

Planning Committee

24 June 2015

Reference:
APP/15/00119

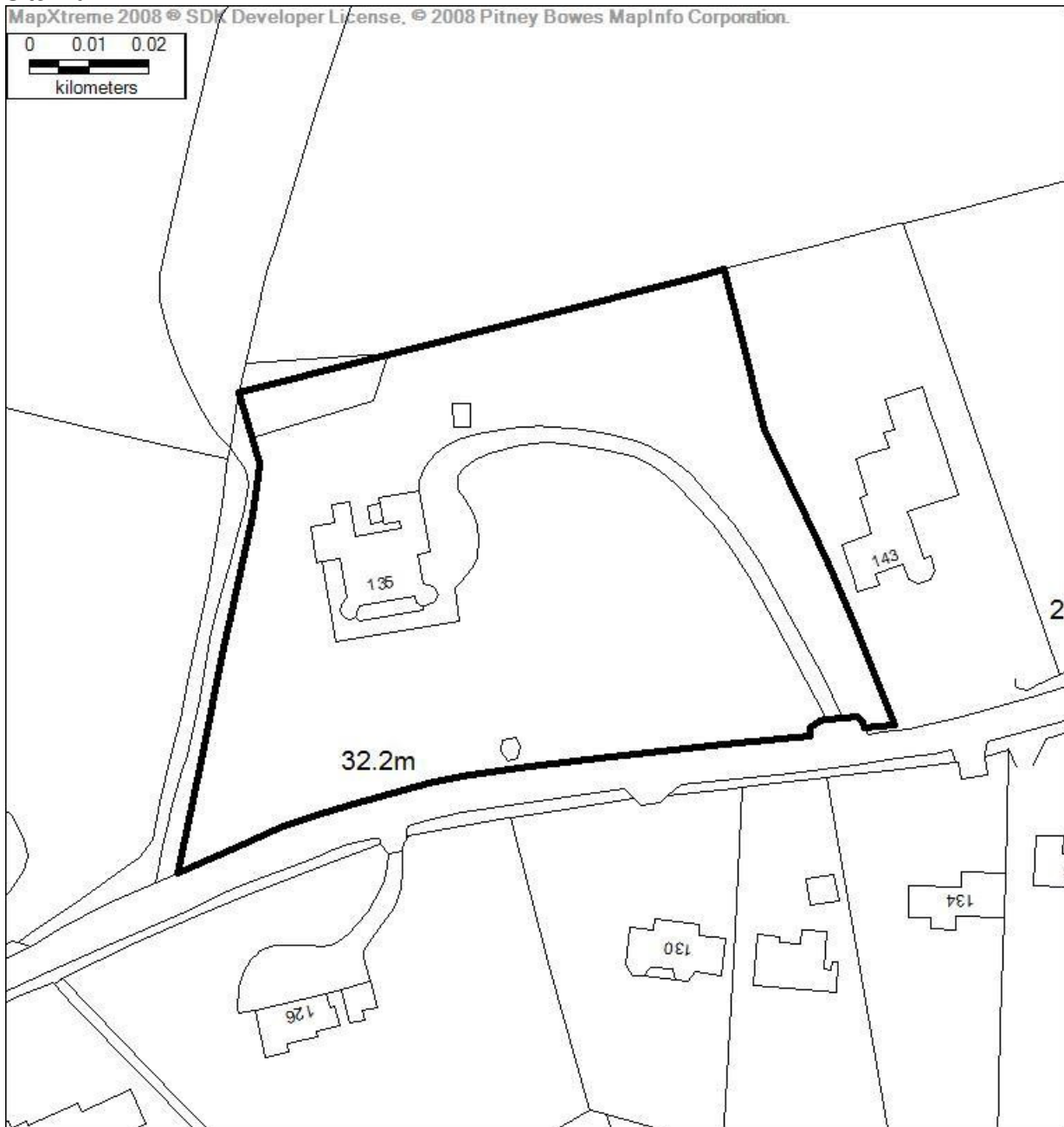
Area Team:
North Team

Case Officer:
Mr M Parry-Davies

Ward:
**West Kirby and
Thurstaston**

Location: Orovales, 135 CALDY ROAD, CALDY, CH48 1LP
Proposal: 2 new-build houses within the grounds of existing house together with works to driveway entrance to improve visibility (Amended plans)
Applicant: Mr Arthur
Agent : ABW Architects Ltd

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
Density and Design Guidelines Area
Conservation Area (for illustrative purposes)

Planning History:

There is no planning history relating to this site.

