

Planning Committee

14 January 2021

**Reference:
APP/20/01435**

**Area Team:
Development
Management Team**

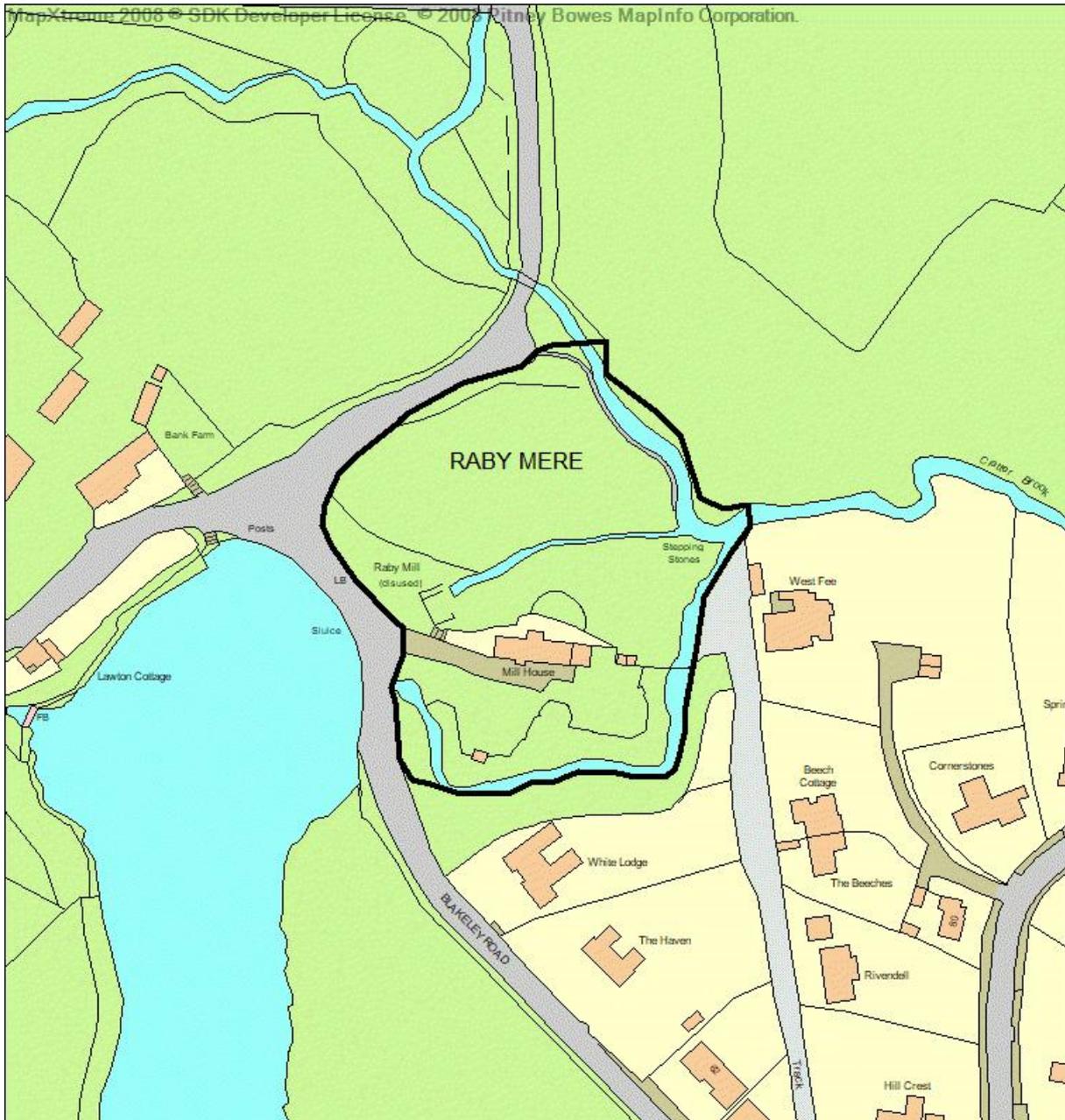
**Case Officer:
Mr G Roberts**

**Ward:
Clatterbridge**

Location: Mill House, BLAKELEY ROAD, RABY MERE, CH63 0LZ
Proposal: Alterations to existing boundary fencing and entrance gates.
Applicant: Mr Morgan
Agent: Liberty White Associates Limited

