

Planning Committee

15 December 2016

Reference:
APP/16/01205

Area Team:
North Team

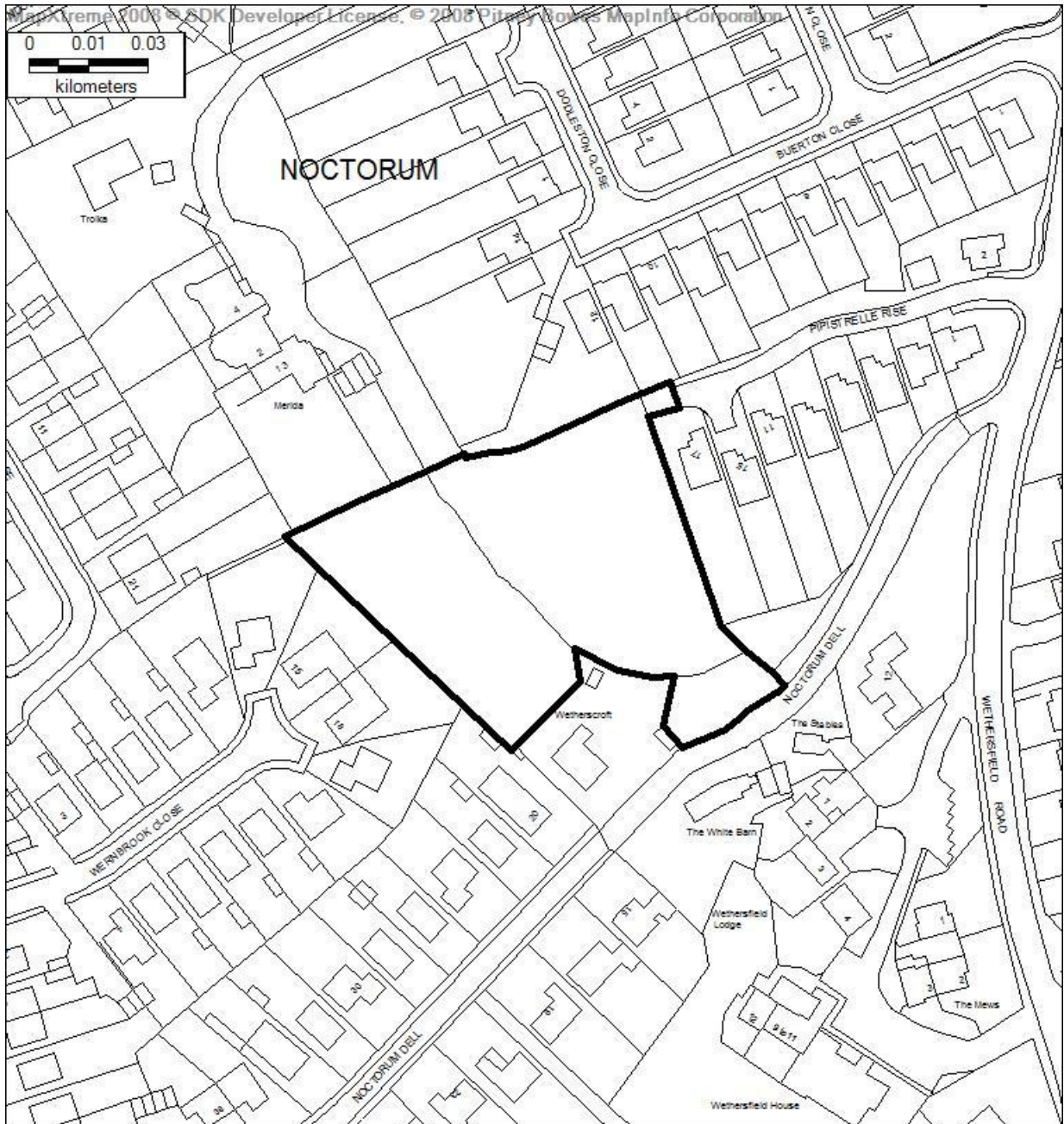
Case Officer:
Mr P Howson

Ward:
Claughton

Location: PIPISTRELLE RISE, NOCTORUM DELL, NOCTORUM, CH43 9UL
Proposal: Erection of 3no dwellings and associated hard and soft landscaping with access from Pipistrelle Rise.

