

**Planning Committee**

**15 August 2019**

**Reference:**  
**APP/19/00014**

**Area Team:**  
**Development  
Management Team**

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

**Ward:**  
**Hoylake and Meols**

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

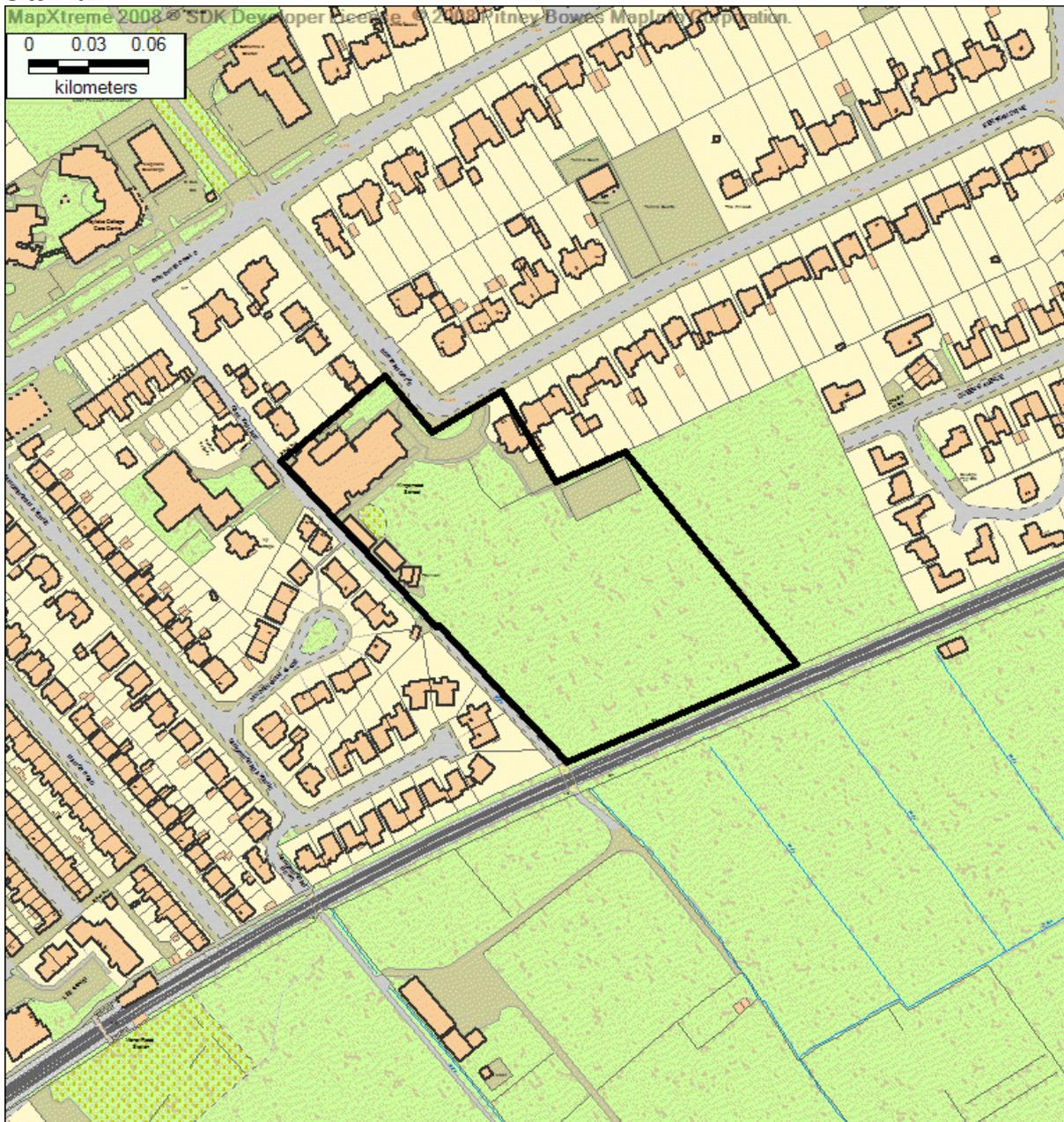
Kingsmead School, BERTRAM DRIVE, MEOLS, CH47 0LL  
The application relates to a hybrid planning application proposing outline planning permission for the erection of a new sixth form block and full planning permission for the erection of 25 residential dwellings on a section of existing playing fields at Kingsmead School.