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area
Green Belt
Site of Biological Importance

Planning History:

Location: Mill House, BLAKELEY ROAD, RABY MERE, CH63 0LZ
Application Type: Full Planning Permission
Proposal: [AMENDED PLANS] Retrospective planning approval for reduced height 1.8m high close boarded timber fence to boundary with Blakeley Road, new car parking area to south of dwelling, new entrance gates and rendered flank walls and rendered retaining walls.
Application No: APP/19/01009
Decision Date: 17/01/2020
Decision Type: Refuse

Location: Mill House, BLAKELEY ROAD, RABY MERE, CH63 0LZ
Application Type: Listed Building Consent
Proposal: Retrospective planning approval and listed building consent for new 2.4m high close boarded timber fence to boundary with Blakeley Road, listed building consent for new car parking area to south of dwelling, new entrance gates and flank walls and new boundary fence as detailed above
Application No: LBC/19/01010
Decision Date: 15/10/2019
Decision Type: Withdrawn

Location: Mill House, Blakeley Road, Raby Mere, Wirral, CH63 0LZ
Application Type: Full Planning Permission
Proposal: Erection of a two-storey side extension, two-storey & single storey rear extension, rear dormer window, ground floor balcony and steps.
Application No: APP/04/07163
Decision Date: 25/10/2004
Decision Type: Approve

Location: Mill House, Blakeley Road, Raby Mere, Wirral, CH63 0LZ
Application Type: Listed Building Consent
Proposal: Erection of a two-storey side extension, two-storey & single storey rear extension, rear dormer window, ground floor balcony & steps.
Application No: LBC/04/07031
Decision Date: 08/10/2004
Decision Type: Approve

Summary of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

Councillor Povall requested that the application be taken out of delegation and referred to the planning committee for the following planning reasons:

1. Height of proposed boundary fence; and
2. Previous planning refusal (ref: APP/19/01009).

2.0 SUMMARY OF REPRESENTATIONS**2.1 REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications, 7 notifications were sent to adjoining properties. In total 35 objections were received to the application (from 31 households). The planning issues raised can be summarised as follows:

1. Height/Scale;

2. Appearance and design of development and materials proposed;
3. Impact on the character and appearance of the area;
4. Effect on Listed Building;
5. Highways Safety;
6. Drainage and flood risk;
7. Previous planning decision; and
8. Permitted Development Rights for fences fronting a highway.

Additionally, 3 statements of support were received in respect to the proposal.

2.2 CONSULTATIONS

Wirral Wildlife - No objections

Merseyside Environmental Advisory Service (Ecology & Archaeology) - No objections

Highways - No objection;

3.1 **Reason for referral to Planning Committee**

3.1.1 The application has been referred to Planning Committee at the request of Councillor Povall on the basis of the height of proposed boundary fence being too high, and the outcome of the previous planning application (ref: APP/19/01009).

3.1.2 Additionally, there were 35 objections received to the application (from 31 households), which also triggers the need for the scheme to be determined by the Planning Committee.

3.2 **Site and Surroundings**

3.2.1 The application site is located to the east of Blakeley Road and Raby Mere artificial lake and comprises 'Mill House', a Grade II Listed building built sometime between 1600 and 1700, a gravel car parking area and an access taken from Blakeley Road. The rest of the plot is large and wooded in character.

