

Planning Committee

21 August 2014

Reference:
OUT/12/00824

Area Team:
South Team

Case Officer:
Mrs C Parker

Ward:
Prenton

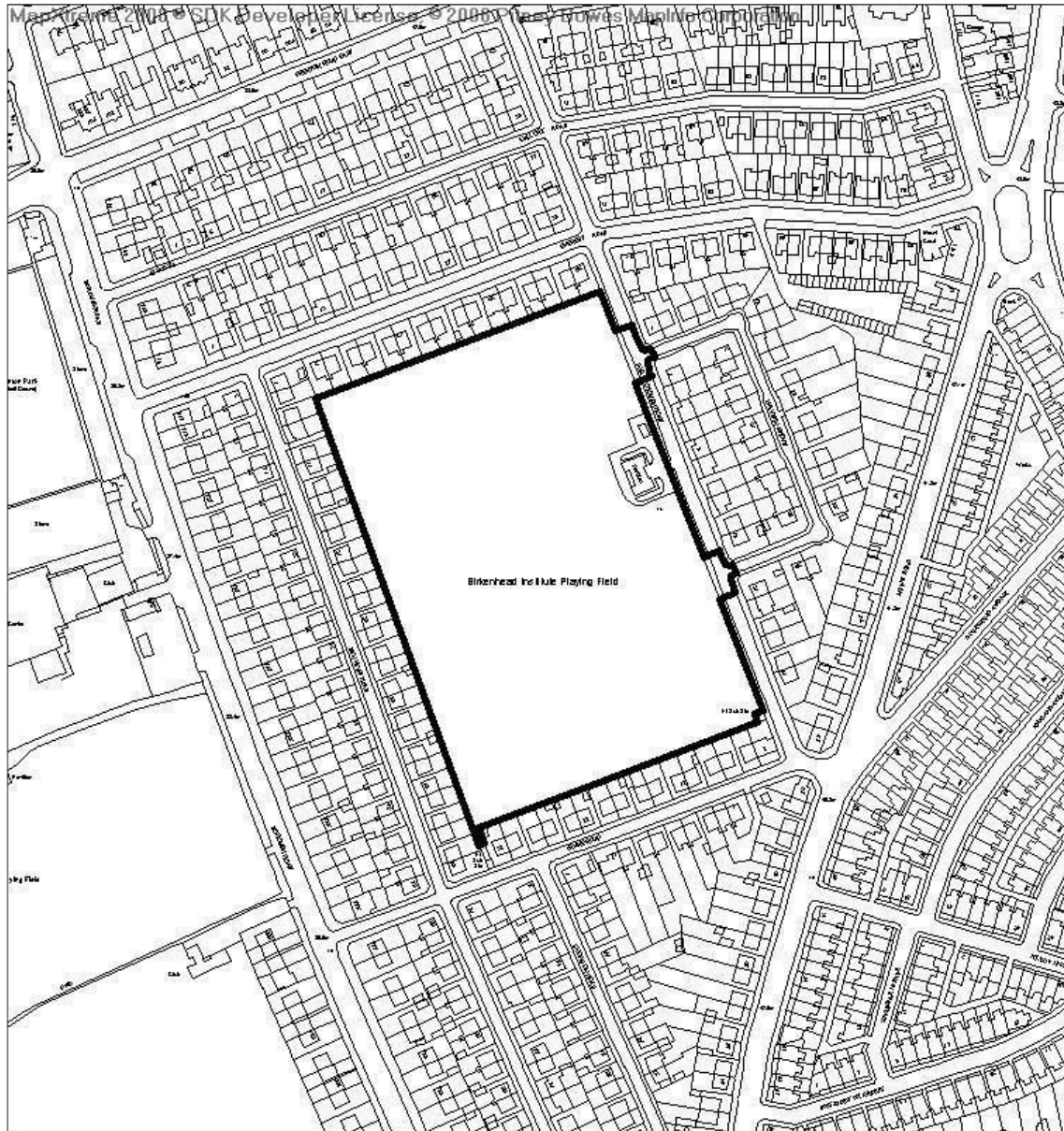
Location:
Proposal:

INGLEBOROUGH ROAD, TRANMERE, CH42 6RD
Demolitions of existing buildings and redevelopment of the land for new build residential development for up to 90 new dwellings (USE CLASS C3) with means of access and associated infrastructure –
(Amended Supporting Information received for replacement playing field)

Applicant:
Agent :

Tranmere Rovers Football Club
Paddock Johnson Partnership

Site Plan:



Development Plan Designation:

Sports Ground

Planning History:

Location: Birkenhead Institute Playing Field, Ingleborough Road, Tranmere. L42 6RD
Application Type: Full Planning Permission
Proposal: Erection of a single storey front extension to pavillion
Application No: APP/95/06310
Decision Date: 07/11/1995
Decision Type: Approve

Location: Land at INGLEBOROUGH ROAD, TRANMERE, CH42 6RD
Application Type: Outline Planning Permission
Proposal: Demolitions of Existing Buildings and Redevelopment of the Land for New
Build Residential Development for up to 90 New Dwellings (use class C3) with
Means of Access and Associated Infrastructure
Application No: OUT/11/00897
Decision Date: 10/02/2012
Decision Type: Withdrawn

PARALLEL APPLICATION: APP/14/00310 - The creation of four full size football pitches plus one junior academy pitch and one training area, fenced around the perimeter for the use by Tranmere Rovers FC as their formal training site. Creation of two full size football pitches and one youth pitch to the west of the site for local community use (**Amended plans, revised layout of pitches**) at Solar Campus, Leasowe Road, Leasowe.

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Planning Applications, 166 letters of neighbour notification were issued to properties adjoining the development site. Site Notices were displayed in the roads immediately adjoining the site, and a Press Notice was displayed in the Wirral Globe. At the time of writing, a number of representations have been received. One of these supports the proposal and sixteen letters and emails received object due to:

1. Social housing would have a detrimental effect on the value of properties in the area
2. The field should not be built on
3. Additional traffic
4. The proposal would concrete over the war memorial field
5. Increase in traffic
6. No benefit to the community
7. Design of the houses are not in-keeping and would have a negative visual impact
8. The field should be left as it is
9. TRFC have only given a choice of houses or 24 hour flood lit sports hall and cages to residents
10. TRFC haven not told the complete truth and there has been poor communication
11. Enough empty properties in the area
12. Green spaces should be kept

A petition of objection containing 34 signatures has been received objecting to the proposal due to:

1. Insufficient regard being paid to the fact that the site is recorded as war memorial
2. Demolition of the pavilion as it is classed as a memorial
3. The proposed memorial is an insult to the memory of the fallen Old Boys
4. The pavilion and fields represent a permanent memorial to Wilfred Owen, which is a valuable historical asset that would be a loss to the Nation's historical heritage.

Three petitions supporting the proposal have been received. One in support of parents of children at Tranmere Rovers Football Club Academy with 28 signatures; one from Tranmere Hall Estate Residents Association with 64 signatures; one from Tranmere Rovers Supporters Trust with 56 signatures.

CONSULTATIONS

Head of Environment & Regulation (Traffic & Transportation Division) - No objection

Head of Environment & Regulation (Pollution Control Division) - No objection

Environment Agency – no objection subject to conditions. The submitted Flood Risk Assessment highlights that the development proposals will increase both the rates and volumes of surface water leaving the developed site, compared to the existing site conditions. It is therefore essential that appropriate flood risk mitigation is incorporated within the development during the detailed design stages of the project, particularly when considering the development layout at the reserved matters stage.

Sport England - Originally objected to the proposal and has now withdrawn the objection. A letter has been received from Sport England confirming their position and reasons for withdrawing their earlier objection. Namely, that the objection was withdrawn subject to specific matters being secured as part of a Section 106 agreement. If these matters are not secured, then Sport England's position would be that the previous objection would be maintained.

An approval would need to be subject to a Section 106 Agreement that will include all the requirements that Sport England have specified in their letter dated 14th July 2014. Such requirements include the need information on the design and construction of the pitches and details that fully demonstrate the quality and quantity of replacement provision *ahead* of planning permission being granted. In addition Sport England specifically asked for a clause in the S106 for a 2 year long stop completion date on the completion of the works on the Solar Campus, which is key for securing the like for like replacement.