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

Forth Homes and Kingsmead School  
Katie Dickson

**Qualifying Petition:** No

**Site Plan:**



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**Development Plan designation:**

Primarily Residential Area  
School Playing Field

**Planning History:**

Location: Kingsmead School ,Bertram Drive ,Hoylake ,L47 0LL  
Application Type: Full Planning Permission  
Proposal: Erection of new stage/drama room extension to school  
Application No: APP/77/06677  
Decision Date: 25/03/1977  
Decision Type: Conditional Approval

Location: Kingsmead School ,Bertram Drive ,Meols ,L47 0LL  
Application Type: Full Planning Permission  
Proposal: Construction of new classroom/store  
Application No: APP/79/12936  
Decision Date: 27/09/1979  
Decision Type: Approve

Location: Kingsmead School ,Bertram Drive ,Meol ,L47 0LL  
Application Type: Full Planning Permission  
Proposal: First floor classroom extension to the 'Verulam' at  
Application No: APP/80/15345  
Decision Date: 12/06/1980  
Decision Type: Conditional Approval

Location: Kingsmead School,Bertram Drive,Meols,L47 0LL  
Application Type: Full Planning Permission  
Proposal: Erection of an extension to form a music room.  
Application No: APP/82/20868  
Decision Date: 26/08/1983  
Decision Type: Conditional Approval

Location: Kingsmead School, Bertram Drive, Meols, Wirral, L47 0LL  
Application Type: Full Planning Permission  
Proposal: Erection of new single storey and two storey junior school building to replace existing prefabricated classrooms.  
Application No: APP/98/05982  
Decision Date: 27/07/1998  
Decision Type: Withdrawn

Location: Kingsmead School, Bertram Drive, Meols, Wirral, L47 0LL  
Application Type: Full Planning Permission  
Proposal: Erection of a new single storey and two storey junior school building to replace existing prefabricated classrooms.  
Application No: APP/98/06283  
Decision Date: 02/10/1998  
Decision Type: Approve

Location: Kingsmead School, Bertram Drive, Hoylake. L47 0LL  
Application Type: Full Planning Permission  
Proposal: Construction of all-weather tennis court with 2.75m. high chain-link fence within grounds of school.  
Application No: APP/93/06451  
Decision Date: 07/01/1994  
Decision Type: Approve

Location: Kingsmead School, Bertram Drive, Meols, Wirral, CH47 0LL  
Application Type: Full Planning Permission  
Proposal: Erection of a two storey extension to senior school and a single storey junior school building (phase 1)  
Application No: APP/01/06592  
Decision Date: 19/10/2001

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

### **1.0 WARD MEMBER COMMENTS**

1.1 Councillors Cox, Gardner and Davies have expressed support for the application.

### **2.0 SUMMARY OF REPRESENTATIONS**

#### REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications 76 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing 24 letters of representation have been received comprising of 1 comment, 3 of support and 20 objections, summary of objections;

- a) Loss of light
- b) Flooding
- c) Parking
- d) No affordable housing
- e) Loss of playing field

#### CONSULTATIONS

**Highways Engineers** - No Objections

**Environmental Health** - No Objections

**Lead Local Flood Authority** - No Objections

**United Utilities** - No Objections

**Housing Strategy** - No Objections

**Network Rail** - No Objections

**Sport England** - Objects to the proposal as no evidence has been provided that the loss of the playing field meets any of the requirements of Paragraph 97 of the National Planning Policy Framework or Sport England's Playing Fields Policy. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply. Sport England do not object to the location of the proposed 6th Form building as this is predominantly on existing buildings and would result in a minor loss of playing field. It does, however, object to the housing element of the proposal as it would result in the loss of approximately 1 ha of playing field.

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

3.1.1 The proposed development site is designated as a School Playing Field under the current adopted Wirral Unitary Development Plan (UDP). As the application proposes to redevelop the site into a residential development it is a departure from the UDP and is to be determined

by Planning Committee.

### **3.2 Site and Surroundings**

3.2.1 The proposed development site comprises of part of school playing field which forms part of the educational curtilage of the Kingsmead School. The site in question exists to the rear of the dwellings which make up the primary frontage onto Bertram Drive. Queens Avenue terminates into the north-eastern axis of the site whilst the rail line runs along the south-western axis.