3.2.2 The adjoining plot known as 'West Fee' to the east is located in similarly large grounds, whilst 'White Lodge' to the south is more modest in size. The rest of the site is bounded by Poulton Hall Road to the north, Blakeley Road to the west and the watercourse known as 'Clatter Brook' to the north west. The north and west boundary is currently defined by a 2.4m high close boarded timber fence finished in dark brown wood stain which replaced a smaller post and rail fence in 2018.

3.2.3 The southern half of the application site is designated as Primarily Residential, whilst the northern half is designated as Green Belt. Much of the north east of the site is within Flood Zone 3 (and to a lesser extent Flood Zone 2), whilst the eastern boundary is also within Flood Zone 3. There are also Tree Preservation Areas to the north east of the site (on the eastern side of Clatter Brook) and south west of the site (to the south of Raby Mere and west side of Blakeley Road). Additionally, the area to the north east of the site (on the eastern side of Clatter Brook) is designated as a Site of Special Scientific Interest (SSSI). Raby Mere and the wooded area to its south is a Site of Biological Importance.

3.3 **Proposed Development**

3.3.1 This application seeks planning permission to replace the existing 2.4m high close board timber fence which was erected without consent along the site perimeter bounding Blakeley Road and Poulton Hall Road in 2018, with new wall mounted cast iron railings which will have a combined height of 1.8m.

3.3.2 The application also seeks to replace the existing unconsented main entrance metal security gates and flank walls with cast and wrought iron decorative gates with wall mounted railings to either side of the existing unconsented pillars which are proposed to be retained.

3.3.3 Finally, the application seeks to replace the existing double timber rear access gates with the metal security gates taken from the front entrance.

3.4 Development Plan

3.4.1 The following Wirral Unitary Development Plan policies and guidance have been considered in the determination of this planning application:

- Policy LAN1 - Principles for Landscape;
- Policy LA7 - Criteria for Development at the Urban Fringe;
- Policy CH1 - Development Affecting Listed Buildings and Structures;
- Policy GB2 - Guidelines for Development in the Green Belt;
- Policy GB3 – Use of Buildings in the Green Belt;
- Policy GR5 – Landscaping and New Development;
- Policy TL9 - The Protection of Rural Tourist Attractions and Resources;
- Policy NC5 - The Protection of Sites of Local Importance for Nature Conservation;
- Policy NC6 - Sites of Biological Importance; and
- Supplementary Planning Guidance Note 39: Sites of Local Importance for Nature Conservation.

3.4.2 Policy LAN1 advises that in considering proposals for development, the local planning authority will have regard to the visual impact upon the local and wider landscape. Proposals will not be permitted where their visual impact would be inappropriate, in terms of the character, appearance and landscape setting of the surrounding area.

3.4.3 Policy LA7 states that when considering new development at the edge of the urban area or in other locations which would be clearly visible from the open countryside, the Local Planning Authority will pay special regard to the visual impact of the proposals and will require that proposals for boundary treatment are appropriate, in terms of the character of the surrounding landscape, and prominent features within the landscape framework of the area are retained and enhanced.

3.4.4 Policy CH1 states that development likely to affect a building or structure listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be permitted where:

- i. The proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting; and
- ii. Adequate provision is made for the preservation of the special architectural or historic features of the building or structure.

When granting consent, special regard will be given to matters of detailed design, to the nature, quality and type of materials proposed to be used, and to the need for the alteration or development proposed, in terms of securing the viable, long-term future of the building or structure.

3.4.5 Policy GB2 indicates that within the Green Belt there is a general presumption against inappropriate development and such development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of (inter alia) the limited alteration of existing dwellings, subject to Policy GB4 and Policy GB5, and subject to such appropriate development not damaging the visual amenities of the Green Belt by virtue of its siting, materials or design.

3.4.6 Policy GB3 states that proposals which do not involve intrusive boundary walling, fencing or introduce intrusive domestic elements will be permitted.

3.4.7 Policy GR5 states that proposals should provide for the protection, replacement or enhancement of existing feature such as ponds, trees, bushes, shrubs or hedges including, where relevant, appropriate boundary treatment.