Director's Comments:

Consideration of this application was deferred from Planning Committee on the 23 July to allow Members to carry out a formal Site Visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application seeks outline planning permission for the erection of 90 dwellings which is defined as Major Development. The site is a designated Sports Ground where residential development is classed as a departure from the Unitary Development Plan. It 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 residential development on land at Ingleborough Road, Prenton. The application was considered in parallel with an application for playing pitches at Woodchurch Leisure Centre (APP/12/00825) at Planning Committee on the 25 October 2012 where it was resolved to approve the applications subject to a Section 106 Legal Agreement. The legal agreement (in part) would secure the provision of replacement playing fields and associated facilities at the Woodchurch site. The site at Woodchurch is no longer the provision of the replacement playing fields and training facility and the site at Solar Campus is now being considered under reference APP/14/00310. The application has therefore been reopened with a view to consider the merits of the proposed replacement playing fields at the site of Solar Campus subject of APP/14/00310.

The application is submitted in outline for up to 90 dwellings and includes the means of access to the site only. There would be two access points from Ingleborough Road, designed to provide junctions with access points from Malvern Grove.

All other matters are reserved and as such, further applications would need to be submitted to seek permission for matters of scale, layout, appearance and landscaping.

Indicative plans have been provided that shows a potential layout for a development of 90 houses (a mixture of semi-detached and detached houses, 3 and 4-bedrooms), floor plans and elevations for potential house types along with an artist's impression relating to the Ingleborough Road frontage.

Parameters of development are detailed within the submitted plans and the Supporting Planning Statement, making it clear that the development seeks dwellings up to 2.5 storeys in height, with dwellings to the perimeters of the site adjoining existing residential areas to be 2-storey with a maximum of 7.5m in ridge height.

SITE AND SURROUNDINGS

The application site is a 3.1 hectare playing field site, currently laid out to incorporate 2 football pitches and training areas. The site includes a small pavilion changing facility adjacent to Ingleborough Road, and metal railings form the perimeter to much of the site. There are a number of trees planted around the edges of the playing field surface.

The surrounding land use is residential on all sides, traditional in format (semi-detached, two storey), the application site being at the heart of the Tranmere Hall residential area.

POLICY CONTEXT AND THE PRINCIPLE OF DEVELOPMENT

Unitary Development Plan

The site is designated as a Sports Ground by virtue of proposal RE6 of the Unitary Development Plan. Policy RE6 requires the protection of such land, subject to UDP Policy RE5. This policy, RE5, was not 'saved' by the Secretary of State when permission was sought in 2007 for the policies of the Unitary Development Plan to remain in force. The National Planning Policy Framework is considered to present up to date planning policy guidance on such matters, outlining that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy URN1 – Development and Urban Regeneration outlines that in considering development proposals, the local planning authority will be concerned to ensure that full and effective use is made of land within the urban areas; whilst sites currently required for recreational purposes should be protected from inappropriate development.

Policies HS4 – Criteria for New Housing Development, HSG2 – Affordable Housing, and HS6 – Principles for Affordable Housing are relevant, establishing the criteria to be considered for new housing proposals,

Policy GR6 – Greenspace Within New Housing Developments, requires the provision of amenity open space and children's play provision in such developments, but makes it clear that the requirements of the policy will not be held to apply to proposals where the dwellings constructed would fall within 400 metres of an existing accessible public open space of 1.5 hectares or above. In this case, the close proximity to Victoria Park and other areas of recreational open space adjacent to Prenton Park is considered to provide adequate accessible public open space, such that there would be no reasoned justification to secure amenity open space within the development.

CH01 – The Protection of Heritage, is relevant given the Memorial status of aspects of the development site. The policy outlines that particular attention will be paid to the protection of buildings, structures and other features of recognised architectural or historic importance, and that proposals which would significantly prejudice these objectives will not be permitted.

NC7 – Species Protection requires consideration of species protected by law, and the mitigation of harm through refusal of permission or the use of appropriate planning conditions.

