

**Planning Committee**

**14 February 2019**

**Reference:**  
**APP/18/00786**

**Area Team:**  
**North Team**

**Case Officer:**  
**Mr P Howson**

**Ward:**  
**Liscard**

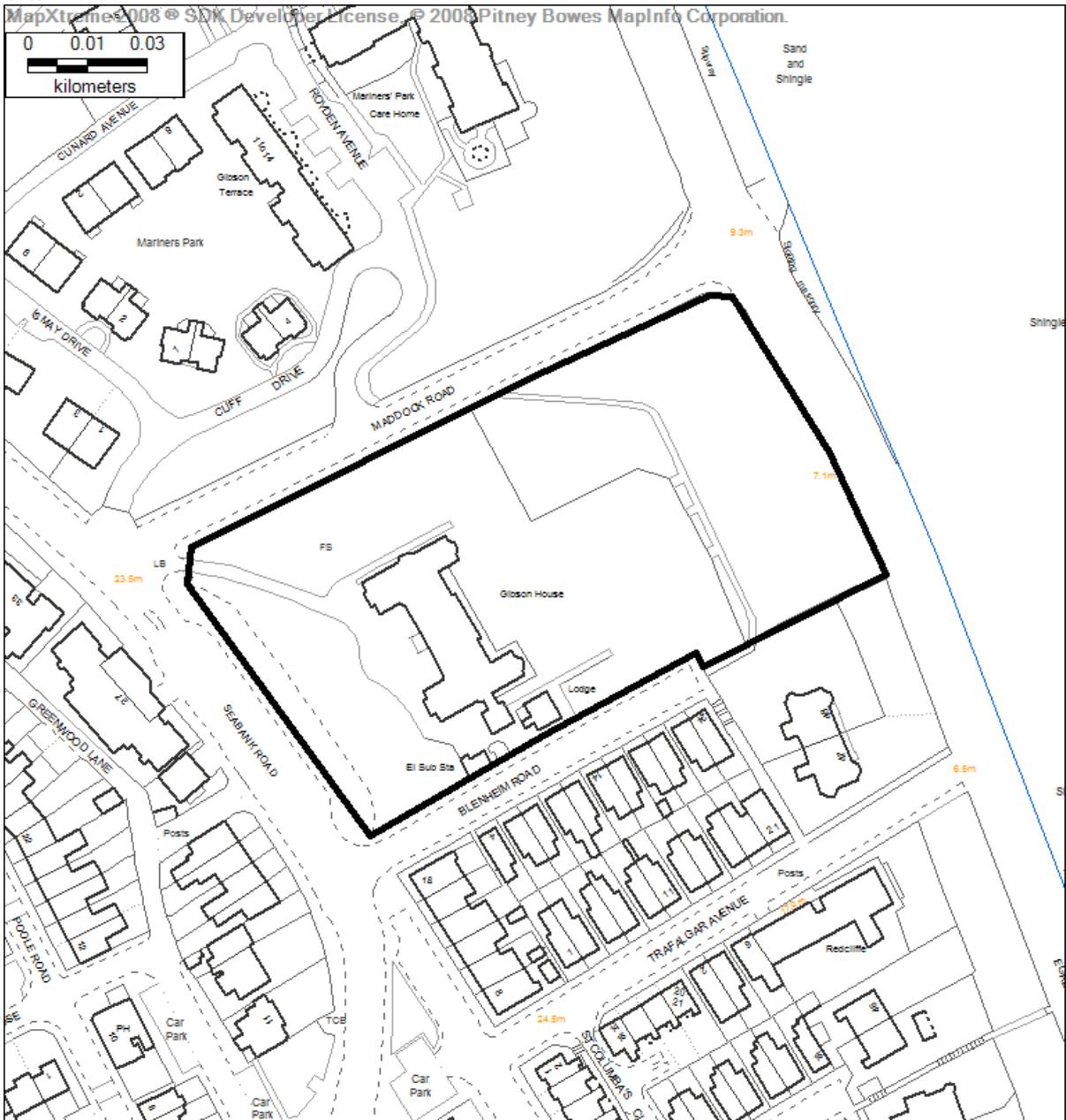
**Location:**  
**Proposal:**

Andrew Gibson House, BLENHEIM ROAD, EGREMONT, WIRRAL  
Conversion of Andrew Gibson House to 34 apartments, restoration of adjacent lodge to be used as a dwelling, provision of three detached dwellings and three apartment blocks comprising 26 units, 61 units and 11 units together with associated parking, access and landscaping and works, plus demolition of non-original extension to the House