3.4.8 Policy TL9 sets out a number of features which form part of the Borough's special attractiveness for tourism, based upon the quiet enjoyment of the Wirral coast, landscape and open countryside. These include areas of interest for nature conservation. Proposals which would prejudice the continued attractiveness of these features for tourists and visitors

or which would cause demonstrable harm to the special character of the resources and attractions will not be permitted.

- 3.4.9 Policy NC5 states that the LPA will protect habitats of special local importance for nature conservation where they represent scarce, rare or threatened habitat, good examples of habitats typical to Wirral, diverse or rich habitats which actively support a wide range of important species, or areas known to provide for the shelter, breeding or foraging of legally protected species.

In evaluating proposals which may affect such habitats the Local Planning Authority will in particular consider:

- i. The nature, layout, and density of development proposed;
- ii. The impact on the long-term ecological viability of the habitat affected;
- iii. The appropriateness of measures taken to minimise damage to the habitat and disturbance to wildlife; and
- iv. The appropriateness of provision for the future maintenance of the site.

Development affecting such habitats will only be permitted where the LPA is satisfied that the continued ecological viability of the habitat or wildlife interest of the site can be adequately safeguarded by means of appropriate conditions and/or legal agreements.

Appropriate conditions will include the retention of linkages to other wildlife sites within the surrounding area.

- 3.4.10 Policy NC6 includes Raby Mere as an area of special local importance for nature conservation. Proposals which have potential to damage or disturb the habitat or wildlife interest of these sites will be dealt in accordance with Policy NC5.

- 3.4.11 SPG39 supplements Policy NC5 and identifies Raby Mere as a Site of Biological Importance which it states includes one of Wirral's few large bodies surrounded by semi-natural woodland with acidic flora and significant value for ornithology and nationally rare species.

3.5 Other Material Planning Considerations

- 3.5.1 The revised National Planning Policy Framework is a material planning consideration in the determination of this planning application.

- 3.5.2 Paragraph 124 advises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live and work.

- 3.5.3 Paragraph 127 states that planning decisions should ensure that developments (inter alia):
- 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;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and
 - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 3.5.4 Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 3.5.5 Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very

special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 3.5.6 Paragraph 145 advises that LPAs should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are (inter alia) the alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 3.5.7 Paragraph 184 states that Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 3.5.8 Paragraph 192 states that in determining applications, LPAs should take account of:
- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.5.9 Previous planning refusal ref: APP/19/01009 is a material planning consideration. Following the erection, in lieu of planning permission, of the 2.4m high close board timber fence, this application sought approval for a reduced height 1.8m close board timber fence. The application was refused at planning committee following a recommendation from the planning officer to approve the scheme. Following the refusal, the site was subject of planning enforcement action (ref: ENF/19/00106) requiring the fence and entrance gates be reduced to 1.5 metres. This work has yet to take place pending the outcome of the current application.

3.6 Assessment

- 3.6.1 The main issues pertinent in the assessment of the proposal are;
- Objections;
 - Principle of development (appropriateness of development within the Green Belt and Primarily Residential Area);
 - Design;
 - Heritage;
 - Highways;
 - Ecology;
 - Arboriculture;
 - Flooding/drainage; and
 - Amenity.
- 3.7 Objections:
- 3.7.1 In total there were 35 objections received to the application (from 31 households). The planning issues raised can be summarised as follows:
1. Height/Scale;
 2. Appearance and design of development and materials proposed;
 3. Impact on the character and appearance of the area;
 4. Effect on Listed Building;
 5. Highways Safety;
 6. Drainage and flood risk;
 7. Previous planning decision; and
 8. Permitted Development Rights for fences fronting a highway.

Additionally, 3 statements of support were received in respect to the proposal.

- 3.7.2 Councillor Povall requested that the scheme be taken out of delegation and referred to the

planning committee for the following planning reasons:

1. the height of proposed boundary fence being too high; and
2. the outcome of the previous planning application (ref: APP/19/01009).