### **3.3 Proposed Development**

3.3.1 The application seeks full planning consent for the redevelopment of part of a school playing field into 25 residential dwellings. This would enable to the erection of a new school building for which outline planning consent is sought.

### **3.4 Development Plan**

3.4.1 The Wirral Unitary Development Plan 2000

- HS4 Criteria for New Housing Development
- HS6 Principles for Affordable Housing
- GR5 Landscaping and New Development
- GR7 Trees and New Development
- NC7 Species Protection
- TR9 Requirements for Off Street Parking
- WA1 Development and Flood Risk
- WA2 Development and Land Drainage
- WA4 Safeguarding Water Resources
- WA5 Protecting Surface Waters

### **3.5 Other Material Planning Considerations**

3.5.1 The Joint Waste Local Plan for Merseyside and Halton

- WM8 Waste Prevention and Resource Management
- WM9 Sustainable Waste Management Design and Layout for New Development

3.5.2 The National Planning Policy Framework (2018)

- Achieving sustainable development
- Decision-making
- Delivering a sufficient supply of homes
- Making effective use of land
- Promoting healthy and safe communities
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change

### **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 (including Flood Risk); and

- Amenity

3.7 Principle of Development:

3.7.1 The proposed development site is designated as a School Playing Field on the UDP Proposals Map where there is no provision for new housing.

3.7.2 Planning law dictates that planning applications should be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this instance the material considerations which need to be taken into account are:

1. the current national Planning Policy Framework (2019);
2. whether the loss of a school playing pitch for residential purposes is justified; and
3. whether the benefits of the proposed residential development outweigh the disadvantages

3.7.3 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development. Paragraph 11 of the Framework indicates that development should be approved if it accords with an up to date development plan or where there are no relevant policies unless the policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or; any adverse impact would significantly outweigh the benefits when assessed against the policies in the NPPF as a whole.

3.7.4 UDP Policy RE7 did not remain in force following a Direction issued by the Secretary of State on 18 September 2007 as national policy provided greater protection.

3.7.5 Paragraph 97 of the Framework expects planning applications for the redevelopment of playing fields to be refused unless:

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

3.7.6 The Core Strategy Proposed Submission Draft (December 2012), which has been approved the Council as material consideration in the determination of planning applications could carry some weight, insofar as it's consistent with NPPF. Draft Policy CS31 would protect land use for sport unless it can be demonstrated;

1. the site is genuinely surplus and is not required for any other recreational purpose; and
2. the site has been continuously marketed for recreational uses at realistic prices for a period of at least two years and there is no reasonable prospect that the site will be re-used for recreational use; and
3. the site does not need to be retained undeveloped for any other intrinsic or designated value, including landscape character, heritage, biodiversity, drainage requirements or flood defence; or
4. the facility will be replaced with an equivalent or better facility, capable of serving the same local community and criterion 3 above would also be met

- 3.7.7 NPPF paragraph 96 indicates that planning policies should be based on robust up-to-date assessments and information gained should be used to determine what provision is needed, which plans should seek to accommodate.
- 3.7.8 The latest Playing Pitch Strategy, adopted as a material consideration in the determination of planning applications by Council on 11 December 2017 (Minute 97 refers), identifies shortfalls in the current football, cricket and rugby pitch provision within analysis area 4 (Hoylake and Meols; West Kirby and Thurstaston). Therefore it cannot be said that the current playing field is surplus to requirements. As the application proposes no alternative sports or recreational provision it would not accord with Criterion C of Paragraph 97 of the Framework, therefore an equivalent or better playing pitch provision should be provided as required by Criterion B of Paragraph 97 of the Framework.
- 3.7.9 In this particular case, the proposed housing would be used to fund a new sixth form block and approximately 1.4ha would be retained as the remaining school playing field. The applicant has agreed to a commuted sum (to be secured via a S106 agreement) to bring forward a redundant playing pitch at Sandringham Avenue as identified within the Strategy (p.56). This would not meet Exception 4 of Sport England's Playing Fields Policy as provision is not being made for a new area of playing field and they have therefore raised an objection to the proposal. Their policy applies to any playing field regardless of whether it is in public, private or educational ownership and regardless of the nature and level of use.
- 3.7.10 The Playing Pitch Strategy notes that Kingsmead School has one good quality macadam tennis court which is not floodlit and one standard quality non-turf wicket for cricket and recommends that they are retained for school use and that quality be improved as required. There is no proposal to remove these facilities as part of this application. It also notes one adult and one youth football pitch at Sandringham Avenue had become disused because of drainage issues and flooding and recommends the opportunities are explored to bring this site back into use to help meet identified shortfalls in the assessment.
- 3.7.11 The retention of existing sports facilities at Kingsmead and the offer to fund improvements at Sandringham Avenue playing fields should be weighed in favour of the proposed development when considering whether the adverse impact from losing part of the school playing would significantly outweigh the benefits, which will also include the contribution that proposal can make to the supply of the housing and the economic benefits that can be accrued from the development.
- 3.8 Design:
- 3.8.1 The standards for new residential development are set out within Policy HS4 of the Wirral Unitary Development Plan 2000. Proposals should be of a scale with regard to existing densities and form of development and not result in detrimental change in the character of the area
- 3.8.2 Paragraph 27 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.
- 3.8.4 The application is a hybrid application which seeks full planning approval for 25 detached residential dwellings and outline planning consent for a sixth form block for the Kingsmead School. The proposed dwellings would be accessed via Queens Avenue. Four house types are proposed with variations in their facing materials of these types to add interest. The

