U against British Standard BS5837:2012, whilst the group of trees is not of value, consisting scrub (self seeded sycamore and cypress). The survey proposes the replacement of these trees, with the southern portion of the site identified as a potential location. Tree removal aside, works are also suggested to manage a number of remaining trees through pruning, and measures are set out for the protection of retained trees, and for the approach where works are proposed within root protection areas. All driveway and path areas are proposed as 'no dig' structures, with porous surface membranes built up to avoid damage to root systems.

A condition will be required to secure a detailed Tree Protection Method Statement prior to the commencement of development, to add detail to the measures set out in the arboricultural report. However, the design of the proposed development is considered to avoid potential impact to valuable trees within the site, utilizing the open areas of land at the east and west.

Considering fauna, the name of the adjoining residential street highlights the prevalence of bat species in the immediate area. The mature oaks within the site have high potential for roosting bats. The survey work undertaken clarifies, however, that the trees proposed for removal are not in use. Emergence surveys were undertaken by accredited ecologists in late September, as well as inspections of the tree themselves. Whilst bats were observed foraging, particularly amongst oak trees to the east and across edging to the west, the trees to be removed showed no signs of roosting bats.

Similarly, the presence of badgers was ruled out by the survey work undertaken, as were Great Crested Newts and a number of other statutorily protected species.

The site does provide extensive habitat for nesting and foraging birds, and the submitted information recommends the avoidance of bird breeding season for any clearance work undertaken. In terms of mitigation, a number of measures are set out in the documents submitted: bird and bat boxes, bat bricks, planting of native trees to support wildlife, timing of construction works and lighting measures to avoid impacts to bats.

The Woodland Management Plan submitted outlines the approach that can be taken to the future of the site (over a 10 year period) to retain it as a native woodland with Oak as a predominant species, promoting natural regeneration of the habitat and maintaining wildlife corridors and flora for local

dependent wildlife. Wirral Wildlife have reviewed the proposal and recommend that a condition be applied to ensure the management plan is implemented. It is considered that the plan can retain the biodiversity value of the site despite residential development and meet the requirements of Policies GR5, GR7, NC01 and NC7, and a condition is proposed to secure the submission and subsequent implementation of the management approach.

#### Drainage

Concerns have been raised by neighbouring residents about the potential impact from the development to surface water flooding, and to mains drainage (surface water and foul), who indicate that there have been recent problems linked to the implementation of a permission for residential units at Wethersfield House. The applicant has employed a drainage engineer to consider the options for connection to suitable outfalls. The applicant's drainage appraisal suggests a range of options for dealing with surface water and foul water. There are three 'traditional' options - with a connection to the nearest public sewer connection - either through a gravity outfall to Wernbrook Close (seeking an easement with one of the landowners), connection to a combined sewer and/or surface water outfall on Noctorum Dell (either through gravity or with a pumped scheme), or connection with a pumped scheme to the system within Pipestrelle Rise. Alternatively, localised soakaways might be installed to operate within the site in conjunction with porous paving/surfacing if soil infiltration tests support that means.

Whilst at this stage it is unclear which of the above methods would prove possible or most advantageous, it is clear that there are options for the suitable drainage of the site. A planning condition can be applied to ensure the finalised drainage method is considered in more detail before any development takes place'

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### National Policy

NPPF establishes a positive presumption in favour of sustainable development, sustainable development being defined by paragraphs 18 to 219 of the NPPF, taken as a whole. Paragraphs 14, 73-74, and Part 6 of the NPPF are particularly relevant to this development proposal.

Whilst the site is outside the definition of previously developed land set out in the NPPF and the core principles of the framework include the need to encourage the effective use of land by reusing land that has been previously developed, it must be noted that the site is located within the urban area and bus services are provided from Townfield Rd.

On balance, the proposal can be considered a sustainable development (as defined by the NPPF paragraphs 18 to 219), subject to the implementation of planning conditions and as such there is a presumption in favour of development.

#### **CONCLUSION**

The proposal would provide an acceptable form of development, the detail provided confirming that the principle of a residential use, and the scale and access to the development would accord with the criteria set out in HS4: Criteria for New Housing Development; HS5: Density and Design Guidelines Area; GR5: Landscaping and New Development; GR7: Trees and New Development; NC01: Principles for Nature Conservation; NC7: Species Protection, and; WA1: Development and Flood Risk, and well as 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:-

The proposal would provide an acceptable form of development, the detail provided confirming that the principle of a residential use, and the scale and access to the development would accord with the criteria set out in HS4: Criteria for New Housing Development; HS5: Density and Design Guidelines



Area; GR5: Landscaping and New Development; GR7: Trees and New Development; NC01: Principles for Nature Conservation; NC7: Species Protection, and; WA1: Development and Flood Risk, and well as the National Planning Policy Framework.