3.7.3 The 8 planning issues raised by the objectors to the scheme (including the 2 raised by Councillor Povall) will be considered and addressed in the following sections.

3.8 Principle of Development:

3.8.1 The majority of the site is designated as part of the Green Belt in the Wirral Unitary Development Plan, where UDP Policy GB2 make provision for appropriate development which does not damage visual amenity by virtue of its siting, materials or design. Whilst the proposal is not for the re-use of a building, UDP Policy GB3 permits such development which does not involve intrusive boundary walling, fencing or intrusive domestic elements. Appropriate boundary treatment is also permitted under UDP Policies GR5 and LA7, which are also applicable on the urban fringe and within the Primarily Residential Area.

3.8.2 The principle of a fence in the Green Belt can be acceptable subject to the considerations detailed below and compliance with the NPPF. Paragraphs 145 and 146 permit appropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

3.8.3 Special regard is also to be given to detailed design and quality materials where development would affect the setting of a listed build under the terms of UDP Policy CH1.

3.9 Design and Scale:

3.9.1 The scale and design of the development is not considered detrimental to the character and appearance of the host dwelling, street scene or the surrounding area. The materials and design of the following elements are considered to compliment the materials and design features found elsewhere in the locality:

1. cast iron railings and posts mounted on a dwarf wall made up of imperial facing brick and sandstone coping stone course (combined height of 1.8m, 1.97m including the depth of the lower fixing plate that will be bolted below ground level);
2. cast and wrought iron front entrance gates, with golf leaf paint finish to the top feature detail;
3. existing facing brick flank walls; and
4. rear metal security gates (currently the front gates).

Furthermore, it is considered that the railings and front entrance gates, with their open appearance, are an improvement on the existing unconsented 2.4m high wooden fence and front security gate, the earlier timber front gates, and it is considered that they are more sympathetic to the earlier post and rail boundary treatment by virtue of their visual permeability, albeit they are taller, but not unreasonably so from a planning perspective.

3.9.2 There is no specific policy provision for the design of boundary treatments in the Wirral's UDP, notwithstanding this fact the wall mounted railings have been tested under Policies GB2, GB3, GR5, LAN1 and LA7 and deemed acceptable. It is not considered that the railings visual impact upon the character, appearance and landscape setting of the surrounding area can be categorised as inappropriate. Appropriate materials have been utilised which are replicated elsewhere in the area. Therefore, it is not considered that the railings are an alien feature in this context or that they have a significant adverse impact on the character, appearance or setting of the Mere.

3.9.3 Policy LA7 discusses the visual impact of new development at the edge of the urban area or in locations which would be clearly visible from open countryside and requires prominent features within the landscape framework of the area to be retained and enhanced. It is not considered that the relatively enclosed Mill house is an especially prominent feature in the landscape when viewed, for example, from the footpath on the opposite side of the Mere, particularly in the summer months, although it is accepted that it is more visible during the

winter months when the trees are bare, particularly along the Blakeley Road frontage. Notwithstanding this fact, there is no question that the property, being Grade II Listed, is a significant, if not especially prominent, historic building within this setting, and if the intention of Policy LA7 is to ensure that prominent features within the landscape framework of the area are enhanced, then the proposal, like the earlier post and rail fence, ensures visual permeability and openness, despite its greater height. And in the case of the provision of the cast and wrought iron front gates, relative to the earlier timber gates (and the current unconsented metal security gates), this element clearly enhances the prominence of the Grade II Listed Mill House, by improving the visibility of the house from the surrounding countryside.

3.9.4 The character of the surroundings is undoubtedly green, wooded and natural, opening out into the area filled by the aesthetically pleasing Raby Mere. It is considered that the Mere is the feature which one's eyes are drawn to upon arrival or in passing this space, and that the proposal, which is a significant improvement of the previously refused 1.8m high close board timber fence, and the extant unconsented 2.4m high close board timber fence, would not detract from any of these characteristics, given its open appearance which will allow the trees and greenery behind to be visible. It is not therefore considered that the setting of the Mere would be materially harmed by the presence of the proposed wall mounted railings.