Applicant: Vaughan Promotions Ltd
Agent : Condy & Lofthouse Ltd

Site Plan:



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Development Plan Designation:

Density and Design Guidelines Area
Primarily Residential Area

Planning History:

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: Refused

Location: Unused Land, NOCTORUM DELL, NOCTORUM, CH43 9UL
Application Type: Outline Planning Permission
Proposal: Erection of up to 4 dwellings, associated hard and soft landscaping and access from Pipistrelle Rise.
Application No: OUT/13/01184
Decision Date: 24/01/2014
Decision Type: Refused

Location: PIPPESTRELLE RISE, NOCTORUM DELL, NOCTORUM, CH43 9UL
Application Type: Full Planning Permission
Proposal: Erection of 4no dwellings and associated hard and soft landscaping with access from Pipistrelle Rise.
Application No: APP/16/00663
Decision Date: 06/07/2016
Decision Type: Refused

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council's Guidance for Publicity on Planning Applications, 25 notifications were sent to neighbouring properties and two site notices were displayed. At the time of writing 10 letters of representation and a qualifying petition signed by 47 signatures has been received objecting to the proposal. The objections can be summarised as follows:

1. Flooding
2. Topography of the site
3. Impacts upon wildlife
4. Drainage
5. Loss of privacy
6. Overdevelopment
7. Vehicle access
8. Construction issues

CONSULTATIONS:

Highways - No objections

Merseyside Fire and Rescue Service - No objections

Wirral Wildlife - Badgers may forage through the site. Provided that trees are felled by June 2017 there would be no requirement for further bat surveys though soft felling is advised as a precaution. Tree and shrub clearing should be carried out outside of the bird nesting season.

Lead Local Flood Authority - Supporting information with the application includes a Drainage Design Statement which identifies that surface water will be attenuated on-site through use of a flow control device. This is a conservative approach and the minimum requirement for limiting discharge to prevent maintenance issues and so this would be acceptable. Discharge to a watercourse is not possible

given the sites location.

Director's Comments:

Consideration of this application was deferred from Planning Committee on 10 November 2016 to allow for a Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

A petition signed by 47 signatures has been received. Under the provisions of the Scheme of Delegation, this is a qualifying petition and as such this app

INTRODUCTION

This application seeks consent for the erection of three dwellings and associated hard and soft landscaping with access from Pipistrelle Rise, Noctorum.

There is a previous refusal for the erection of four dwellings on the site in question on the grounds that;

'The development would be of a scale that does not relate well to properties located at the head of Wernbrook Close, having a detrimental impact to residential amenity and to the character of the area, contrary to UDP Policy HS4. Insufficient information has been provided, notably in relation to foul and surface water drainage arrangements proposed for the site, to allow confirmation that the proposed development would avoid impact to trees of visual and nature conservation value. The proposed development is contrary to UDP Policies GR7 and HS4. The proposed development would have a detrimental impact to the character and high environmental quality of the local area and the wider Noctorum Ridge, contrary to UDP Policy HS4 and Supplementary Planning Guidance SPG2: Design and Density Guidelines: Noctorum Ridge.'

Following from the refusal a further application was submitted for four dwellings and subsequently refused on the grounds that;

'Notwithstanding the principle of the development the proposal is considered unacceptable and would have a detrimental impact upon the character of the area contrary to Policies HS4 and GR7 of the Wirral UDP. The applicant has failed to address the previous reasons for refusal and is it considered that the proposal would result in an unsustainable form of development contrary to the principles of Sustainable Development as set out within the National Planning Policy Framework.'