**Applicant:**  
**Agent :**

Gibson House (Wirral) Limited  
Indigo Planning Ltd

**Qualifying Petition:** No  
**Site Plan:**



**Development Plan designation:**

Primarily Residential Area  
Urban Greenspace

**Planning History:**

Location: Gibson House, Seabank Road, Egremont, Wirral, CH44 8BB  
Application Type: Full Planning Permission  
Proposal: Conversion into thirty four apartments and erection of two new detached bin stores  
Application No: APP/07/06602  
Decision Date: 09/01/2008  
Decision Type: Approve

Location: Vacant Building, Seabank Road, Egremont, Wirral, CH44 8BB  
Application Type: Outline Planning Permission  
Proposal: Erection of 11 dwellings and new access road in the grounds of Gibson House. (outline)  
Application No: OUT/07/06603  
Decision Date: 15/02/2008  
Decision Type: Approve

Location: Gibson House, Seabank Road EGREMONT, CH44 8BR  
Application Type: Full Planning Permission  
Proposal: Renewal of planning permission 2007/6602 for conversion into thirty four apartments and erection of two new detached bin stores  
Application No: APP/11/00018  
Decision Date: 16/11/2011  
Decision Type: Approve

Location: Gibson House and Gibson Lodge, SEABANK ROAD, EGREMONT, CH44 8BB  
Application Type: Prior Notification of Demolition  
Proposal: Demolition of Gibson House and Gibson Lodge. In the interim the footprint of the buildings once demolished will be filled and covered with topsoil and grass seed  
Application No: DEM/15/00004  
Decision Date: 26/03/2015  
Decision Type: Prior approval is not required

**Summary Of Representations and Consultations Received:****6.0 WARD MEMBER COMMENTS**

No comments received.

**7.0 SUMMARY OF REPRESENTATIONS****REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications 103 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing two letters of representation have been received comprising of one of objection and a single letter expressing both opposition and support for the proposal, summary of representations;

- a) Object to public land being built on
- b) Detrimental to the setting of Andrew Gibson House
- c) Loss of trees and impact upon the setting of the building and street
- d) Lack of information of the restoration of Andrew Gibson House

## CONSULTATIONS

No objections received from;

Highways Engineers  
Environmental Health  
Merseyside Environmental Advisory Service (subject to conditions)  
Natural England  
Lead Local Flood Authority (subject to conditions)  
United Utilities

Objections received from;

Wallasey Civic Society  
Wallasey Historical Society

No comments received from;

Conservation Officer  
Tree Officer

### **3.1 Reason for referral to Planning Committee**

3.1.1 The Council's Scheme of Delegation stipulates that major planning applications comprising of 50 or more residential dwellings are to be determined by Planning Committee.

### **3.2 Site and Surroundings**

3.2.1 The proposed development site comprises of Andrew Gibson House, its grounds and an area of designated Urban Greenspace to the east, outside of the defined curtilage of the building which fronts onto the promenade.

3.2.2 Andrew Gibson House occupies a prominent position at the corner of Seabank Road and Maddock Road. Currently derelict, the building was originally constructed for the widows of retired sailors or men lost at sea and formed part of the wider adjacent Mariners Park for Aged Seamen which was founded in 1857. Finished in 1906 the building in question is in the Edwardian baronial style and is of brick construction with sandstone dressings and steeply pitched blue slate roof. Both principal elevations feature three projecting bays with the central bay forming a tower with recessed main entrance.