3.9.5 Overall, the design and scale of the wall mounted railings, the gates and retained pillars comply with the requirements of Policies GB2, GB3, GR5, LAN1 and LA7 and the provisions of the revised NPPF and are therefore considered to be acceptable.

3.10 Heritage:

3.10.1 There is no evidence of the what the original boundary treatment was for the site, but the proposed railing design is a vast improvement to the close boarded fence. The views of Mill House are limited from Poulton Hall Road due to the mature vegetation and the site becomes more visible from Blakeley Road as the road widens and the setting of the lake is more open. Therefore, given the positive contribution Mill House makes to the setting of the area, no harm will be caused by the height and open appearance of the railings. Views into the site will be maintained and the proposed boundary treatment would preserve the character and appearance of the listed building.

3.10.2 The Conservation Officer confirmed that she has no objections.

3.10.3 On this basis, it is considered that the proposals will not have an adverse impact on the significance of the Grade II Listed Mill House or on its setting. The development is therefore considered to comply with Policy CH1 and the provisions of the revised NPPF.

3.11 Highways:

3.11.1 There are no Highway Implications relating to this proposal. Highways were consulted but raised no objections with regards to traffic management or road safety commenting that the proposals are all contained within the private boundary and do not encroach onto the adopted highway. The gates are unlikely to have any significant impact on the highway and are considered to replace existing facilities at the entrance and exit points into the property.

3.11.2 In view of this advice, it is not considered that highways safety is an issue meriting the refusal of this scheme as no highways concerns have been identified.

3.12 Ecology:

3.12.1 There are no Ecological issues relating to this retrospective application. Merseyside Environmental Advisory Service (MEAS), Wirral Wildlife and Natural England were all consulted, but no objections were raised.

3.12.2 In the absence of any objections from these bodies, it is not considered that there are any ecological issues warranting the refusal of the application. The development is considered to comply with Policies NC5 and NC6 and SPG39.

3.13 Arboriculture:

- 3.13.1 This is a tree lined boundary. The trees make an important contribution to the character and amenity of The Mere. Trees adjacent to the main entrance should be unaffected by the proposals. It is unclear whether the wall (which would require a concrete foundation strip) is to continue around the whole boundary or whether the metal fencing only will constitute the majority of the boundary. A post and rail fence will have less potential impact on the trees along the boundary. There are trees standing adjacent to the existing road boundary that overhang the road that may require pruning. Young trees may require removal to facilitate the new boundary. The boundary may have to be altered to accommodate larger boundary trees (e.g., discontinuous footings and bridging lintels). Overall, the impact to the amenity could be kept to a minimum. The overall effect on the trees from the existing fencing seems to have been minimal. Some tree pruning may be necessary to enable to new boundary treatment to be installed.
- 3.13.2 A condition requiring the submission and approval by the LPA of an Arboricultural Impact Assessment (AIA) and, dependent on the findings of the AIA, a method statement, prior to the commencement of any boundary works, is conditioned. A condition relating to prohibited activities as also been added.
- 3.14 Flooding/drainage:
- 3.14.1 The Environment Agency Flood Map and the Council's constraints mapping confirm that a small section of the proposal (the northernmost section of the proposed boundary including the rear metal security gates to the lower garden) is located within Flood Risk Zone 2 and/or 3, meaning that this section of the site perimeter is liable to flooding (as is a large part of the lower garden which is also located in Flood Zone 2 or 3 given its proximity to Clatter Brook).
- 3.14.2 It is unlikely that any changes/alterations to boundary treatment will impact on liability for flooding.
- 3.15 Amenity:
- 3.15.1 In terms of amenity, it is considered that the development is not so extensive as to be overbearing or have any other amenity impact in relation to neighbouring properties.
- 3.15.2 Public amenity similarly is not considered to be materially harmed by the development. Raby Mere's landscape can still be quietly enjoyed as an area of interest for nature conservation as before. It is not considered that this development prejudices the continued attractiveness of these features for tourists and visitors to the Mere or causes demonstrable harm to the special character of the Mere as a resource or attraction. In view of this it is considered that the development complies with Policy TL9.
- 3.16 Previous Planning Refusal and Permitted Development Rights:
- 3.16.1 Following the refusal of the previously proposed reduced height 1.8m close board timber fence (ref: APP/19/01009) by the planning committee, the applicant was instructed to reduce the height of the unconsented 2.4m high close board timber fence to 1.5m. Notwithstanding this fact, the recommendation of the case officer had been that the reduced height of 1.8m was, on balance, acceptable in planning terms. This remains the case in this instance, albeit the proposal is considered to be an improvement on the previously refused scheme in overall terms.
- 3.16.2 The permitted development rights relating to gates, fences and walls of 1m above ground level when fronting a highway and 2m above ground level in any other case are the maximum gate, fence or wall heights which benefit from deemed planning permission. Gates, fences and walls which are higher than these maximums are subject to planning permission by the Local Planning Authority having regard for factors such as scale, appearance, amenity impact etc.
- 3.17 Conclusion
The proposed boundary treatment is largely located in the Green Belt (but for the cast and wrought iron main gates and wall mounted railings stretching from the main gates to the boundary with White Lodge which form the boundary with the Primarily Residential Area). It is considered that the wall mounted railings and gates are limited alterations and that they