**Recommended      Approve**  
**Decision:**

**Recommended Conditions and Reasons:**

1. The development hereby permitted shall be commenced 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 comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - (a) Layout
  - (b) Appearance

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

**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.

3. The remainder of the undeveloped land within the site shall be suitably landscaped in accordance with a detailed scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality, having regard to UDP Policy GR5.

4. Notwithstanding the details provided, full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

**Reason:** In the interests of residential amenity and to ensure a satisfactory appearance to the development, having regard to UDP Policy HS4.

5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 10th September 2013, referenced 12-113-100, 12-113-01 Rev A, 12-113-101 and 12-113-105 (all dated June 2013)

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

6. For the avoidance of doubt, in any subsequent application for the approval of reserved matters, the number of residential dwellings shall not exceed 4.

**Reason:** In the interests of residential amenity, and to define the permission, having regard to UDP Policy HS4 and the National Planning Policy Framework.

7. NO DEVELOPMENT SHALL TAKE PLACE BEFORE until a datum for measuring land levels and full details of existing and proposed ground levels, finished floor levels and the relationship with the highway taken from that datum, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented only in strict accordance with the details agreed and retained as such thereafter.

**Reason:** In the interests of residential and visual amenity, having regards to UDP Policy HS4.

8. NO DEVELOPMENT SHALL TAKE PLACE BEFORE a scheme for the protection of retained trees - The Tree Protection Plan (section 5.5, BS 5837:2012, Trees in Relation to Design, Demolition and Construction - Recommendations) has been agreed in writing with the LPA. 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.

An arboricultural method statement (section 6 BS 5837) containing;

D; the details and positions (shown on the plan at paragraph (a) above) 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.

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

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

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

H; 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.

I; 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)

J; 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.

K; 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).

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

The development shall be implemented in strict accordance with the approved scheme.

**Reason:** To protect trees which are considered to have significant amenity value to the area and to accord with Policy GR7 of the Wirral Unitary Development Plan.

9. The reserved matters application shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for

the undeveloped areas of the site indicated on approved drawing 12-113-100 (dated June 2013). The management plan shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out in full, in accordance with the timetable included, as approved.

**Reason:** In the interests of the amenity of the future occupiers of the development and to comply with Policies HS4 and GR5 of the Wirral Unitary Development Plan.

10. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the proposed 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 EM8 of the Waste Local Plan.

11. Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

12. PRIOR TO COMMENCEMENT OF THE DEVELOPMENT hereby approved, full details of the means of access to the site from Pipistrelle Rise, including dropped kerbs and a scheme of works to secure the relocation of the streetlight shall be submitted for approval in writing by the Local Planning Authority. The works shall be undertaken in full in accordance with the approved details prior to first occupation of the development hereby authorised and shall be retained as such thereafter.

**Reason:** In the interests of highway and pedestrian safety.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or extensions (classes A, B, C, D or E) to the dwellings hereby granted permission shall be erected unless expressly authorised.

**Reason:** In order to protect the character of the area and to accord with Policy HS4 of the Wirral Unitary Development Plan.

15. NO DEVELOPMENT SHALL TAKE PLACE BEFORE a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain to separately from the foul, and no surface water shall discharge directly or indirectly to existing foul or combined systems, and any surface water draining to a public surface water sewer shall be restricted to a maximum pass forward flow of 6 l/, unless otherwise agreed 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 undue surface water run-off, risk of flooding or damage to trees and to accord with Policies WA1, WA2, and GR7 of the Wirral Unitary Development Plan, and the National Planning Policy Framework.

16. NO DEVELOPMENT SHALL TAKE PLACE BEFORE, a detailed scheme for the preservation and enhancement of biodiversity within the development site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Local Planning Authority, and shall detail measures for the replacement of habitat as set out in the submitted extended Phase 1 Habitat appraisal.

**Reason:** To secure the wildlife value of the site as required under policy NC01 and NC7 of the Wirral Unitary Development Plan Policy, and the NPPF

17. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1<sup>st</sup> March to 31<sup>st</sup> August inclusive.

**Reason:** To protect birds during their breeding season

**Last Comments By:** 03/11/2013 15:40:57

**Expiry Date:** 05/11/2013