Over the course of this application amended plans were submitted at the request of the local planning authority in order to address concerns over neighbouring amenity. Amended plans were submitted and the issue subsequently resolved.

PRINCIPLE OF DEVELOPMENT

The site is located within a Primarily Residential Area and the Noctorum Ridge Density and Design Guidelines. Areas where housing development is acceptable in principle subject to the relevant policies within the adopted Wirral Unitary Development Plan.

SITE AND SURROUNDINGS

The development site comprises of a grassed area irregular in shape with a number of mature trees and areas of dense vegetation. The site is accessed via Pipistrelle Rise and slopes steeply down towards Wernbrook Close in the south-west. The site in question is enclosed by timber fencing and is bound by a number of residential dwellings.

POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The statutory Development Plan for Wirral consists of the Unitary Development Plan (UDP) saved by a Direction of the Secretary of State issued on 18th September 2007 and the Joint Waste Local Plan for Merseyside adopted on 18th July 2013.

Development Plan Policy

Policy HS4: Criteria for New Housing Development of the Wirral UDP indicates that proposals for new housing development will be permitted subject to the proposal being of a scale which relates well to surrounding property, not resulting in detrimental change the character of the area, satisfactory provision for off-street car parking areas, the provision of appropriate landscaping and boundary treatment and adequate private or communal amenity space.

Policy HS5 (1): Density and Design Guidelines sets a maximum density of 10 dwellings per hectare to conserve the character and environmental quality of the area. This is supported by Supplementary Planning Guidance Note SPG2.

Policy GR5: Landscaping and New Development seeks proposals to submit full landscaping proposals including the specification of new planting, the appropriateness in terms of the nature of the of the location of the development, provide for the protection and enhancement of existing features and take full account of the effect of proposals on visibility at access points and local climatic influences.

Policy GR7: Trees and New Development of the Wirral UDP requires new buildings, structures and hard surface areas to be sited to substantially preserve the wooded character of the site or of the surrounding area, provide for the protection of trees of greatest visual or wildlife value and ensure that trees have adequate space to prevent damage to their canopy and root structure. Policy GR7 also seeks to prevent the removal of trees by occupiers of the development to obtain reasonable sunlight to habitable rooms.

Policy NC7: Species Protection states that development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/or planning obligations.

Material Policy Considerations

The National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. NPPF paragraphs 18 to 219 constitute the Government's view on what this means in practice. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in the quality of people's lives. The Government attaches great importance to the design of the built environment and makes it clear the good design is a key aspect of sustainable development (NPPF paragraph 56 refers). NPPF, paragraph 64 indicates that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Draft Policy CS43 in the Core Strategy Local Plan Proposed Submission Draft (2012) would expect all new development to enhance the character, quality and distinctiveness of the area where it is located and relate well to its surroundings.

APPEARANCE AND AMENITY ISSUES

The application seeks consent for the erection of three detached dwellings. The development site under consideration slopes down sharply from Pipistrelle Rise down into Wernbrook Close. Whilst the majority of the site is densely vegetated the proposed development area is a relatively level roughly grassed area.

The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay and, that where the development plan is absent, silent, or relevant policies out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The local planning authority is currently unable to demonstrate a five year supply of housing. Consequently the policies for the supply of housing cannot be considered up to date and the provision of additional dwellings weighs heavily in the proposals favour.

The definition of sustainable development as set out within the NPPF includes supporting economic growth through the delivery of infrastructure, providing a supply of housing to meet present and future generations and protecting the natural and built environment. Whilst the local planning authority acknowledges the current shortfall in the supply of housing, it maintains the view that the relevant policies for the delivery of housing accord with the overarching principles of the NPPF and therefore a balancing exercise should be undertaken on the merits of the proposal in relation to the presumption in favour of sustainable development.

Policy HS4 of the Wirral UDP considers proposals for residential development favourably provided that it is of a scale which relates well to surrounding property with regard to existing densities and form of development. Proposals must not result in detrimental change in the character of the area under Policy HS4.