National Planning Policy Framework

The NPPF establishes a presumption in favour of sustainable development, and stipulates that approach to housing supply that must be taken by Local Planning Authorities, as well as setting the approach to be taken to existing open space and sports facilities. A core principle is established in relation to the conservation of heritage assets, requiring their conservation in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

SPORTS GROUND ISSUES

Considering the principle of development, the proposal development would take place on a site designated within the Unitary Development as a Sports Ground. As noted above, Unitary Development Plan Proposal RE6 identifies the individual sites considered sports grounds and playing fields within the urban area, outlining that they should be protected from development in order to ensure that adequate land is reserved for organised sport. As such the development is unacceptable in principle and was advertised as a departure from the Unitary Development Plan.

The application has been submitted in parallel with application APP/14/00310 which would permit the relocation of Tranmere's current use of the sports ground to the Solar Campus site. The principle of the provision of replacement playing fields is established due to the previous approval and legal agreement relating to the Woodchurch site (APP/12/00825). The replacement facilities will be provided at Solar Campus and offer the opportunity to secure the protection and enhancement of existing sports pitches. The improvements to the Solar Campus site include the provision of four full sized pitches, one junior pitch and one training area. The merits of the replacement playing fields at Solar Campus are set out in the parallel report also reported to Planning Committee - APP/14/00310.

The main principle for consideration by reopening the planning application is to establish that there is sufficient replacement pitches. Namely that the playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. Sport England had no objection to the previous proposal and as such the principle of releasing the land for residential development has been established.

Given this, it is considered that the proposed developments, dealt with in parallel, do not conflict with UDP Policy RE6, or Policy URN1, which require the protection of sports grounds and consideration of recreational purpose. The development at Solar Campus is considered to provide benefits to sport, both to the community and for Tranmere Rovers, which is a material consideration in favour of the development. The National Planning Policy Framework, at part 8, gives emphasis to the role of the planning system in facilitating social interaction and creating healthy, inclusive societies - noting at paragraph 70 that to deliver social, recreational and cultural facilities to meet community needs, planning decisions should plan positively for the provision of such uses, ensure that such services are able to develop and modernise in a sustainable way, and ensure an integrated approach to consideration of housing, economic uses and community facilities.

A section 106 Legal Agreement would enable the Council, as Local Planning Authority, to ensure the link between the two sites, should members be minded to grant planning permission. The legal agreement might secure aspects recommended by Sport England in relation to the development, the maintenance and management of the site at Solar Campus to provide community and sports development benefits with the ability to 'ring fence' the necessary finances and specify phasing requirements to ensure the delivery of the required facilities.

REGENERATION AND HOUSING ISSUES

Policy URN1 encourages the full and effective use of land within urban areas. The scale of the development is relatively low (90 homes as a maximum) and indicative plans indicate a focus upon

high value family homes (in keeping with the existing residential development around the application site). The development will not harm the character of the area and is considered appropriate in density as it will integrate with adjoining residential development. The design, scale and character of the proposals, whilst not establishing strong urban design structuring principles at this stage, will be subject to reserved matters applications and can be consistent with and complimentary to the adjacent housing.

Having regard to the provisions of the National Planning Policy Framework, it is considered that the application site is sustainable; in so much as it is located within the heart of an urban area well provided for by shops and services, transport links, and recreational opportunities such as Victoria Park. The provision of new housing units would assist the Council in achieving supply of housing, as required by paragraph 47 of the National Planning Policy.

UDP Policy HS4 requires consideration of criteria relating to the character, design and layout of new housing development to ensure integration with adjoining development. National Planning Policy Framework part 7 outlines the approach that should be taken by Local Planning Authorities to require good design. No conflict is found with these policies.

As regards the provision of affordable housing, it is noted that there is a substantial need for affordable housing identified within the Borough. UDP Policy HS6 (Affordable Housing) currently requires an on-site contribution for schemes over 1 hectare based on individual viability assessments. The Council's Strategic Housing Market Assessment (2010) found there to be a very significant housing need in the Borough with a high target for affordable housing provision being justified, and a lower trigger point (5 or more dwellings). That Assessment recommended a target of 40% of new build housing being affordable. The Affordable Housing Viability Study (2010) recognizes the current limitation associated with value and cost and therefore, at present, advises that it would be possible to sustain a target of 20% affordable housing, which has informed the emerging Core Strategy. Whilst long term aspirations of 40% affordable housing remain, an interim target of 20% is currently in place (although this is subject to site specific viability).

