

Planning Committee

16 February 2017

Reference:
APP/16/01326

Area Team:
North Team

Case Officer:
Mr M Parry-Davies

Ward:
**Leasowe and
Moreton East**

Location: Land off Manor Drive, UPTON, WIRRAL, CH49 4NU
Proposal: Proposed residential development at the land off Manor Drive, Upton. Erection of 122 dwellings and associated access, landscaping and engineering works.
Applicant: David Wilson Homes North West
Agent : Sten Architecture

Site Plan:



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Development Plan allocation, designation and policies:

Primarily Residential Area
Housing Development Site

Planning History:

No planning history in connection with this site

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council's Guidance on Publicity for Applications, 51 neighbour notifications were sent to nearby and/or adjoining properties. 5 Site Notices were also posted around the site at the following locations: (1) lamppost outside 51 & 53 Croft Drive (opposite the junction with Pembroke Avenue); (2) On telegraph pole outside 21 Croft Drive; (3) On telegraph pole at head of Fernbank Lane; (4) on palisade fence along Fernbank Lane adjacent to the application site and (5) adjacent to the Slow Down sign on Manor Drive (opposite the entrance to Upton Park). The application was also publicised by a Press Notice in the Wirral Globe. 8 representations have been received and the objections can be summarised as follows:

1. The development will bring about a significant increase in traffic some of which may well use Croft Drive and Upton Road as a cut-through
2. Negative impact on property value in the immediate area;
3. Removal of trees;
4. Impact on wildlife including the hedgehogs and birds that have been known to use the site;
5. Potential for overlooking into adjacent gardens/houses;
6. Noise disturbance during construction, if the development is allowed; and
7. Loss of yet another greenfield site which provides a valuable "green lung" in what is already a considerable built up residential area

CONSULTATIONS:

Highways – The proposed development is generally acceptable. No objections subject to conditions and, having regard to the speed of traffic along Manor Drive, speed reduction measures along Manor Drive which will help to moderate the speed of traffic and assist pedestrians crossing the highway.

Environmental Health - No objections subject to the noise mitigation measures outlined in Section 5 of the Acoustic Consultant's Report submitted with the application are implemented

Lead Local Flood Authority - The application is supported by a Flood Risk Assessment & Drainage Management Strategy which identifies a sequential approach to sustainable drainage. The LLFA has no objection to the proposed development subject to conditions

Housing - In terms of the affordable housing provision/requirement for this site, affordable rented homes will provide help in meeting the identified housing needs of people who are registered on the waiting list. It is, however, highly unlikely that those registered on the waiting list would be able to afford any form of affordable home ownership product set out by the applicants on this site. As such, a commuted sum which would enable the off-site provision of affordable rented homes would be a viable alternative to on-site provision.

United Utilities - No objections subject to conditions

Merseyside Fire and Rescue Service - Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations. Water supplies for fire-fighting purposes should be risk assessed in liaison with the water undertakers (United Utilities).

Director's Comments:

Consideration of this application was deferred at Planning Committee on 18 January 2017 to allow for a formal Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application seeks permission for the erection of 122 units. As a Major Development in excess of 50 dwellings, the application is required to be considered and determined by the Planning Committee. In addition, Councillor Blakeley asked that the application be referred to the Planning Committee following representations made to him about the potential impacts the erection of 122 homes could have on the area.

INTRODUCTION

The application is a full application that seeks permission for the erection of 122 new homes in the form of detached, semi-detached and small terraced dwellings across this 4.2 hectares site. The site would be developed with a mix of 2 and 2 and a half storey dwellings (with second floors on the 2.5 storey dwellings being accommodated within the roof spaces). The site has been used in the past by the Upton Pony Club who vacated the site in 2015.

PRINCIPLE OF DEVELOPMENT

The majority of the site is allocated as Housing Development Site and remaining land to the north and west is designated as Primarily Residential Area as shown on the Wirral Unitary Development Plan Proposals Map. New housing development is acceptable in principle, subject to criteria set out in Policy HS4 (Criteria for New Housing Development).