3.2.3 Andrew Gibson House sits towards the apex of Maddock Road and is therefore prominent from Seabank Road and the pedestrianized promenade which runs alongside the River Mersey. The adjacent Mariners Park has an informal arrangement and is set within landscaped grounds which severs the large dwellings of Egremont from the regiment rows of residential terraces of Seacombe.

### **3.3 Proposed Development**

3.3.1 This application proposes the conversion of Andrew Gibson House into 34 residential apartments and the restoration of the adjacent lodge building into a single residential dwelling. The application includes an enabling development comprising of three detached dwellings and the erection of three apartment blocks comprising of 98 units.

### **3.4 Development Plan**

3.4.1 The Wirral Unitary Development Plan 2000

- HS4 Criteria for New Housing Development

- HS6 Principles for Affordable Housing
- HS13 Self-Contained Flat Conversions
- GR1 The Protection of Urban Greenspace
- GR5 Landscaping and New Development
- GR7 Trees and New Development
- NC7 Species Protection
- CO1 Development Within the Developed Coastal Zone
- TR9 Requirements for Off Street Parking
- TR12 Requirements for Cycle Parking

3.4.2

Supplementary Planning Document 2: Self-Contained Flat Developments and Conversions

### 3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework (2018)

- Achieving sustainable development
- Decision-making
- Delivering a sufficient supply of homes
- Making effective use of land
- Achieving well-designed places
- Conserving and enhancing the historic environment

### 3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

### 3.7 Principle of Development:

3.7.1 Andrew Gibson House and its grounds are situated within a Primarily Residential Area under the current Wirral Unitary Development Plan. Residential development is therefore acceptable in principle subject to all other material planning considerations.

3.7.2 The submitted Site Location Plan also includes an area of defined Urban Greenspace and the development as proposed on this part of the site is a departure from the Unitary Development Plan. Policy GR1 of the Wirral UDP only permits development proposals for visitors, sport or play which would not prejudice the continued use of the site for open air recreation or prejudice the visual amenity, landscape character or nature conservation value of the site. Development for other purposes will not be permitted unless alternative provision of equivalent community benefit is made available.

3.7.3 The National Planning Policy Framework, revised in 2018, sets a presumption in favour of sustainable development which means; approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless; the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the

Framework taken as a whole.

- 3.7.4 The aims of UDP Policy GR1 is generally consistent with national policy which at paragraph 97 makes it clear that open space should not be built on unless an assessment shows it clearly surplus to requirements, the loss can be replaced by equivalent or better or development is for alternative sports or recreational provision. Decisions are also expected to protect or enhance public rights of way.
- 3.7.5 In this particular case, the Wirral Open Space Assessment Update 2012 found there was no shortage of Amenity Greenspace for the Wallasey settlement area as whole, although deficits within the area are recorded for outdoor sport, parks and gardens, and provision for children and young people's play. The Council seeks to ensure that no household is further than 400 metres walking distance from larger accessible open space of at least 1.5ha through UDP Policy GRE1 and Policy CS31 in the emerging Core Strategy. The nearest open space of this size is at Vale Park 1,020 metres along the promenade and Central Park 1,080 metres via Greenwood Lane from the site. The area of Greenspace that would be lost would be some 0.38ha.
- 3.7.6 The alternative recreational value of the promenade and Mersey River frontage along with the benefits from securing the retention and refurbishment of Gibson House as a land mark building are considered to be material considerations in support of granting planning permission. This will need to be considered in conjunction with the quality of the proposed development and its impact on the landscape and character of the area, alongside the contribution the housing supply.
- 3.7.7 The defined area of Urban Greenspace is severed from the public realm by a low rise brick wall and there are no obvious defined entrance or exit points. A single footpath runs across the site, however, this is overgrown and there are no other amenities within the site such as benches or litter bins. The gradient of the site makes the area unsuitable for recreational activities and, on balance, it is considered to be of poor quality and more limited community value compared to other recreational open spaces, including the promenade.
- 3.7.8 The area of Council owned Urban Greenspace is identified as having potential to facilitate a larger quantum of development which would subsidise the restoration and conversion of Andrew Gibson House which (according to the applicants report) is not viable in isolation.
- 3.8 Design:
- 3.8.1 The proposed development essentially comprises of three parts; the proposed restoration and conversion of Andrew Gibson House and its adjacent lodge building into 34 apartments and a single dwelling, the erection of three detached dwellings and an apartment block comprising of 11 apartments (Block C) within the defined grounds of Andrew Gibson House and the erection of two apartment blocks within an area of designated Urban Greenspace adjacent to Egremont Promenade.
- 3.8.2 Policy HS4 of the Wirral UDP sets out the criteria for new housing development. Proposals should be of a scale which relates well to surrounding property with regard to existing densities and form. Proposals should not result in detrimental change in the character of the area. Policy HS13 of the Wirral UDP relates to self-contained flat conversions and requires development proposals to otherwise comply with Policy HS4.
- 3.8.3 Paragraph 127 of the revised National Planning Policy Framework states that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually

attractive as a result of good architecture, layout and appropriate and effective landscaping and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. Planning decisions should create places that provide a high standard of amenity for existing and future users.

- 3.8.4 The proposed development would affect the setting of a non-designated heritage asset and Part 16 of the revised National Planning Policy Framework therefore applies. Paragraph 184 of the revised Framework states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance. Paragraph 197 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.8.5 With regard to Andrew Gibson House, a number of dormer windows would be installed across both principal elevations and within the inner side elevations of the projecting bays. The proposed dormers would be of a similar style to those already seen across the building and are therefore acceptable. In order to ensure a satisfactory appearance, a condition has been imposed requiring samples of the materials to be used in the construction of the dormers to be submitted to the Local Planning Authority for approval.
- 3.8.6 The supporting Heritage Impact Assessment states that the external works to Andrew Gibson House are minimal and will not have any impact on the significance of the building. At the time of site inspection it was noted that, whilst a number of windows retained their frames there were few complete windows across any of the elevations of Andrew Gibson House. The accompanying Planning Statement states that the existing windows will be renovated or replaced. As the windows are an important element of the overall character and appearance of the building, a condition has been imposed requiring details of all new windows to be installed across Andrew Gibson House prior to their installation.
- 3.8.7 The application includes the extension of the existing lodge house which sits within the curtilage of Andrew Gibson House. The existing lodge building is simple in style and has no obvious primary frontage onto Blenheim Road. The proposed extension would be recessed from the Blenheim Road Elevation by approximately 1.4 metres and would this appear subservient. As Blenheim Road terminates at a dead end the impact of the proposed extension would be limited on the character and appearance of the area and the setting of Andrew Gibson House.
- 3.8.8 With regard to the development proposed within the defined curtilage of Andrew Gibson House, the Local Planning Authority expressed initial concerns about the scale of the proposed 'gate houses' and their subsequent impact upon the primacy of Andrew Gibson House in addition to the low level of elevational detail along the Seabank Road frontage. The applicant has submitted revised plans reducing the height of the proposed 'gate houses' from 8 metres to 6.5 metres which is considered to be of a better proportional scale relative to Andrew Gibson House. The Seabank Road elevation has been revised to provide a more active frontage and the application is acceptable in this respect. The dwelling which would occupy the southern corner of the proposed development site would be simple in style and present a relatively 'flat' frontage out onto Blenheim Road. As Blenheim Road is a lower ranking route, the proposed dwelling would not have a significant adverse impact upon the character and appearance of the area of the setting of Andrew

Gibson House and is acceptable in this instance.