As in the previous submission considered in 2012, a Viability Assessment has been submitted by the applicant. Given that the application has been reopened due to the change in the replacement playing fields at Solar Campus, it has been necessary for the applicant to update the Assessment submitted originally in 2012 and this has been independently assessed on behalf of the Council. The independent review of the assessment has confirmed that the development would not be viable should a requirement be imposed for affordable housing. However it must be noted that land acquisition values vary over time, and as such it will be necessary to include a mechanism within a Section 106 Legal Agreement to secure a contribution to affordable housing, should the value rise significantly above that currently indicated, and having regard to an up-to-date assessment of the viability of the site.

HERITAGE

There have been objections received regarding the heritage value of the Ingleborough site as a war memorial. The site is referred to in inventories held by both the Imperial War Museum and the War Memorials Trust.

It was established through the original consideration of the proposal that events took place in relation to the recording and remembrance of former pupils of the Birkenhead Institute who lost their lives in WW1, such as the construction of the pavilion with stone memorial plaque, the planting of trees and the construction of ornamental gates. As such it must be concluded that the war memorial is not simply confined to the memorial plaque itself. The Heritage Statement submitted by the applicant, correctly concludes that it is appropriate to consider this heritage asset as of heritage interest, and that this is a material consideration.

Since the original application was considered, the memorial plaque has been relocated to Hamilton Square. In addition, having regard to the development plan, the site is not on land scheduled as an ancient monument, within a Conservation Area, nor is it a Listed Building or structure. As such, planning legislation and the development plan do not require that special attention is given to preserving its character or appearance. It is also important to note that covenants applied to the site are not a material planning consideration.

As in the originally considered proposal, the applicant proposes to retain a war memorial feature adjacent to Ingleborough Road, which indicative plans outline would consist a paved area incorporating the memorial stone plaque within a masonry structure, and landscape planting. The obligation to provide this feature and maintenance provisions can be secured through a s106 Legal Agreement, at the landowners cost.

Accordingly, no conflict is found with UDP Policy CH01 or the principles set out in the National Planning Policy Framework relating to heritage.

NATURE CONSERVATION

Previously submitted reports and surveys conclude that the site is of relatively low ecological value, and that protected species are not present. There have been no changes in circumstances since the proposal was considered on the basis of the submitted details. As such, the recommendations of the reports for the use of native tree and shrub planting within the landscaping of the development, supplementing existing trees at the boundaries of the site to create habitat corridors for fauna are still relevant. Whilst no bats were found to be present, it is noted that the pavilion building does provide potential habitat, and as such a future development should be designed to compensate for this potential - a planning condition is proposed to secure this compensatory provision.

APPEARANCE AND AMENITY ISSUES

The proposal is submitted in outline with matters of layout, scale, appearance and landscaping reserved for subsequent approval. However the proposal puts forward an amount of development shown in indicative plans as 90 units.

The layout and design of the development, which are reserved matters, must satisfy the criteria of HS4: Criteria for New Housing Development, in that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area. The indicative plans submitted with the application confirm that the development would introduce buildings 2 storeys (maximum ridge height 7.5m) to the perimeter of the site, rising to 2.5 storey within the heart of the site. The scale and layout proposed are considered consistent with the surrounding residential areas that will have no detrimental impact to outlook or potential of resulting in over dominant features. The details of the development would be secure at the reserved matters stage, but it is considered reasonable and necessary to impose conditions to restrict the scale of development within these parameters at this outline stage, through the imposition of planning conditions.

The proposal includes private amenity space for each dwelling, and off street parking which would address the criteria of HS4, within the limits established in Supplementary Planning Document 4 (SPD4). A statement has been submitted outlining features that would be incorporated within the development to design out crime, and Merseyside Police's Architectural Liaison Officer has raised no objections to the proposal subject to the inclusion at the reserved matters stage of measures to reduce the potential for crime. It is considered that appropriate measures – landscaping, boundary treatment and lighting – can be secured through appropriately worded planning conditions.