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

Having regard to the Council's Guidance on Publicity for Applications, 12 Neighbour Notifications were sent to properties either adjacent to or within close proximity of the application site. A Site Notice was also posted adjacent to the site at the junction of Woodlands Lane with Grammar School Lane. The application was also publicised by way of a Press Notice in the Wirral Globe. Following publicity of the application, no representations have been received.

CONSULTATIONS

Merseyside Fire & Rescue Service : It is considered that the premises, if constructed, will not present an unacceptable hazard to the neighbouring properties. Access for fire appliances should comply with the requirements of Building Regulations.

Head of Environment & Regulation (Pollution Control Division) : No objections.

Head of Environment & Regulation (Traffic & Transportation Division) : No objections.

United Utilities : No objections.

Wirral Wildlife : The development is not likely to impact directly on the adjacent Site of Biological Importance. Good screening between the new houses and the woodland, however, would ensure any potential disturbance of wildlife in the adjacent woodland is avoided. It is also unlikely that badgers are active within this area. The trees to be lost are non-native and in poor condition, however, tree clearance should take place outside of the bird nesting season (March - August) unless inspected immediately beforehand by a qualified ecologist and found to be free of active nests. Additional replacement planting/landscaping would be most welcome. Retained trees should be protected (by condition) during construction. The proposed drive should, where it passes under tree canopies, be constructed with no-dig methods and permeable paving.

Caldy Conservation Area Advisory Committee and the Caldys Society : Orovales is an important property set in mature landscaped grounds on Caldys Road. The house is a prominent feature in the main approach to Caldys Village. Whilst it is considered that the applicant has established an appropriate architectural style in the proposed new house types, nevertheless, these are large properties and not sufficiently subordinate to the original house to be acceptable. It is also considered that the proximity of the proposed new houses to mature trees (which provide a valuable contribution to the streetscape) would give rise to pressures to have these trees removed in the future because of the perception of loss of light and/or over-shadowing for the owners of the new properties. Despite revisions made, it is our view that these proposals represent an inappropriate over-development of the site which would have a detrimental impact on both Orovales itself, its established mature landscape and the streetscene in this part of Caldys Road and believe, therefore, that this application should be refused.

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

This application is presented to Planning Committee following a request by Councillor Geoffrey Watt (Ward Councillor) to have this application taken out of delegation on the grounds that he has been approached by local residents who are concerned that the development as proposed represents an over-development of the site, would be visually insubordinate to the original house, be

uncharacteristically prominent in the streetscene and put important trees at risk. This is all contrary to Policies HS4, CH2 and CH11 of the Wirral Unitary Development Plan, the Caldý Conservation Area Appraisal and Management Plan and the National Planning Policy Framework.

INTRODUCTION

The proposals submitted seek planning permission for a development of two detached dwellings located on land to the east of the existing property, known as Orovales. The existing dwelling will be retained as part of these proposals. The subdivision of the site broadly follows the boundaries of the original plots identified when purchased from the Caldý Manor Estate in 1927. Following initial consultation on the proposal the plans for the site have been amended. These adjustments have altered the appearance of the proposed dwelling at Plot 1 to improve its relationship with the frontage of Caldý Road and the removal of the garage for Plot 2, as the relationship with that proposed structure and the existing Orovales was not considered to be appropriate in the overall setting of the site. Other minor alterations to the scheme have also been made.

SITE AND SURROUNDINGS

The site is located within both the Primarily Residential Area and also Caldý Conservation Area. The area is residential in character. To the north of the site are open fields and Stapleton Wood, which is a Site of Biological Importance. To the east, west and south of the site is housing, all of differing designs and styles set within differing plot sizes. The southern boundary of the site is bordered by a stone wall which runs the length of Caldý Road.

The existing property, known as Orovales, is a 2-storey, white rendered, detached property whose front elevation looks out over the garden area. The property has been extended with a single storey flat roof extension at some point in the 1960's.