- 3.8.9 Over the course of this application the Local Planning Authority raised concerns about the proposed quantum of development and its subsequent impact upon the setting of Andrew Gibson House and the wider character and appearance of the area.
- 3.8.10 Andrew Gibson House is currently the dominant feature within the proposed development site and is visually prominent when viewed from both Seabank Road and Egremont Promenade. Whilst Blocks A and B have been designed in such a way as to maintain the aspect of at least one of the projecting bays of Andrew Gibson House when viewed from the promenade, it is evident that the erection of Blocks A, B and C would inevitably sever the relationship between Andrew Gibson House, Egremont Promenade and the River Mersey. The Local Planning Authority raised their initial concerns about the proposed quantum of the development with the applicant. In accordance with Paragraph 57 of the revised National Planning Policy Framework, the applicant submitted a viability assessment which has subsequently been appraised by the Local Planning Authority's preferred independent assessor. The appraisal essentially concludes that any reduction in the proposed number of units would make the proposed development unviable. As the fall back position for the applicant is the demolition of Andrew Gibson House (granted under DEM/15/00004), and in light of the widespread public support for the retention of the building in the form of a petition comprising of 5727 signatures (conducted by SAVE Britain's Heritage) the proposed quantum of the development is considered acceptable in this instance. A condition has been attached for a Phasing Plan to be submitted, to ensure that the renovation of Gibson House is carried out before any of the new developments.
- 3.9 Highways:
- 3.9.1 The Highways Engineer has raised no objection to the proposal, however they did request further clarification on how the parking permits along Maddocks Road would be managed. The scheme will result in two new accesses being created onto Maddock Road, with 97 parking spaces being provided on-site.
- 3.10 Ecology:
- 3.10.1 The application is supported by a Flood Risk Assessment which raised an initial objection from the Lead Local Flood Authority (LLFA). Following the submission of revised details relating to drainage design the LLFA removed their objection subject to conditions and the application is acceptable in this regard.
- 3.10.2 The submitted Ecology Assessment has been considered by Merseyside Environmental Advisory Service (MEAS). MEAS have undertaken an assessment of likely significant effects of the project which concludes that, without mitigation/preventative measures there will be likely significant effects on a number of European Sites and an Appropriate Assessment is therefore required. Having conducted the Appropriate Assessment MEAS concluded that, subject to appropriate mitigation/preventative measures secured through appropriate planning mechanisms there will be no adverse effect upon the integrity of European sites. MEAS have advised that Natural England is consulted on the outcome of the Appropriate Assessment. Natural England have been consulted and subsequently raised no objection.
- 3.11 Amenity:
- 3.11.1 The amenity standards for new residential developments are set out within Policies HS4 and HS13 of the Wirral Unitary Development Plan.
- 3.11.2 Policy HS4 requires proposals to incorporate adequate private or communal garden space

for each new dwelling. Adequate distances should be kept between habitable rooms in separate dwellings and blank gables. Policy HS13 requires residential conversions to not result in unacceptable overlooking of adjoining properties. Whilst policies HS4 and HS13 do not prescribe adequate interface distances, SPD2 states that habitable room windows directly facing each other should be at least 21 metres apart and main habitable room windows should be 14 metres from any blank gable.

- 3.11.3 Policy HS13 sets out the specific standards for the conversion of buildings into residential use and should be considered alongside the Supplementary Planning Document (SPD) Designing for Self Contained Flat Development and Conversions. All main habitable room windows should have reasonable outlook and not be lit solely by roof lights, rooms of a similar use should be stacked over each other to reduce vertical sound transmission whilst internal partitions and ceiling panels must not cut across windows or be visible externally.
- 3.11.4 With regard to the conversion of Andrew Gibson House, the submitted floor plans shows that the proposed apartments within the basement would project out towards an external retaining wall, however, the accompanying section indicates that the bottom of the window would sit just above the retaining wall thus providing an adequate outlook to prospective occupiers. All main habitable rooms within Andrew Gibson House would provide adequate outlook whilst rooms of a similar use would be stacked above one another and the application is acceptable in this respect.
- 3.11.5 The application proposes the erection of three detached dwellings which would be sited forward of the principal elevation of Andrew Gibson House. Two dwellings would flank the existing entrance into the site whilst another dwelling would be sited within the southern corner of the site. At the request of the Local Planning Authority the two dwellings which flank the main entrance have been revised to reduce their overall scale.
- 3.11.6 The proposed dwelling sited within the southern corner of the site would provide adequate levels of outlook whilst sufficient interfaces would be maintained with surrounding property. The submitted Proposed Site Plan indicates that an adequate garden area would be provided to the proposed dwelling, however, no details of the finished boundary treatment have been provided and a condition has therefore been imposed.
- 3.11.7 Block C would be situated immediately north of Andrew Gibson House and would comprise of eleven apartments. All main habitable rooms would be provided with adequate outlook whilst rooms of a similar use would be stacked above one another. There would be a 16 metre interface between the habitable rooms of Block C and the blank elevation of Block A and the application is acceptable in this respect.
- 3.11.8 Block B would front out onto Egremont Promenade and would extend around to fall approximately 6 metres from the side boundary and the private amenity space of No. 48 Egremont Promenade and 21 metres from its side gable. At the request of the Local Planning Authority the elevational treatment to Block B has been revised to incorporate a series of oriel windows to mitigate any overlooking and the application is acceptable in this regard. As No. 48 Egremont Promenade sits south of the proposed development site there would likely be a limited impact on the levels of daylight and sunlight enjoyed by this property as a result of the proposal.
- 3.11.9 Block A occupies a prominent position at the corner of Egremont Promenade and Maddock Road. Adequate outlook would be provided to all apartments and adequate interfaces between surrounding property. Rooms of a similar use would be stacked above one