Loss of Trees

The trees are currently subject to a Tree Preservation Order. The applicant has submitted an arboricultural report which considers the quality of all trees within the site, including those that would be lost as a result of the development - at this stage it is confirmed that four trees would be lost (two Cherry and two Maple). The report indicates that the two Maple are retention category A trees, but notes that many of the Maple have been spoilt by poor tree surgery, whilst their location close to the boundary with Ingleborough Road is resulting in conflict with the integrity of the boundary and causing overhanging to the highway. One of the Cherry is overmature and showing signs of ill health, whilst the small specimens by the existing entrance gate are in poor condition. There are considered to be no reasons to disagree with the findings of the report, and as such the proposed removal of trees detailed is considered consistent with UDP Policy GR7. The report makes recommendations for consideration of removal of further trees in poor condition, though the application does not confirm this proposal. A commitment to tree planting at a ratio of 2 per plot is made within the Design and Access submitted, with native species detailed. Reserved matters applications must confirm landscaping of the site, as well as the protection to be given to retained trees.

Provision of Greenspace and Play Facilities

As noted above, UDP Policy GR6 establishes the requirement for provision of greenspace with new family housing development, including play facilities. The policy requires new houses of two bedrooms or more to provide greenspace. However, these requirements are not held to apply where dwellings that would fall within 400 metres of an existing public open space. In this instance, Victoria Park is within easy walking distance of the site. As such, it is not considered that the provision of greenspace or play equipment could reasonably be required should permission be granted for the development. Suggestions for an alternative development do not fall within the remit of the Local Planning Authority in this instance - consideration must be given to the application made.

SEPERATION DISTANCES

The indicative layout supports residential units set at a minimum of 23m from existing dwelling frontages, at a similar scale. As such, and subject to detail of reserved matters applications, it is considered that the Council's adopted separation distances can be achieved.

HIGHWAY/TRAFFIC IMPLICATIONS

A Transport Assessment (TA) has been submitted which indicates that traffic generation would not be significant in terms of absolute numbers (56 vehicle movements during the evening peak). This would represent an increase of 18% on the existing flow on Ingleborough Road. The TA points out that the site is well served by public transport, and concludes no adverse effect to the local highway network. It is considered that there is sufficient capacity within the local highway to cater for the additional traffic generated by the proposal.

Traffic calming measures ('speed tables') are suggested on Ingleborough Road. The Director of Technical Services (Traffic and Transportation Division) does not consider that such measures, in isolation, would be appropriate - rather it would be beneficial to implement a 20mph speed limit for Ingleborough Road and the surrounding residential streets, to mitigate against the increase in traffic and in line with the Council's current policy in residential areas.

In addition, as the properties are indicted to be sized for family accommodation, it is considered appropriate to obtain funding towards the operational costs of the nearest School Crossing Patrols on Mount Road and Borough Road. The applicant has indicated agreement with these matters, which would be secured through a section 106 legal agreement.

Conditions should be imposed to ensure require the submission of full details for the proposed access points onto Ingleborough Road, and the reinstatement of the obsolete vehicle access.

A full residential Travel Plan is also required confirming the implementation of measures detailed within framework travel plan submitted by the applicant.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental implications related to the proposal.

SECTION 106 AGREEMENT

If approved, the proposals will be subject to a Section 106 Agreement that links the development with APP/14/00310 and the replacement facilities proposed at the Solar Campus. The Section 106 would include:

1. An agreed and costed scope of works for the provision of playing pitches and platforms on the Solar Campus/Leasowe Road site, based on a detailed scheme which ensures that the playing fields will be provided to an acceptable quality;
2. Require monies for the replacement playing field provision (and ancillary provision) to be paid into an escrow account prior to any development commencing on the Ingleborough Road site; and
3. Specify that commencement of replacement facilities will commence within 6 months of the sale of the Ingleborough Road site, and also include a long stop date requiring the completion of the development on the Solar Campus/Leasowe Road site within 2 years of commencement.

Provision will be made to allow for consulting Sport England on the draft content of the S106 Agreement prior to it being signed.