PRINCIPLE OF DEVELOPMENT & POLICY CONTEXT

The site is located within the Primarily Residential Area and as such, Policy HS4 (New Housing Development) is relevant. This policy states that new housing development within the Primarily Residential Area will be permitted subject to criteria listed for that policy. Policy HS5 (Density & Design Guidelines) also applies. The site is also located within Caldý Conservation Area and as such, Policies CH2 (Development Affecting Conservation Areas) and Policy CH11 (Caldý Conservation Area) are also applicable. In addition, Policy GR5 (Landscaping and New Development) and GR7 (Trees and New Development) are also relevant to these proposals. The Caldý Conservation Area Character Appraisal and Management Plan should also be considered in determining these proposals. Although the site does not sit within the Site of Biological Importance (Stapleton Wood) or the Area of Special Landscape Value, it is nevertheless, immediately adjacent to these areas and therefore, consideration should also be given to Policy LA1 (Protection for Areas of Special Landscape Value) which seeks to protect such areas including proposals which, in terms of their siting, scale, form and appearance may impact on important views into or out of the Area, and Policy NC5 which seeks to ensure that development proposals do not adversely impact on important habitats.

The environment around the home has a major impact on residents' quality of life. When new residential development is being proposed, including new housing within existing residential areas, it is important that new housing blends in well with that already built and creates a safe external environment. Policy HS4 sets out the criteria for new housing development. Provided that criteria is satisfied then Policy HS4 says that proposals for new housing will be permitted. Such proposals should be of a scale which relates well to surrounding property, particularly with regards to densities and form of development. The proposals should not result in a detrimental change in the character of the area. There should be satisfactory provision for off-street parking and/or garages and adequate vehicular access. Adequate individual private garden spaces to each dwelling should be provided. For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings.

Many of the Borough's older established residential areas have a special character derived from their architecture and extensive mature gardens. These are attractive to the area and there is always pressure for new dwellings through both infill and redevelopment. New developments can, therefore, offer a challenge to the existing character of an area. Caldý is a high quality housing area centred on a small village which has developed eastwards towards Caldý Crossroads and northwards to West Kirby. Most areas were developed at the beginning of the 20th Century and feature large houses in

landscaped grounds. The site lies within Zone 2 of the Caldys Density and Design Guidelines. Under the provisions of Policy HS5/7/2, Zone 2 allows higher density development subject to the character of the Conservation Area being preserved and enhanced.

Landscaping is one of several matters that should be specifically addressed when considering applications for planning permission. The provision of improvements to the physical environment and to provide for the conservation of the natural beauty and amenity of an area are important elements when considering any proposal for new housing development, but particularly so when the site is located adjacent to a Site of Special Landscape Value and within a Conservation Area. Special attention to landscaping should be given to landscaping where the site is especially prominent, where the development would be particularly intrusive or where it is appropriate in order to preserve the character of the site or the area in which it is located. Policy GR5 - Landscaping and New Development - sets out some criteria which seeks to secure the protection and enhancement of visual amenity. All landscaping proposals should be appropriate in terms of its nature and location to the visual prominence of the site and surrounding area. It should provide for new planting and the protection, enhancement or replacement of existing features such as ponds, trees, bushes, shrubs and hedges.

In addition to landscaping, the role that trees play in the street scene and surrounding landscape is also important. A single tree or a large group of trees can have a significant visual impact within the surrounding area. Policy GR7 - Trees and New Development - requires the local planning authority to assess and/or protect trees on development sites. In doing so, the general health, structure, size and life expectancy of trees, their visual value within the locality and their value for nature conservation will be taken into consideration and should help to inform the layout of any proposed development. It is important to ensure that all buildings and hard surface areas are sited in order to provide for the protection of those trees with the greatest visual and/or wildlife value and where development involving the loss of trees is proposed, replacement trees shall be planted elsewhere on the site in order to protect and preserve local amenity. Since these proposals were submitted, on 25 March 2015 a Tree Preservation Order WR 0359 was made on a number of trees within the grounds of Orovales, including a number of beech trees and the visually impressive Atlantic Cedar and Lawson Cypress within the middle of the site. The remainder of the site was also considered, having regards to the Arboricultural Statement submitted with the application, but a large number of trees within the grounds, including those to be removed as part of these proposals, were considered to be in either poor and declining health or to be non-native species with very low amenity value.