proposed dwellings are traditionally constructed and would unify with the existing dwellings along Queens Drive and are acceptable.

3.8.5 The proposed sixth form block would be situated along the western axis of the site adjacent to Carlton Lane and would therefore be read as part of the school complex. No contextual elevations have been provided as this element of the proposal is outline with all matters reserved. However, the submitted Design & Access Statement indicates that the block would be two storeys and the planning authority is satisfied an educational building could be accommodated here with no significant detrimental impact upon the character of the area subject to an appropriate design as part of a reserved matters application.

3.9 Highways:

3.9.1 The Highways Engineer has raised no objection to the proposal, however this is subject to the access and parking arrangements of the proposed sixth form block being provided as part of a reserved matters application.

3.10 Ecology:

3.10.1 Policies WAT1, WA2, WA4, and WA5 of the Wirral UDP only permit development that would not increase the risk of flooding, where drainage and surface water runoff can be controlled with regard to the need for the protection of water resources.

3.10.2 Paragraph 11 (footnote 6) of the National Planning Policy Framework indicates that policies for areas at risk of flooding are of particular importance. Paragraph 155 of the Framework seeks to guide development away from areas of highest risk. A sequential test should be applied to development with the aim of steering new development to areas with lowest risk of flooding (paragraphs 157 & 158 of the Framework refer). This is clarified in the National Planning Policy Guidance (6 March 2014, paragraphs 018 & 019) which indicates that the aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. If there are no reasonably available sites in Flood Zone 1, the vulnerability of development in Flood Zone 2 can be taken into account.

3.10.3 The development site for the new housing development is predominantly located within Flood Zone 2 with the sixth form block located outside of the flood risk zone. In accordance with the guidelines published by the Environment Agency, the applicant has undertaken a sequential search for available sites capable of accommodating the proposed development in locations at lower risk of flooding.

3.10.4 The submitted application covers the school site, with the proposed new housing development being utilised to cross fund a new school sixth form block. The guidelines for the sequential test state that an identified geographical search area may be reduced where justified by the functional requirements of the development. It is stated within the submitted test that the scope of geographically available sites has been reduced from borough wide to areas of land which would also allow for the construction of a sixth form block that forms part of the application. The existing school complex is adjacent to the site proposed for the sixth form block due to the co-sharing of facilities the proposed sixth form block would need to be integrated within the existing complex. Therefore other sites in alternative locations outside of the ownership of the school cannot accommodate the requirements of the development proposed.

3.10.5 The applicant has identified and considered an alternative residential site under the ownership of the school. The alternative site is situated south of the proposed development site on the opposite side of the railway line. However, the alternative site is almost entirely within Flood Zone 2 as opposed to the proposed development site which is only partially within Flood Zone 2. The applicant has submitted a Flood Risk Assessment & Drainage Strategy which suggests that the proposed development site is considered to be at a flood

risk of 1% (1 in 100) fluvial and / or a 0.5 % (1 in 200) of tidal flooding and 0.1% annual probability of flooding from rivers or the sea. The LLFA have raised no objection to the proposal (subject to conditions) and it has therefore been demonstrated that proposed development would be safe for future occupiers and will not increase the risk of flooding or cause pollution elsewhere in accordance with UDP Policies WAT1 WA2, WA4, and WA5.