another.

- 3.11.10 Finally, a portion of the proposed development site would be landscaped for future occupiers use. A number of the proposed apartments would have external balconies whilst the promenade and Vale Park are within close proximity to the proposed development site and the application is therefore acceptable.

3.12 Other:

- 3.12.1 The proposal comprises 136 residential units and this would usually trigger the need for an element of affordable housing provision. However, a proportion (26 units) of the proposed development would be allocated for affordable rent with a registered charity which provides housing for a very specific section of the community. Given the conclusions of the viability appraisal this approach is considered acceptable.

### **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:-

Having regard to the individual merits of the case the application is considered acceptable and in accordance with Policies HS4, HS6, HS13, GR1, GR5, GR7, NC7, CO1 and TR9 of the Wirral Unitary Development Plan and the overarching principles of the revised National Planning Policy Framework.

**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 14 August 2018 and 29 January 2019 and listed as follows: PL-101 REV. B, PL-001, PL002, PL-301, PL-302, PL-010, PL-011, PL-012, PL-013, PL-014, PL-015, PL-020, PL-019, PL-018, PL-203, PL-016, PL-201, PL-202, PL-017, PL-110, PL-111, PL-112, PL-113, PL-114, PL-115, PL-031, PL-242, PL-030, PL-403, PL-241, PL-402, PL-230, PL-231, PL-232, PL-233, PL-143, PL-140, PL-141, PL-142, PL-144, PL-125, PL-210, PL-211, PL-120, PL-121, PL-122, PL-123, PL-124, PL-130 REV.B, PL-131 REV.B, PL-132 REV. B, BLOCK B PROPOSED THIRD FLOOR REV. B, PL-134 REV.B, PL-136 REV.B, PL-221 REV. B, PL-222 REV. B, PL-250 REV. A, PL-251 REV. A, PL-252 REV. A, PL-310 REV. A, PL-402 REV. C, PL-401 REV. C

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

3. Insofar as this consent relates to the refurbishment and conversion of Andrew Gibson House any new roof covering and/or patch repairs shall precisely match the existing roofing These details are not included with the application and the Council wishes to ensure that the works are satisfactory to protect the special architectural and historic interest of the non-designated heritage asset.
4. Notwithstanding the indicative detail shown on the approved drawings, a schedule of all

new windows to be installed within Andrew Gibson House, including cross sectional drawings at 1:5 scale (or similar), shall be submitted for written approval by the local planning authority prior to their installation. This shall include all sill, lintel, and jamb / reveal details, materials and final colour. The works shall be carried out in accordance with the approved details.

**Reason:** These details are not included with the application and the Council wishes to ensure that the works are satisfactory to protect the special architectural and historic interest of the non-designated heritage asset.