Conservation Areas are identified as areas which have special architectural or historic interest. In designating such areas, the local planning authority is under a duty to ensure not only the preservation but the enhancement of the character and appearance of these areas. Policy CH2 of the Unitary Development Plan deals with Developments Affecting Conservation Areas. It says that development located within a Conservation Area will be permitted where the visual and operational impact of such proposals can be demonstrated to preserve or enhance the distinctive characteristics of the Area, the general design and layout of the Area (including the relationship between buildings and trees and other characteristic open spaces) and the character/setting of period buildings which make a positive contribution to the Area. In considering proposals, special regard will be had to main frontages and prominent elevations and to the nature, quality and type of materials to be used. In addition to some of the general criteria set out for development in Conservation Areas, Policy CH11 looks specifically to Caldys Conservation Area and states that the principal planning objectives for the Area will be to retain the character of a low density, maturely landscaped suburb with substantial houses in large grounds.

In terms of the Caldys Conservation Area Character Appraisal and Management Plan, Orovales (the existing dwelling on site) is identified as a landmark building, that is viewed as being critical to this part of Caldys and that the pattern of development in the wider area along this part of Caldys Road has largely been determined by the principles set out in the covenants entered into with the Caldys Manor Estate which promoted large, rectilinear or polygonal plot with houses situated approximately in the middle of their plots. For the most part, from road level individual houses are hidden from easy view. The Management Plan specifically sets out more clearly features new buildings in the Conservation Area should present: there should be a strong presumption in favour of using traditional materials, new buildings should match the quality of materials and level of architectural design of original buildings; contrasting modern materials of the highest quality may be appropriate if they do not have an adverse effect on the setting of neighbouring buildings; new buildings should respect the footprint of existing

neighbouring buildings together with their relationships with each other (spacing), the road and other site boundaries and should be comparable within their immediate vicinity in terms of eaves and ridge heights. As discussed below, the plans that have been submitted represent a contemporary approach which has been both informed by and pays respects to the guidelines set out in the Management Plan and embraces many of the features that make Caldý special.

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.

APPEARANCE AND AMENITY ISSUES

In terms of the proposed layout, the current proposals for development broadly reflect the pattern of original developments for this part of Caldý. The proposed scheme would deliver two new 2-storey detached properties set in plots of approximately half an acre each with a shared area extending to a further 0.4 acres. Orovales, the existing dwelling, will be retained in plot extending to some 0.98 acres. Orovales itself is located towards the back of the plot towards the western boundary of the site and is both set back from and well screened from the adjacent (Caldý) road. The two proposed new dwellings would also be set back from the (Caldý) road and are pushed toward the rear and side boundary, in a reflection and paying respect to Orovales' siting within the site. Together, the three properties would form a cluster facing onto a central open space, making best use of the specimen trees on site that are still in robust health, which contribute positively to the immediate area in terms of visual amenity and which are to be retained as part of these current proposals. These include the large Lawson Cypress, which is considered to be the most important tree visually within this group of trees.

Each of the new dwellings make use of existing gradients and land levels running across the site. Both have similar roof lines to Orovales. When approached from Caldý Road, Plot 1 would be gable-end on to the road (as Orovales is now). However, the elevations have been subsequently amended to reflect the important relationship that properties along Caldý Road have in terms of facing the road. As such, although the main elevation of Plot 1 still looks onto the private driveway and central open space within the site, the gable elevations have been amended to give them more depth and width and to create the feeling of a principal elevation in terms of additional fenestration and detailing. Both Plot 1 and Plot 2 will be similarly well screened from Caldý Road by retained, enhanced and new landscaping proposals. The new dwellings have been carefully sited having regards to the path of the sun, creating good natural light all day for both properties to ensure any impact on existing trees to be retained is kept absolutely minimal.

The immediate area is characterised by a diversity of design and house types. All dwellings along this part of Caldý Road are individual in terms of their scale and appearance. Some are more modern in appearance whilst others are older and more reflective of early 20th century design. A number of properties in the locality are linear in design, taking up much of their plot widths. The two proposed new dwellings are also linear in design and will read as 2-storey dwellings with roof lines that match Orovales, occupying similar footprints. It is considered that the scales of the proposed new dwellings relates well to surrounding property, particularly having regards to the amendments that have subsequently been made.