SITE AND SURROUNDINGS

The site measures 4.2 hectares and sits within the urban area of Moreton. The area is predominantly residential in character with 2-storey semi-detached dwellings adjoining the site immediately to the north (Croft Drive). East of the site (on the opposite side of Manor Drive) sits Upton Park which is a large recreational ground and park. South of the site is the M53 Moreton Spur and to the west of the site is located some detached dwellings clustered around Ravenstone Close and also accessed via Fernbank Lane which is a narrow access route running immediately adjacent to the southern boundary of the site between the application site and the M53 Moreton Spur to Manor Drive and Moreton Road.

POLICY CONTEXT

Proposal HS1 (Land Allocated for Residential Development) of the Wirral Unitary Development Plan (UDP) allocated a number of sites across Wirral for new housing developments support urban regeneration and the wider aims of sustainable development whilst minimising the need to use previously undeveloped land.

UDP Policy HS4 (Criteria for New Housing Development) aims to safeguard the quality of the residential environment and ensure development brings positive benefits by requiring proposals to fulfil all of its criteria which requires new housing developments to be of a scale that relates well to surrounding property, particularly in terms of existing densities and form of development, not result in a detrimental change to the character of the area, have satisfactory accesses, services, parking arrangements, appropriate landscaping and boundary treatment, private and/or communal garden space, accessible public open space and reduce the likelihood of crime.

UDP Policy GR5 seeks to secure the protection and enhancement of visual amenity by requiring the details relating to landscaping proposals which should be appropriate in terms of the nature and location of the development proposed, the visual prominence of the site, the potential impact of the development and the character of the surrounding area. Landscaping requirements should be properly considered together with other matters relating to the siting, layout and external appearance of the development. Special attention should also be given where landscaping may be required as a "buffer" to protect amenity of adjacent property.

Proposals for new family housing development should consider the need for public open space and the provision for safe children's play. Policy GR6 seeks to ensure that accessible public open space relates well to the development and the wider locality and should be reasonably related in scale and location to the development proposed. However, if the development proposed is capable of being adequately served by existing local open space, specifically if the dwellings would be located within 400 metres of existing accessible public open space, then the requirements of Policy GR6 will not be held to apply. This site is located within close proximity of Upton Park (on the opposite side of Manor Drive to the east of the site) and to Overchurch Park (to the west of the site) and as such on-site provision of public open space would not be held to apply in this instance.

Trees form a prominent part of the landscape and comprise an essential feature in the special character of many of Wirral's residential areas. Policy GR7 forms part of the local planning authority's wider responsibility to conserve the natural characteristics of any given area and seeks to protect existing trees on development sites, on adjacent land and also seeks to require replacement planting where the development involves the loss of any trees.

UDP Policies HSG2 and HS6 enable the Local Planning Authority to negotiate for affordable housing on suitable sites.

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.

The National Planning Policy Framework (NPPF) became a material planning consideration on 27th March 2012. This indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. The Government attaches great importance to design of the built environment and makes it clear that development that fails to take opportunities available for improving the character and quality of an area and the way it function should be refused (NPPF paragraphs 56 & 64 refer). The need for affordable housing is expected to be made on site; unless off site provision or a financial contribution can be robustly justified (NPPF paragraph 50 refers).

Weight could also be given to the emerging Core Strategy Local Plan according to its stage of preparation, the significance of unresolved objections and the degree of consistency with NPPF (paragraph 216 refers).

In line with NPPF Emerging Policy CS43 will expect all new development to enhance the character, quality and distinctiveness of the area. Affordable housing would normally be expected on site, but if this is not practical or appropriate alternative sites or financial contribution could be considered under emerging Policy CS22.