3.10.6 The proposed development site is a school playing field with limited vegetative features and there are no significant environmental/sustainability issues relating to these proposals.

3.11 Amenity:

3.11.1 Policy HS4 of the Wirral Unitary Development Plan requires new residential developments to provide adequate private amenity space for each dwelling. Adequate distances should be kept between habitable rooms in separate dwellings and blank gables. Whilst Policy HS4 does not prescribe adequate interface distances the Local Planning Authority adopts the following standard; habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be 14 metres from any blank gable.

3.11.2 Paragraph 127 of the revised National Planning Policy Framework states that planning decisions should create places that provide a high standard of amenity for existing and future users.

3.11.3 The proposed dwellings would provide adequate garden areas which would allow for quiet enjoyment, children's play and more practical activities such as clothes drying. Adequate interface distances would be made between dwellings within the proposed site and existing adjacent dwellings.

3.11.4 With regard to affordable housing provision the applicant has agreed to a commuted sum for off-site delivery elsewhere. This will be secured via a S106 agreement.

3.12 Other:

3.12.1 There are no other outstanding matters relating to this application.

**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 proposed development would be contrary to UDP in that would result in the partial loss of an unused area (approximately 1.2ha) of the existing playing field at Kingsmead School for new housing.

The site for the new housing development is predominantly located in Flood Zone 2. The applicant has undertaken a sequential search for available sites capable of accommodating the proposed develop in locations at lower risk of flooding. It has been demonstrated that proposed development would be safe for future occupiers and will not increase the risk of flooding or cause pollution elsewhere in accordance with UDP Policies WAT1 WA2, WA4, and WA5.

Sport England's have raised a statutory objection because provision has not been made for replacement with a new area of playing field. Therefore, the application must be referred to the Secretary of State before planning permission can be granted.

In this particular case, the benefits which include funding: to bring redundant playing pitches

back into use at Sandringham Avenue, to secure affordable housing and to help build a new 6<sup>th</sup> form block, alongside the limited contribution that can be gained towards the housing supply, economic benefits from jobs during construction, expenditure from future residents and Council tax revenue are considered to outweigh the partial loss of the existing playing field at Kingsmead School.

High quality detached housing can be achieved in accordance with criteria in UDP Policy HS4 and NPPF (part 12) and the 6<sup>th</sup> form building could be accommodated without significant detrimental impact on the character of the area subject to consideration of the detailed design as part of a reserved matters application.

It is, therefore, reasonable to conclude, in this particular case, that the adverse impact from losing part Kingsmead School playing field does not significantly and demonstrably outweigh the benefits that can be accrued from the proposed development. In which case planning permission should be granted subject to outcome of referral to the Secretary of State and the completion of legal agreements to secure the reuse of Sandringham Playing Fields and affordable housing.

**Recommended Decision:**                      **Approve**

**Recommended Conditions and Reasons:**

1. Insofar as this consent relates to the erection of the 25 dwellings, the development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. Insofar as this consent relates to outline consent for the erection of a sixth form block, the development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

**Reason:** To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

3. Insofar as this application relates to the outline consent for the sixth form block, details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout
- (b) Scale
- (c) Appearance
- (d) Access and
- (e) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

4. Insofar as this consent relates to the erection of the 25 dwellings, prior to any development above ground level approval of the following details shall be obtained from the local planning authority;

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

For the avoidance of doubt, the materials shall take account of the mitigation measures outlined in paragraph 4.2.3 of the Residential Noise Survey report. The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

**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.

5. Insofar as this consent relates to the erection of the 25 dwellings, prior to first occupation approval of the following details shall be obtained from the local planning authority

- i. Details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development

For the avoidance of doubt any acoustic fencing is to be placed 1 metre from the railway boundary. The stated details shall be implemented in full prior to first occupation and 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.

6. 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 paragraph 5.4 of the Phase 1 Habitat Survey 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

7. Prior to commencement of development, full details of a scheme for the eradication of Japanese Rose 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 Rose from the development site, to prevent the spread of the plant.

8. Prior to the commencement of development, the approved scheme and timetable for the eradication of Japanese Rose referred to in condition 7 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Japanese Rose shall be submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to first 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.