CONCLUSION

The application proposes the development of a greenfield site, currently designated as a Sports Ground by Unitary Development Plan Policy RE6, of which the heritage value as a war memorial is a material consideration that weighs against the development. Nonetheless, the benefits of the overall proposal, considered in conjunction with linked application APP/2014/00310 are deemed significant, securing the protection and enhancement of sports ground land, in accordance with UDP Policy RE6, or Policy URN1.

A section 106 Legal Agreement would enable the Council, as Local Planning Authority, to ensure the link between the two sites, should members be minded to grant planning permission. The legal agreement can secure the provision of the replacement playing fields including the maintenance and management of the site at Solar Campus; provide the community and sports development benefits outlined; highway matters and a mechanism to secure affordable housing in the event of a change in the viability of the development.

Given the above, and having regard to the provisions of UDP Policies RE6, URN1, HS4 and CH01 and the National Planning Policy Framework, the development is recommended for approval, subject to the imposition of a s106 Legal Agreement and suitably worded planning conditions.

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:-

Having regard to the provisions of UDP Policies RE6, URN1, HS4 and CH01 and the National Planning Policy Framework, the proposal, considered in conjunction with linked application APP/2014/00310, would secure the protection and enhancement of sports ground land, and provide sustainable housing supply, having no detrimental impact to the residential amenity enjoyed by adjoining properties, the character of the surrounding area or the highway network.

Recommended Decision: Approve Subject to Section 106 Legal Agreement

Recommended Conditions and Reasons:

1. 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) Scale
 - (c) Appearance
 - (d) Landscaping

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.

2. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - A) The expiration of three years from the date of this permission.OR

B) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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.

3. Prior to the commencement of development a detailed scheme of works for the provision of a war memorial feature, consistent with the details in indicative plan 1531-130, shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the scheme of works shall include for the conservation, restoration and retention of the memorial stone located within the sports ground pavilion, the phasing of works proposed in relation to the works comprised in the remainder of the development, and the provisions made for the subsequent maintenance of the war memorial feature. The war memorial feature shall be provided in accordance with the approved scheme of works prior to the first occupation of any residential dwelling hereby permitted, and shall be retained as such thereafter, maintained in accordance with the approved scheme.

Reason: To retain a war memorial at the site, in the interests of heritage and having regard to the provisions of UDP Policy CH01 and the National Planning Policy Framework.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (22 June 2012) and listed as follows: 1531-01-A, 1531-126-A and 1531-129 dated 14/07/2011.

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

5. All reserved matters applications required by the conditions contained in this permission, shall be in accordance with the scale, layout, landscaping and appearance parameters set out within section 3.13 of the Supporting Planning Statement (dated July 2011), and the Design and Access Statement (revision A, dated July 2011), as supported by indicative layout 1531-124-B (dated 01/11/11). For the avoidance of doubt, the number of residential units shall not exceed 90 dwellings.

Reason: To ensure a satisfactory form of development and to protect the amenities of adjoining residential properties, having regard to UDP Policy HS4 and the National Planning Policy Framework.

6. All existing trees which are not directly affected by the buildings and works hereby approved shall be clearly located and described in the required reserved matters application for landscaping. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted without prior approval of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development shall be replaced with a tree of a species and size and in such position, as the Local Planning Authority may require, in conjunction with the general landscaping required herein.

Prior to the commencement of any demolition or construction works the trees to be retained on the site shall be protected by chestnut paling fences 1.5 metres high erected to the full extent of their canopies or such lesser extent as may be approved by the Local Planning Authority, the fencing to be removed only when the development (including pipelines and other underground works) has been completed; the enclosed areas shall at all times be kept clear of excavated soil, materials, contractors' plant and machinery. The existing soil levels under tree canopies shall not be altered at any time. Detailed drawings of all underground works and additional precautions to prevent damage to tree roots, if any, shall be submitted to and approved by the Local Planning Authority before any work is commenced, such details to include the location, extent and depth of all excavations for drainage and other services, in relation to the trees to be retained on site, and these works shall be carried out and completed in all respects in accordance with the drawings so approved.