APPEARANCE AND AMENITY ISSUES

In total, the development proposed would bring forward 122 residential dwellings. The development seeks to respect the form of development immediately north of the site and to retain existing boundary trees, hedgerows and planting around the perimeter of the site to create a buffer for the existing housing adjacent. The new dwellings are predominantly 2-storey in height with some taller dwellings in key locations to act as focal or waypoint buildings with the upper floor accommodation being contained within the roof spaces of those units.

The proposed development comprises a mix of 3 & 4 bedroom mews, semi-detached and detached dwellings, the majority of which (as indicated above) are 2-storey buildings. The location and orientation of the new dwellings respects surrounding property and within the development itself, relate well to one another. Each unit is generally positioned parallel to one another or at 90 degrees to their neighbour. Certain dwellings have been positioned and designed to create focal ends and vista stops and those dwellings located at corners are dual aspect to provide interest in the street scene. All properties have been designed with 'defensible spaces' to their frontages with some properties having physical enclosures to semi-private spaces such as railings, hedges or shrub beds. Additional gable windows have been introduced to some dwellings to overlook more public spaces and ensure that 'active frontages' exist throughout the development creating for a safe and naturally surveyed environment.

The existing boundary vegetation along the north and west perimeters of the site will largely be retained and will serve as an important buffer to the existing residential properties along Croft Drive. New planting within the site will also serve to link the site into the wider landscape and create an attractive environment and assist in assimilating the development into its surroundings. The use of trees at key locations within the development will help to soften the impact of the development and break up building lines, filtering views of the housing and providing for vertical dimensions within the new street scenes. Additional landscaping and planting will be key to ensuring the development integrates into its surroundings whilst also providing an attractive environment for future residents.

Road traffic is the main source of noise at the application site, particularly having regard to the proximity to the M53 and Manor Drive itself. A Noise Assessment was submitted with the application that indicates sound insulation will be necessary for southern and eastern parts of the site that are exposed to the highest road traffic noise levels with suitable acoustic design measures adopted across the site to ensure the protection of residential amenity, such as upgraded specification of glazing and ventilation. The noise environment at the site does not place any constraint on residential development subject to those noise mitigation measures being incorporated into the design of the new dwellings.

The planning application has been supported by a Flood Risk Assessment and a Drainage Management Strategy. The Flood Risk Assessment identifies a sequential approach to sustainable drainage, discounting discharge to ground and watercourse. The chosen point of discharge is to a 225mm diameter surface water sewer in Manor Drive.

AFFORDABLE HOUSING

The scale of the development triggers the requirement for affordable housing. The applicant has submitted a viability statement which outlines the costs of developing this site alongside potential profits. It concludes that it is economically viable to provide affordable housing as part of the proposal at a ratio of 20% of the overall number of dwellings proposed (24 units in total). The applicants have outlined affordable housing could be provided on-site as discounted market units for sale.

The Council's preferred option in terms of any affordable housing requirement is on-site provision which meets the Council's identified housing needs and requirements (Policy CS22 in the emerging Core Strategy Local Plan refers). In this particular case, there is a preference for affordable homes to be provided for rent (not sale) which would best help to meet the housing needs of those people who are registered on the Council's waiting list. The applicants have indicated that affordable homes for rent are not a product that is financially viable for this site. Offers received for the units for affordable rent on the site were between 42% and 44.3% of the open market value making the offer unviable.

As indicated above, the affordable housing provision proposed by the applicant is for an affordable home ownership product which would not help to meet the needs of those people who are currently waiting for homes for affordable rent on the housing register. The financial viability assessment for this site supports the assertion that the development would not be financially viable if the affordable units were for rent. As such, the applicants have agreed that a commuted sum could be paid to the Council to enable off-site provision of affordable rented homes which is an offer that Strategic Housing Services consider to be an acceptable alternative and would be secured via a Section 106 Legal Agreement.

SEPARATION DISTANCES

All properties meet the standard interface distances in terms of their relationship with existing dwellings along Croft Drive and those to the west of the site at the end of Fernbank Lane and Ravenstone Close. This ensures that the amenities and privacy of existing residents is not affected. Within the scheme itself, standard separation distances are also achieved to ensure that the amenities of future residents are satisfactory.