5. Insofar as this consent relates to the refurbishment and conversion of Andrew Gibson House, notwithstanding the submitted plans and drawings, approval of the following details shall be obtained from the local planning authority prior to their implementation and such approved details shall be implemented in full unless otherwise agreed in writing;

- (i) Samples of the construction materials used in all new dormer windows;
- (ii) Specification for all new rainwater goods;
- (iii) All external lighting systems, including hours of operation, which for the avoidance of doubt shall not exceed 6 lux at any habitable room windows or cause unacceptable glare to passing pedestrians and motorists

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

6. A full schedule of works including method statements where required, for the following features of the Andrew Gibson House which shall be retained in situ and restored as part of the development shall be submitted to and approved in writing by the local planning authority. The scheme of repairs shall be implemented in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.

- (i) Original staircase with cast iron newel post and balusters;
- (ii) Original door-screen of the front door;
- (iii) Lift hoist engine;
- (iv) Commemorative plaque

**Reason:** To ensure the satisfactory preservation of the historic building in accordance with the National Planning Policy Framework.

7. Notwithstanding the indicative detail shown on the approved drawings, details of the refuse and recycling store to serve Andrew Gibson House shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling store shall be implemented in accordance with the approved details prior to first occupation of Andrew Gibson House and be permanently retained thereafter.

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

8. Notwithstanding the submitted plans and drawings, approval of the following details shall be obtained from the local planning authority prior to any development above ground level. The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

- i. Samples or details of all facing materials including all new windows and doors

- ii. Samples or details of all external hard finished floor areas
- iii. Samples or details of the facing materials to be used in the extension of the lodge house

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

9. Notwithstanding the submitted plans and drawings, prior to any development above ground level details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall have regard to paragraph 6.16 of the Ecology Assessment Report and shall be implemented in full prior to first occupation and shall thereafter be permanently retained and maintained.

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

10. No works shall commence, other than detailed survey work, until a site specific Construction Environmental Management Plan (CEMP), including consideration of the restoration and refurbishment of Andrew Gibson House, has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate the adoption and use of the best practicable means to reduce noise, dust and pollution risks (emissions and runoff). The approved Construction Environmental Management Plan shall be implemented in accordance with the approved details at all times during the implementation of the approved development.

**Reason:** To mitigate any adverse effect upon the integrity of European sites

11. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

**Reason:** In accordance with Policy NC7 of the Wirral Unitary Development Plan.

12. The development hereby permitted shall not be occupied until details of bird boxes and timing, has been provided to the Local Planning Authority for approval and implemented in accordance with those details.

**Reason:** In accordance with Policy NC7 of the Wirral Unitary Development Plan.

13. The fox den identified in section 6.9 of the Ecology Assessment Report is to be removed strictly in accordance with the recommendations of the Ecology Assessment Report.

**Reason:** In accordance with Policy NC7 of the Wirral Unitary Development Plan.

14. Prior to commencement of development a method statement having regards to Cotoneaster shall be submitted to and agreed in writing with the Local Planning Authority detailing:

- A plan showing the extent of the plants
- What methods will be used to prevent the plant spreading further, including demarcation; and

- What methods of control will be used, including details of monitoring

Once the work has been carried out within the agreed timescale as set out in the method statement a validation report shall be submitted to and agreed in writing with the Local Planning Authority confirming the remediation treatment has been carried out and that the site has been free of the invasive species for 12 consecutive months for approval in writing by the Local Planning Authority

**Reason:** In the interest of species protection having regards to Policy NC7.

15. A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include the mitigation measures as detailed in paragraphs 6.12, 6.13, 6.14, 6.15 and 6.16 of the Ecology Assessment Report and shall include full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained.

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interest of species protection and visual amenity and the character of the area and to ensure a satisfactory environment having regard to Policies NC7 and GR5 of the Wirral UDP

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

**Reason:** To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Wirral Unitary Development Plan.

17. Prior to first occupation of development, a waste management plan for Blocks A, B and C shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of the refuse and recycling storage facilities for the development hereby permitted and the strategy for the transfer and collection of waste. The approved scheme for bin/waste storage shall be implemented in accordance with the approved details and retained thereafter unless otherwise agreed in writing. For the avoidance of doubt no approval is hereby given for any external bin storage facilities.