Policy HS5 of the Wirral UDP sets out criteria to control the density of development and should be read in conjunction with Supplementary Planning Guidance Note 2: Design and Density Control Guidelines: Noctorum Ridge. The site in question is identified as being situated within Zone 1 and therefore in order to retain the quality of the area new development should be restricted to a density of 10 dwellings per hectare. Paragraph 64 of the NPPF seeks permission to be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed dwellings would be traditionally constructed with contemporary design features such as large openings. The overall design and siting reflects the unique characteristics of the plot with the proposed dwellings being partially cut into the slope. I consider that, by virtue of topography of site, with the existing stepped ridgeline running up from Wernbrook Close towards the development site, and the existing unrelieved area of vegetation immediately to the north-east of the development location the introduction of three dwellings would not result in significant detrimental change to the character and appearance of the area. Furthermore the proposed density would be acceptable under Policy HS5 and the scheme is acceptable in this respect.

Policy HS4 of the Wirral UDP also seeks to safeguard neighbouring amenity and requires an adequate distance to be kept between habitable room windows of existing and proposed residential developments. Whilst Policy HS4 does not prescribe adequate distance the council adopts the following standards elsewhere; facing habitable room windows shall be a minimum 21 metres apart main habitable room windows facing blank walls must achieve a 14 metre interface distance. Where there are differences in levels a greater distance may be required, for example, for every one metre difference in ridge height the distance shall be increased by 2 metres.

In respects of neighbouring amenity, the properties most affected would be Nos. 15 & 18 Wernbrook Close. The submitted plans indicated that plots 2 & 3 have been orientated so as to not restrict the outlook from the rear of No. 18 with the most notable impact being on the occupiers of No. 15 Wernbrook Close.

The applicant has submitted a set of amended plans re-siting and reducing the depth of plot 2 ensuring that it falls 18 metres from the rear of No. 15. Whilst the proposal would not fully accord with the abovementioned guidelines the following characteristics were noted upon site inspection; the land slopes down from Pipistrelle Rise into the development area which forms a rough grassed plateau before dropping back down into the rear garden area of Nos. 15 & 18 Wernbrook Close. Therefore, by virtue of the existing topography of the site, the outlook from both Nos. 15 & 18 Wernbrook Close is already restricted and proposal is therefore on balance not considered to result in a significant loss of outlook or overbearing sense of enclosure.

Other matters

Over the course of this application 10 letters of representation have been received comprising of one comment and nine objections, summary;

- a) Topography of the site
- b) Flooding/drainage
- c) Construction issues
- d) Vehicle access
- e) Impacts upon wildlife
- f) Loss of privacy
- g) Overdevelopment

Whilst it is recognised that the land in question drops down sharply the applicant has demonstrated the feasibility of a residential development subject to a number of conditions imposed by the local planning authority.

The applicant has submitted a Drainage Design Statement and the Lead Local Flood Authority has raised no objections to the scheme. In respects of matters arising during the construction period these are not material planning considerations and are considered under Building Regulations.

Wirral Wildlife and Merseyside Environmental Advisory Service (MEAS) have raised no objections to the scheme subject to a number of conditions.

The application proposes no openings which would directly overlook any of the adjacent dwellings and is therefore acceptable. In respects of the site appearing overdeveloped or out of character with the immediate vicinity the proposal would meet the density and design guidelines which seek to safeguard the character of the immediate vicinity.

SEPARATION DISTANCES

For the reasons set out above the proposal is considered acceptable.

HIGHWAY/TRAFFIC IMPLICATIONS

The application proposes access via Pipistrelle Rise. The Head of Environment & Regulation (Traffic and Transportation Division) has raised no objection to the proposal or the two previously submitted schemes. Whilst it is recognised that the land slopes down sharply down into the development area the applicant has demonstrated that an access could be achieved. Should this be subject to change, an application would need to be resubmitted to the Local Planning Authority for consideration.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The application had previously been refused based on a lack of information including foul and surface water drainage arrangements. The applicant has submitted a drainage design statement and a series of indicative drawings and the Lead Local Flood Authority has raised no objections to the scheme.