Although the new dwellings have taken a contemporary approach to their design and appearance, nevertheless, respect has been paid to the key architectural features of this part of the Conservation Area. During pre-application consultation with the Council, discussions were had as to whether the new dwellings should replicate the design principles and character of Orovales itself. However, it was felt that Orovales is such a unique dwelling with a character all of its own which gives this property its unique landmark status within the Conservation Area, that the design for the new dwellings should not seek to create a pastiche development that copied Orovales but rather created a modern interpretation of key architectural characteristics in the Conservation Area that still allowed Orovales to be retained and to stand out as a unique landmark in this area.

The plan form of the new dwellings is relatively linear in nature, featuring a series of linked rooms. The linear approach to the design is emphasised with long roof ridges and eaves heights kept low at window head height, thereby ensuring that the scale of these two new buildings is comparable with neighbouring dwellings. The use of high quality materials and the attention to some of the finer details

of design with respect to canopies and fenestration will ensure that these new dwellings are discrete additions to the locality. It is considered that the proposals would not detract from the character or setting of the Conservation Area as the new dwellings follow the layout of the area of large properties set in spacious plots. The mix of contemporary materials provides for 21st century dwellings giving this part of the Caldý Conservation Area an added identity reflective of the times. The fact that the site is located within a conservation area does not mean that new development is not acceptable but rather that due care and consideration should be given over to the scale, appearance, use of materials to be used together with its setting, including hard and soft landscaping proposals. The mix of materials proposed provides for positive designs that are considered would contribute positively to this part of Caldý and the Conservation Area, reflecting what has been set out before it in terms of past developments but also nodding a head to modernity and contemporary living, bringing a small pocket of the 21st century into this established conservation area. There is a mix of house types and styles in the area, with no one overall or dominant characteristic that sets the character of the area and as such, these new dwellings are not considered to represent any departure from any character of the area. The new dwellings are well designed and respect their setting and are sited within the plot so as to maximise contribution to the street scene whilst minimising its impact on neighbouring properties. As such, the proposals are not considered to harm the character and setting of the Conservation Area and are considered to be in keeping with the principles of Policy CH1.

As previously outlined, the site has a number of very large trees and other well-established, mature landscape features such as shrubs, hedges and a former formal rose garden which sits to the south of the main house, adjacent to but significantly higher in terms of land levels than Caldý Road. There are a small number of very impressive trees on site, including a number of mature Beech, an Atlantic Cedar and a Lawson Cypress. These are now subject to a Tree Preservation Order (WR TPO 359) which was served as an emergency Order on 25 March 2015. The majority of trees, shrubs and hedges on the site have been planted as part of the formal landscaping of the grounds of Orovales over a series of many years. The application has been supported with the submission of an Arboricultural Impact Assessment, prepared by qualified arboriculturists and reviewed by the Council's own Tree Officer. Both that assessment and the Council's Tree Officer consider that the landscaped nature of the site, and particularly the trees on site, significantly contribute to the mature wooded character of the immediate local landscape. The trees along the southern boundary of the site are highly visible from Caldý Road as they form the boundary between the site and the road itself. There are also a number of trees located well away from any boundaries and are located more centrally within the site. These do not offer full views from outside of the site itself; i.e. they are less readily visible from the road or elsewhere outside of the site.

In total, 19 trees will be removed from the site as part of these proposals. This may, indeed, sound like a significant number of trees to be lost. However, 14 of those 19 are considered to be low quality trees having regards to the following (i) they are in poor condition/health with a short-term life expectancy of around 10 years or slightly more and (ii) they offer limited amenity and/or landscape value as they cannot be viewed from outside of the site. Of the remaining 5 trees to be removed, 4 of them are considered to have moderate value but the Council has already given consent for these trees to be removed following an application made in August 2011 due to poor root stability. The remaining tree, the blue Atlantic Cedar is considered to be a specimen tree with some amenity value. Nevertheless, that value is limited having regard to its location within the site, towards the northern boundary, which means it can only be "glimpsed" from outside of the site, reducing its amenity value to the wider area. Some species to be lost are also non-native trees and their removal provides an opportunity for replacement native species to be planted within the site as part of these development proposals. The removal of these 19 trees is considered to be good tree management practice for the site as a whole. It removes trees which are already showing signs of decline with short-term life expectancy. As trees decline in condition/health, likewise they become more unstable and run a risk of becoming dangerous trees. The removal of such trees allows for the continuation and better management of the healthy population of trees to be retained on site, together with replacement planting of trees of a suitable size and species in suitable locations within the site that will ensure the sustainable long term future of the site.