No waste material shall at any time be stored outside the designated facility and all waste material shall be kept within the curtilage of the premises until collected.

**Reason:** In the interest of species protection and visual amenity and the character of the area and to ensure a satisfactory environment.

18. No development shall commence until the final detailed sustainable drainage design<sup>1</sup> for

the management and disposal of surface water from the site based on the principles and details identified in the following submissions has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Flood Risk Assessment (2<sup>nd</sup> October 2018/ Andrew Gibson House/ Ref: 8/1786 Version A Rev C/ Clancy Consulting)
- Existing and Proposed Section (22<sup>nd</sup> October 18 / Andrew Gibson House/ Job No 8/1786/ Drawing No 400003 Rev P1/ Clancy Consulting)

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

19. Prior to first occupation, the following features shall be restored and retained in situ in accordance with drawing No. PL-101 Rev. B unless otherwise agreed in writing with the Local Planning Authority

- i. The original iron panels on either side of the existing entrance into the site
- ii. The original iron gate within the central piers fronting Seabank Road
- iii. The original iron gate within the piers along Blenheim Road

**Reason:** To ensure the satisfactory preservation of the historic building in accordance Paragraphs 184 and 197 of the revised National Planning Policy Framework

20. Before the works hereby approved commence, a scheme detailing the phasing of the construction of the development including the means of access, layout of buildings, car parking and servicing arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the details approved.

**Reason:** In the interests of amenity of the locality and to ensure the satisfactory preservation of the historic building

21. The development hereby approved shall be occupied in accordance with details within the Planning Statement. For the avoidance of doubt 26 units shall be reserved for The Nautilus Welfare Fund.

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

22. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be **fully constructed prior to occupation** in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable 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. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy

Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

23. Prior to the commencement of Blocks A, B or C as shown on drawing No. PI-101 Rev. B details of the proposed finished floor levels; ridge and eaves heights of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding 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 access, the appearance of the development, any trees or hedgerows and the amenities of neighbouring properties.

24. No development shall take place above ground level until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

25. Prior to first occupation, the window(s) shown as obscured glass on drawing No. PL-1221 Rev. B Block B Proposed South Elevation shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

**Reason:** To satisfactorily protect the residential amenities of nearby occupiers. To comply with Policy HS4 of the Wirral UDP.

26. The development hereby approved shall be carried out strictly in accordance with the submitted Arboricultural Impact Assessment. For the avoidance of doubt protective fencing should be erected around the Root Protection Areas of all retained trees as shown on the Tree Impact Plan unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy GR7 of the Wirral UDP.

27. Construction of the approved Blocks A, B and C, as authorised by this permission, shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle accesses from the highway and amendments to the existing highway made necessary by this development, including new vehicle crossing accesses in accordance with LPA commercial crossing specifications and the reinstatement to standard footway level of any existing vehicle access from the highway rendered obsolete by the development. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of any part of the development.

**Reason:** In the interest of the safe operation of this highway.

28. No more than 50% of the development hereby permitted shall be occupied until the introduction of a Traffic Regulation Order (TRO) has been agreed in writing with the Local Planning Authority. The TRO shall be introduced along Maddock Road to manage and control parking associated with the proposed development. For the avoidance of doubt, this agreement may conclude there is no requirement for a TRO

**Reason:** In the interests of highway safety and parking provision, having regards to the National Planning Policy Framework

**Further Notes for Committee:**

1. In order to fulfil the highway condition, 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 vehicle crossing accesses in accordance with LPA commercial crossing specifications and the reinstatement to standard footway level of any existing vehicle access from the highway rendered obsolete by the development, new footways, street lighting, surface water drainage, road markings, tactile pedestrian paved crossings, street furniture.
2. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council's Highway Management team, area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk) prior to the commencement of development for further information.
3. Consent is required for the formal closure of an existing highway. All costs will be recharged to the applicant, who should contact the Council's Highway Management team via [www.wirral.gov.uk](http://www.wirral.gov.uk) for further information.

**Further Notes for Committee:**

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