10. Before any approved phase of development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan

11. The scheme shall include the mitigation measures as detailed in paragraph 4.2.3 of the Residential Noise Survey Report.

**Reason:** In the interests of residential amenity in accordance with Policy HS4

12. Prior to the commencement of any development of the proposed sixth form block and as part of an application for the approval of reserved matters for layout, appearance and landscaping, **full and final details** of a scheme for a sustainable surface water drainage system<sup>1</sup> to serve the site, in accordance with the hierarchy of drainage options in national planning practice guidance and based on the principles and details identified in the following submitted documents:

- Flood Risk Assessment & Drainage Strategy (*December 2018/ Ref: w10776-181214/ Waterco*)
- Email titled: “Kingsmead School 6<sup>th</sup> Form” (including attachments)  
From: Ian Phillips <ian@forth-homes.com>

To: Allison Chapman <LLFA@wirral.gov.uk>  
Email sent: Fri 29/03/2019 16:03

Shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraph 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.

13. No residential 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 documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Flood Risk Assessment & Drainage Strategy (*December 2018/ Ref: w10776-181214/ Waterco*)
- Email titled: "Kingsmead School 6<sup>th</sup> Form" (including attachments)  
From: Eddie Corke <Eddie@ShapeEngineering.co.uk>  
To: Allison Chapman <LLFA@wirral.gov.uk>  
Email sent: Fri 20/03/2019 12:34

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraph 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.

14. 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 surface water drainage system shall be offered for adoption to United Utilities at adoptable standards where adoption has been submitted in the drainage strategy.

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 Paragraph 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.

15. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 02 January 2018 and listed as follows: FH-KS-01-PL-01 Rev.A, KSH/MS/01 Rev. A, 4H2367EXT1, 4H2367EXT2, 4H2367PL, 4H1657EXT1, 4H1657PL, 4H2536EXT1, 4H2536EXT2, 4H2536EXT1, 4H179OEXT1, 4H179OEXT2, 4H1790PL

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

### Further Notes for Committee:

1. The surface water drainage system for the residential development will be offered for adoption to United Utilities. The LPA should be satisfied that the maintenance of the sixth form block SuDS has been secured in perpetuity via an appropriate mechanism or agreement.
2. For the avoidance of doubt, this response **does not** grant the applicant permission to carry out work to/within or connect to the ordinary watercourse(s). This includes any land drainage that may be subsequently discovered within the site.

The grant of planning permission by the Local Planning Authority does not mean that Land Drainage Consent will then be given. Where required, the applicant **must** obtain Land Drainage Consent from Wirral Council's Lead Local Flood Authority **before** starting any works on site. Failure to do so may result in enforcement action.

Information on the application process and relevant forms can be found at the bottom of the following webpage:

<https://www.wirral.gov.uk/communities-and-neighbourhoods/emergencies/flooding/flood-monitoring-and-reports>

### 3. **1 Terms of Condition 12**

Final Sustainable Drainage Strategy to be in accordance with DEFRA's Technical Standards for Sustainable Drainage Systems and the SuDS Manual and include:

- Justification of final design
- Designer risk assessment
- Drawings to include:
  - Final layout of roads and properties including plot numbers, finished floor levels and boundaries
  - Final layout of sewers; outfalls; SuDS; flow controls and overland flow paths (designed for exceedance)
  - Longitudinal sections showing existing and proposed ground levels, invert levels (to OS datum), manhole and pipe sizes; pipe gradients; SuDS; emergency overflows and annotation that correlates to the hydraulic calculations
  - Pumping station detail
- Hydraulic modelling for final drainage strategy to include:
  - Pipe network design
  - System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance
  - Design criteria summary, Full network details table, Contributing area summary, Control/storage structure details, Results summary print outs
  - Volumetric runoff co-efficient (Cv) should be set to '1'
  - Rainfall model should preferably be FEH for robustness
  - Sensitivity checking for climate change at 40% if lower allowance used
  - Urban creep allowance of 10% must be included for residential development
- Maintenance statement explaining who will own the SuDS and how maintenance and replacement will be funded over the lifetime of the development. Agreement in principle for adoption and maintenance by the appropriate WaSC should be provided.
- Evidence that means of access for maintenance and easements, where applicable, has been secured.

- Construction phase surface water management plan for each construction phase.

**Last Comments By:** 12/03/2019  
**Expiry Date:** 03/04/2019