It is also proposed to use a no-dig construction methodology for the construction of the new driveway within the site which incorporates a cellular confinement system with a permeable/semi-permeable surface layer which will ensure that there will be no damage to tree roots during this element of the construction phase. Other suitably worded planning conditions relating to tree protection measures

and protective fencing to be erected would form part of any permission issued for this site.

SEPARATION DISTANCES

As should be expected of a development in this area, there are generous separation distances between all of the new dwellings proposed and existing buildings. Care has been taken to ensure layout of internal rooms and the positioning of windows, particularly at first floor level) would not give rise to adverse loss of amenity, over-looking or loss of privacy. Plot 1, which is located close to the eastern boundary of the site and adjacent to 143 Caldý Road (also known as Karibu House). However, all windows at first floor relate to an internal first-floor landing that runs the entire length of the proposed new dwelling, with all principal outlook facing into the site itself. Plot 1 is located some 50 metres away from Orovales, thereby ensure that all separation distances are comfortably achieved, even taking into account differing land levels across the site. Similarly, Plot 1 is located some 21 metres at its nearest point from the neighbouring property at 143 Caldý Road, again ensure satisfactory separation distances are achieved. The proposed first floor rear balcony to plot 1 has also been deleted from the scheme to ensure would be no loss of privacy or amenity to the occupiers of 143 Caldý Road.

The principal outlook for Plot 2 looks out to the rear of that property and onto the open grazing land and fields adjacent to the site and beyond. Similarly to Plot 1, the south facing first floor windows (looking onto the site itself) serve an internal landing/corridor that again runs the entire length of that building. All standard interface and separation distances are met both in terms of the relationship of the new properties with one another and also in terms of their relationship with existing and neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

Access to the site is currently by way of an existing driveway from Caldý Road. A revised access layout is proposed to improve visibility for drivers entering and leaving the site. The current access has restricted visibility, particularly for drivers looking to the left as they seek to leave the site. However, that current access does operate safely. Nevertheless, the current proposals seek to relocate the site access, providing a wider mouth where it joins the public highway and the proposed new internal access road will have greater width in order to allow for the remote instances where 2 vehicles are required to pass one another on entry and exit to the site. Each dwelling (including Orovales) will have parking provision for two vehicles together with space to accommodate an additional vehicles at each dwelling (i.e. for visitors etc.) It is considered that the scheme can demonstrate satisfactory access and parking provision and therefore there are no highway or traffic implications in relation to these proposals.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals. However, the removal of some trees accepted as being in poor and/or declining health allows for the continuation and better management of the healthy population of trees to be retained on site, together with replacement planting of trees of a suitable size and species in suitable locations within the site that will ensure the sustainable long term future of the site.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The site is located within both the Primarily Residential Area and also Caldý Conservation Area. The proposed development would have no significant detrimental impact on character of the street scene or the wider Caldý Conservation Area, surrounding residential amenity or highway and pedestrian safety. The proposed development represents a contemporary approach which has been both informed by and pays respects to the guidelines set out in the Management Plan and embraces many of the features that make Caldý special. The removal of some trees accepted as being in poor and/or declining health allows for the continuation and better management of the healthy population of trees to be retained on site, together with replacement planting of trees of a suitable size and species in suitable locations within the site that will ensure the sustainable long term future of the site. As such, it is considered that the proposed development accords with the criteria of Unitary Development Plan Policy HS4 (New Housing Development) and Policy HS5/7/2 (Design and Density Guidelines - Caldý), Policies CH2 (Development Affecting Conservation Areas) and Policy CH11 (Caldý Conservation Area), Policy GR5 (Landscaping and New Development) and GR7 (Trees and New Development) 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The site is located within both the Primarily Residential Area and also Caldý Conservation Area. The proposed development would have no significant detrimental impact on character of the street scene or the wider Caldý Conservation Area, surrounding residential amenity or highway and pedestrian safety. The proposed development represents a contemporary approach which has been both informed by and pays respects to the guidelines set out in the Management Plan and embraces many of the features that make Caldý special. The removal of some trees accepted as being in poor and/or declining health allows for the continuation and better management of the healthy population of trees to be retained on site, together with replacement planting of trees of a suitable size and species in suitable locations within the site that will ensure the sustainable long term future of the site. As such, it is considered that the proposed development accords with the criteria of Unitary Development Plan Policy HS4 (New Housing Development) and Policy HS5/7/2 (Design and Density Guidelines - Caldý), Policies CH2 (Development Affecting Conservation Areas) and Policy CH11 (Caldý Conservation Area), Policy GR5 (Landscaping and New Development) and GR7 (Trees and New Development) 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. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of all materials to be used in the external construction (facing bricks, roof tiles/slates etc) of this development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.