Reason: To ensure that the trees are not damaged during the period of construction, as they represent an important visual and heritage amenity which the Local Planning Authority considers should be substantially maintained and kept in good condition.

7. No development shall commence until and until a Construction Environment Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the final plans should cover the following minimum requirements:

- i. Site supervision;
- ii. Machinery (noise and vibration levels and mitigation measures, location and storage of plant, materials and fuel, access routes etc.);
- iii. Protection of areas of ecological sensitivity and importance;
- iv. Methods for the prevention of foul drainage;
- 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;

The approved plans shall be revised and submitted for written approval from the Local Planning Authority every 3 years until construction is complete. Construction shall be carried out strictly in accordance with the approved CEMP and SWMP.

Reason: In the interest of amenity and to ensure that the construction of the development uses the best practicable means to avoid adverse environmental impacts in accordance with the Councils biodiversity conservation duties under Natural Environmental and Rural Communities Act 2006 and the National Planning Policy Framework (2012).

8. 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 WM8 of the Waste Local Plan.

9. Prior to first occupation of the development, 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 WM9.

10. Prior to the removal of the tree/trees hereby approved, the size, siting and species of a replacement tree/trees shall be submitted to and agreed in writing by the Local Planning Authority. The replacement tree/trees shall then be planted on site in accordance with the approved details, in the first available planting season. Any tree that within a period of five years after planting, dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective shall be replaced with another of the same species and size as originally approved in a timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy GR7 of the Wirral Unitary Development Plan.

11. Before the development is commenced, a method statement detailing measures to be taken during construction to protect the potential of the site for bats and breeding birds

shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved method statement shall be implemented in full in the implementation of the development.

Reason: To retain the potential of the site as a habitat for bats, having regard to UDP Policy NC7 and the submitted Bat Roost - Breeding Bird Survey (dated Oct/Nov 2011) and Ecological Report of Proposed Residential Development (undated, received by the Local Planning Authority on 22nd June 2012).

12. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

13. Prior to the commencement of any event, site clearance or development works on the site, the developer shall undertake a further and updated ecological survey of the land to investigate the presence of bats and breeding birds at the site. If the survey confirms the presence of protected species that may be disturbed by the development works, or the use of the land as approved, a mitigation report to prevent disturbance to these species, including restoration measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the approved scheme. For the avoidance of doubt, should a period of time greater than 3 years elapse between the approval in writing of a updated survey and the commencement of works, a further updated ecological survey should be undertaken and restoration measures, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the interests of any protected species which may be present on the site at the point of development, to accord with Policy NC7 of the Wirral Unitary Development Plan, and having regard to the recommendations of the submitted Bat Roost - Breeding Bird Survey (dated October/November 2011).

14. 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:
- i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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.

v. 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, and having regard to section 23 of the Basic Site Investigation Report (dated 5 April 2007).

15. The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SUDS) in accordance with the principles of sustainable drainage, and the results of the assessment provided to the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

16. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed finished floor levels. The development shall be implemented in accordance with the approved scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

17. 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 first occupation, in accordance with the details so approved.

Reason: To ensure a proper standard of separation from, and standard of amenity with respect to neighbouring property and having regard to the need to Design Out Crime.

18. Development shall not be commenced until a full Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and sustainability, having regard to the National Planning Policy Framework.

19. Notwithstanding the submitted details, the development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide vehicle access from the highway into the development site. The occupation of any part of the development shall not begin until those works have been completed in accordance with the local authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

20. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to reinstate to standard footway levels any and all existing vehicle crossings from the highway into the development site that are rendered obsolete by the development hereby authorised. The occupation of any part of the development shall not begin until those works have been completed in accordance with the local authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

Further Notes for Committee:

1. Environment Agency Informative

The FRA has indicated that the site may be suitable for soakaway drainage. Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

2. Informative from Wirral Fire Safety Command (Wirral District)

- Access for fire appliances should comply with Sections 55 of the County of Merseyside Act 1980 and with the requirements of Approved Document B5 of the Building Regulations.

- Water Supplies for fire fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplies:

Housing:

Housing developments with units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant.

Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

For further information the Fire Authority Inspecting Officer should be contacted on 0151 296 4932.