Policy NC7 of the Wirral UDP sets out a presumption against development which would have an adverse impact upon protected wildlife species. The applicant has submitted a Preliminary Ecological Appraisal augmented by a Bat Survey and Badger Survey Report. Wirral Wildlife and Merseyside Environmental Advisory Service (MEAS) have raised no objections to the scheme subject to a number of conditions.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable in principle and, under the provisions the National Planning Policy Framework, the application is, on balance, not considered to result in any significant detrimental change to the character of the area or the amenity of the adjacent dwellings. The proposal is acceptable under Policies HS4, HS5, GR5, GR7 and NC7 of the Wirral UDP and all other Supplementary Planning Guidance and therefore recommended for approval subject to 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is considered acceptable in principle and, under the provisions the National Planning Policy Framework, the application is, on balance, not considered to result in any significant detrimental change to the character of the area or the amenity of the adjacent dwellings. The proposal is acceptable under Policies HS4, HS5, GR5, GR7 and NC7 of the Wirral UDP and all other Supplementary Planning Guidance and therefore recommended for approval subject to conditions.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 02 September 2016 and 25 October 2016 and listed as follows: 12-113-01, 12-113-101, 12-113-102, 12-113-105, 12-113-100 Rev D, 12-113-120, 12-113-121 Rev X, SSL:16848:200:1:1, 1070-501 P2, 1070-501 P2 and 1070-502 P2

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

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

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

4. 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.

5. 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.

6. 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.

7. 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.

8. 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 scheme shall include suitable landscaping incorporating species that provide or shelter and the landscape work shall 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.

9. 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.

10. In order to protect habitats of special local importance for nature conservation:

- 1) Construction work shall only take place between 8am and 6pm.
- 2) Any holes or trenches left open overnight must have a means of escape provided.
- 3) All construction materials, especially those containing lime, must be stored so that badgers cannot access them, and to the front of the house, not the rear.
- 4) When fencing to the garden is installed, access shall be left for the badgers to move around between gardens.

Reason: To protect the presence of Badgers on the site having regards to policy NC5 of Wirral's UDP

11. A woodland management plan for a minimum of five years, including long term objectives, management responsibilities and maintenance schedules for all woodland areas within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the woodland management plan shall be carried out as approved on commencement of the development hereby permitted unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the woodland areas are satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with policies NC7 and GR5 of the Wirral UDP

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 LPA.

Reason: To protect birds during their breeding season

13. Before development commences, a scheme for the provision of bat boxes within the development shall be submitted to and approved by the Local Planning Authority. The boxes so approved within each phase of the development shall be completed and available for use before the last dwelling within that phase is occupied.

Reason: In the interest of species protection having regards to policy NC7 of Wirral's Unitary Development Plan.

14. Prior to occupation, a "lighting design strategy for biodiversity" for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall:
(a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

And

(b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In order to protect and enhance biodiversity on the site in accordance with the aim of local planning policy.

15. Before development commences, a scheme for the provision of bird nesting boxes within the development shall be submitted to and approved by the Local Planning Authority. The boxes so approved within each phase of the development shall be completed and available for use before the last dwelling within that phase is occupied.

Reason: In the interest of species protection having regards to policy NC7 of Wirral's Unitary Development Plan.

16. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant

17. Prior to the commencement of development, the approved scheme and timetable for the eradication of Japanese Knotweed referred to in condition 16 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To eradicate Japanese Knotweed from the site and to prevent the spread of the plant through development works

18. No works or development shall take place until a scheme for the protection of the 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.
- D. written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.