Reason: To ensure a satisfactory relationship between the various components of the development and between the site and adjoining land, to ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, any trees and hedgerows and the amenities of neighbouring properties, having regard to Policy HS4 and GR7 of the adopted Wirral Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval

of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: To satisfactorily protect the character and appearance of the area and the residential amenities of adjoining properties, having regard to Policy HS4 and GR7 of the Wirral Unitary Development Plan.

7. 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 policies WM8 and WM9 of the Waste Local Plan

8. PRIOR TO FIRST OCCUPATION OR USE 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 previous 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.

9. NO WORKS OR DEVELOPMENT SHALL TAKE PLACE BEFORE a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with provisions of BS5837 ("Trees in relation to construction - 1990") and BS3998 ("Recommendations for tree works - 1989"). The approved scheme for the protection of existing trees to be retained shall be implemented BEFORE DEVELOPMENT COMMENCES and be maintained in full until the development has been completed.

Reason: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure the character and amenities of the area are not impaired or harmed and to comply with Policy GR7 of the Wirral Unitary Development Plan.

10. The applicant or developer shall give 10 days' written notice to the Local Planning Authority prior to carrying out any tree works that have been approved.

Reason: To enable the Local Planning Authority to verify compliance with conditions,

notably Condition 9 above, having regards to Policy GR5 and Policy GR7 of the Wirral Unitary Development Plan.

11. NO DEVELOPMENT (including any demolition, earthworks or vegetation clearance) SHALL TAKE PLACE BEFORE a scheme of landscaping, phased in relation to any phasing of development, 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 each development phase. Any trees, shrubs or plants that die within a period of FIVE years from the completion of each development phase, 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 enhance the character and appearance of the site and the area, having regard to Policy HS4 and Policy GR5 of the Wirral Unitary Development Plan.

12. The demolition of the existing gateposts and boundary wall as part of the works to be carried out in respect of the relocated access arrangements shall be carried out by hand or by tools held in the hand other than power driven tools, and the materials stored for re-use in the construction of the relocated access and gateposts.

Reason: In order to conserve the gateposts and wall materials for future use, due to their significant conservation impact and their appearance in the Caldys Conservation Area, having regards to Policy CH2 and CH11 of the Wirral Unitary Development Plan.

13. NO DWELLING OR USE HEREBY PERMITTED SHALL BE OCCUPIED OR THE USE COMMENCED until the existing access(es) to the development site has been permanently stopped up and the footway reinstated in accordance with full details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of pedestrian safety.

15. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 2 February 2015 and 17 April 2015 and listed as follows: 3686 304 Rev.A (received 17.04.15); 3686 300 (received 02.02.15); 3686 316 Rev.A (received 17.04.15); 3686 314 Rev.A (received 17.04.15); 3686 312 Rev.A (received 17.04.15); 3686 307 Rev.A (received 17.04.15); 3686 308 Rev.A (received 17.04.15); 3686 309 Rev.A (received 17.04.15); 3686 310 Rev.A (received 17.04.15); 3686 305 Rev.A (received 17.04.15); 3686 315 (received 17.04.15); 3686 313 Rev.A (received 17.04.15); 3686 311 Rev.A (received 17.04.15); 3686 301 (received 02.02.15) and 3686 306 (received 02.02.15)

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

16. No removal of trees/scrub/hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority unless searched beforehand for birds' nests and nesting activity by a suitably qualified ecologist. Where nests are found in trees, scrub or hedgerows, clearance of vegetation within a 5 metre radius of the nest must be postponed until the young are confirmed to have fledged.

Reason: It is an offence under Part I, section 1(1) of the Wildlife and Countryside Act 1981 (as amended) to damage or destroy the nest of any wild bird whilst that nest is in use or being built and having regards to Policy NC7 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 05/05/2015 15:01:24
Expiry Date: 30/03/2015