HIGHWAY/TRAFFIC IMPLICATIONS

The new development will be served by a single new access point off Manor Drive. The application was supported with a Transport Assessment and the engineers consider the proposed development to be acceptable in general, subject to conditions and the provision of speed reduction measures along Manor Drive to assist moderating the speed of traffic and assist pedestrians crossing the highway. Such measures would provide for (but not be limited to) appropriate vehicle activated signs, chicane arrangements and associated traffic signs and road markings. Subject to conditions and the speed reduction measures to be secured by way of the Section 106 Legal Agreement, there are no highway objections to this proposal subject to the implementation of highway improvement works.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposals seek to deliver a sustainable development and a high quality environment. The site is in an accessible location in relation to existing community facilities and services. This greenfield site is identified at low risk of surface water flooding with the exception of two locations at the eastern boundary which are at high risk of surface water flooding. The Proposed Finished Floor Level Drawing H7272-15 A indicates that finished floor levels in these locations are significantly higher (>500mm) than the 150mm above ground level as recommended in the report. Whilst this approach can be accepted,

care will be needed to ensure that surface water from the highway access to the development site does not shed onto Manor Drive, or pool at the entrance to the site, as a result of changes to ground levels.

HEALTH ISSUES

Potential implications from traffic noise would be addressed through mitigation measures including sound insulation and acoustic design. The site is with walking distance of public parks with sports and recreational facilities. High quality housing development should have positive health impacts for future occupiers.

CONCLUSION

The application site is located in a sustainable location which is accessible to local shops, schools and public transport. Existing development to the immediate north and west of the site is also predominantly residential. The majority of the site is allocated for residential development in the Wirral Unitary Development with the remainder of the site also falling within the Primarily Residential Area where the principle of residential development is acceptable. Economic benefits from development the site which can be achieved through new housing include the creation of employment during construction and demand for services once occupied. . The development proposed would result in a high quality residential development which creates a legible and attractive place to live with a sense of identity. The development makes efficient use of land in terms of density and providing for a sustainable and high quality living environment and is considered to comply with local planning policies and the principles of 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 application site is located in a sustainable location which is accessible to local shops, schools and public transport. Development to the immediate north and west of the site is also predominantly residential. The majority of the site is allocated for residential development in the Wirral Unitary Development with the remainder of the site also falling within the Primarily Residential Area where the principle of residential development is acceptable. Economic benefits from development the site which can be achieved through new housing include the creation of employment during construction and demand for services on occupied. The development proposed would result in a high quality residential development which creates a legible and attractive place to live with a sense of identity. The development makes efficient use of land in terms of density and providing for a sustainable and high quality living environment and is considered to comply with local planning policies and the principles of the National Planning Policy Framework.

Recommended Decision: **Approve subject to a Section 106 Legal Agreement**

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 11 October 2016 and 22 December 2016 and listed as follows: H7272-101 Rev.F; H7272-04 Rev.C; H7272-15 Rev.A; H7272-04 Rev.B; H7272-06 Rev.B; 12178 01E; 12178 02E; EXT WKS 16v; EXT WKS 33; 01590/Topo; EXT WKS AF Rev.A; EXT WKS 51; BALD 00CD; H417-B5 Rev. A; BCSR 00CD; BENN 00CE; BESK 00CD CS; P341-D5 Rev.H; P341-D5 (2013) Rev.A; P341-E-5 Rev.I; P341-E-5 (2013) Rev.A; H468-5 Rev.A; H468-5 (2013); H404-5 Rev.I; H404-5 Rev.H; T310-E-5 Rev.A; T310-I-5 Rev.B; BMAI 00CE Cl; H411-5 Rev.F; H411-5 Rev.M; H452-5 Rev.E;

H452-5 (2013) Rev.A; BMMS 00CE; BMMS 00CD; BNOR 00CE CI; BPMS 00CE CS CI; BWA1 00CE CI; BWO0 00CE CI; BCLSDG2S; Garage Type G201 and Garage Type G102

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

3. NO DEVELOPMENT SHALL TAKE PLACE UNTIL samples of the materials to be used in the external construction of this development have been 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 plans 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.

5. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS 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 to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to policies WM8 and WM9 of the Waste Local Plan.

6. NO DEVELOPMENT SHALL TAKE PLACE (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details.

Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

Reason: In the interests of the safe operation of the local highway network and having regards to visual and residential amenities of the area.

7. NO DEVELOPMENT SHALL COMMENCE until details for the construction of the estate roads and/or amendments to the existing highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall include new carriageways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfalls, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, street furniture, road markings, tactile paving/paved pedestrian crossings, traffic signs, traffic calming measures, road safety audit and monitoring and a timetable for the provision of such works as may be agreed.

The development shall not be first occupied until the details above have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner having regard to highway safety and Policy HS4 of the Wirral Unitary Development Plan.

8. PRIOR TO FIRST OCCUPATION of the dwellings hereby approved, the noise mitigation measures outlined in Section 5 (pages 9 to 11) and Figure 2 (Recommended Noise Mitigation Scheme) on Page 14 of the Hepworth Acoustics Noise Impact Assessment Report No P15-666-R01v4 September 2016 (including acoustic fencing, glazing and ventilation) shall have been implemented and maintained thereafter.

Reason: To protect the amenities of future occupiers by ensuring that measures are implemented to avoid any noise nuisance and to comply with Policy HS4 of the Wirral Unitary Development Plan.

9. Surface water sustainable drainage works, comprising all components of the surface water drainage system, shall be carried out in accordance with the details contained within the submitted Flood Risk Assessment & Drainage Management Strategy (14th October 2016 Ref : HYD056 Betts Hydro) and Proposed Finished Floor Level Drawing (Ref H7272-15 A 25.07.16). The surface water sustainable drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Surface Water Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

10. NO DEVELOPMENT SHALL COMMENCE until full details of a scheme for a surface water sustainable drainage system¹ to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

11. NO DEVELOPMENT SHALL TAKE PLACE until a scheme for the protection of retained trees as outlined in 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. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

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

- B. 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.
- C. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
 - D. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
 - E. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
 - F. 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.
 - G. 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)
 - H. 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).
 - I. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
 - J. the details of the working methods to be employed with regard to 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.
 - K. 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.
 - L. 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).
 - M. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
 - N. the timing of the various phases of the works or development in the context of the tree protection measures"

The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.

Reason: To ensure the appropriate retention and protection of trees and to comply with Policy GR7 of the adopted UDP.

12. Prior to the commencement of site clearance, demolition, storage of construction plant equipment, 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 the appropriate retention and protection of trees and to comply with Policy GR7 of the adopted UDP.

13. 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 a 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 the appropriate retention and protection of trees and to comply with Policy GR7 of the adopted UDP.

Further Notes for Committee:

1. Details of a scheme for a surface water sustainable drainage system as required by Conditions 9 and 10 above, comprising all components of the surface water drainage system, should include:
 - a) Include details of a site investigation and test results to confirm infiltrations rates;
 - b) Include details of how any flood water, including depths, will be safely managed in exceedance routes;
 - c) Secure arrangements for adoption by an appropriate public body or statutory undertaker or, management and maintenance by a Residents' Management Company through an appropriate legal agreement;
 - d) Secure arrangements, through an appropriate legal agreement for funding on-going maintenance of all elements of the sustainable drainage system including:
 - i. mechanical components;
 - ii. on-going inspections relating to performance and asset condition assessments and;
 - iii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
 - e) Secure means of access for maintenance and easements, where applicable.
 - f) Include a timetable for implementing the scheme.
2. In order to fulfil Condition 7 above, it will be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile pedestrian paved crossings, street furniture, Road Safety Audit and Road Safety Audit monitoring.

Last Comments By: 16/11/2016
Expiry Date: 10/01/2017