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

- E. 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.
- F. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- H. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- I. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- J. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- K. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- L. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- M. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.) on site.
- N. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- O. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- P. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- Q. the timing of the various phases of the works or development in the context of the tree protection measures

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 that the character and amenity

of the area are not impaired and having regard to Policy GR7 of the Wirral Unitary Development Plan.

19. Prior to the commencement of site clearance, demolition, storage of plant (non-tree related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall conform to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection. The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

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.

20. The following activities must not be carried out under any circumstances:
- a. No fires to be lit within 20 metres of existing trees and shrubs to be retained.
 - b. Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
 - c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
 - d. No builder's debris or other materials to be stored within the Root Protection Areas.
 - e. No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be used and located not within 10 metres of any Root Protection
 - f. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
 - g. No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

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.

21. 21 days before any development is commenced resulting in any alteration of existing ground levels, demolition or alteration of the structure, written notice shall be given to the local planning authority whereupon the local planning authority, within 21 days of receipt of such notice, shall specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site to inspect tree protection measures and construction of driveways / access near trees, for the purpose of arboricultural investigation.

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.

22. No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved and will be administered by a qualified arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters;
- b. Identification of individual responsibilities and key personnel;
- c. Statement of delegated powers;
- d. Timing and methods of site visiting and record keeping, including updates;
- e. Procedures for dealing with variations and incidents.
- f. Method timetable

Reason: To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the Wirral Unitary Development Plan.

23. The Arboricultural Method & Materials Statement shall be deposited as part of the building and construction contracts of work between the client and the appointed main contractor.

The main contractor shall ensure that any subsidiary contracts and/or sub-contractor agreements related to operations that might impact Root Protection Areas also include for this AMM.

Any contracts or sub-contractual agreements which do include for the inclusion of this AMM shall be notified to the main client agent and the appointed client arboriculturist by circulation and in such good time as to allow and ensure that the nature of works consider the root protection areas of protected trees, that the client agent and appointed arboriculturist are allowed to provide advice and support to those wishing to work within RPAs, to assist in the production of approved specifications and designs and to support by supervision any works as necessary.

Appointment of the supervising arboriculturist should also be contracted:

The client and/or his appointed agent representative shall appoint a supervising arboriculturist once main contracts are in place for a scheme of supervision of Root Protection Areas, total exclusion zones and access to Root Protection Areas.

Once appointed and with an agreed programme of standard supervisory visits and allowance for specific method and material statements—as required, the Supervising Arboriculturist shall notify the appropriate Council Planning Case and Technical Service Officers confirming his appointment and planned supervisory programme.

Reason: To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with Policy GR7 of the Wirral Unitary Development Plan

24. Pre-commencement site meeting and site supervision: Prior to the commencement of site clearance, demolition, storage of plant, materials, machinery, including the siting of site huts and WCs a pre-commencement site meeting shall be held and attended by the site manager, the demolition contractor, the arboricultural consultant and a representative from the local planning authority to discuss all the details of the tree protection measures as

specified and any other site operations that have implications for trees. At this time it shall be agreed the intervals at which the arboricultural consultant shall carry out subsequent site visits to sign off installation of tree protection measures and supervise sensitive operations in relation to trees. It is the responsibility of the site foreman to inform all employees, contractors and sub-contractors visiting and or working on the site of the details specified and to raise the importance of the tree protection measures so as to avoid causing damage to retained trees.

Tree works: All tree pruning and felling associated with site handover shall be carried out as the first operation on site, in accordance with the specification in any Tree Tables. Work shall comply with BS3998:1989 Recommendations for Tree Work and current Best Practice.

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 that the character and amenity of the area are not impaired and having regard to Policy GR7 of the Wirral Unitary Development Plan.

25. 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.

26. Prior to first occupation details of the sheds shown on plan No. 12-113-100 shall be submitted to and approved in writing by the Local Planning Authority

Reason: To safeguard the amenities of neighbouring dwellings and ensure a satisfactory appearance

Further Notes for Committee:

Last Comments By: 12/10/2016
Expiry Date: 28/10/2016