do not damage the visual amenities of the Green Belt by virtue of their siting, materials or design (particularly given their relative transparency). The railings and gates are therefore considered to be acceptable having regard to UDP Policies GB2, GB3 and GR5 and the NPPF.

Summary of Decision:

Having regards to the individual merits of this application it is recommended that planning permission is granted 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 scheme for which planning permission is sought is considered to be acceptable in terms of its appearance and scale. The proposal is considered not to have a detrimental impact on the character and appearance of the Grade II Listed host dwelling, the street scene or the surrounding area, nor is it considered to have a detrimental impact on the amenities of neighbouring properties, highway safety, local biodiversity or Green Belt. The proposal complies with relevant Development Plan Policies and Guidance, the provisions of the revised National Planning Policy Framework, and is therefore considered to be acceptable.

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 (17 December 2020) and listed as follows: (drawing refs: 'Proposed Main Entrance Gates Rev.1', 'Proposed Rear Entrance Gate and Fencing Rev.2', and 'Proposed Site Plan Rev.1', dated: 17 December 2020)

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

3. Development shall not commence until full details of the boundary treatment have been submitted for written approval by the local planning authority prior to the commencement of works. These shall include cross sectional drawings illustrating the thickness of the railings at 1:1 or 1:2, cross section drawings of the boundary treatment (wall and railings) scale 1:20 and elevational section details at 1:20 scale (or similar) of the wall itself. The development shall be implemented in accordance with the approved details.

Reason: To protect the significance of the heritage asset to comply with Policies CH1 of Wirral's UDP and the NPPF.

4. No works or development shall take place until a scheme for the protection of the retained trees - The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

a). the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule;

b). a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837)

of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan;

c). a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work-Recommendations.

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

d). 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;

e). the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837);

f). the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837);

g). 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;

h). 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);

i). 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;

j). the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837);

k). 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 suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the adopted UDP.

5. The Arboricultural Impact Assessment (and, if required, Arboricultural Method Statement), full details of boundary treatment, and a Construction Method Statement shall be submitted to the Local Planning Authority for approval within 2 months of the date of this planning permission. Thereafter, works to replace the existing 2.4m high close boarded timber fence with the approved 1.8m wall mounted railings shall commence no later than 4 months from the date the application was granted.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policies LAN1, LA7, CH1, GB2 and TL9 of the Wirral Unitary Development Plan.

6. 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 protection of existing trees and shrubs to be retained and to comply with Policy GR7 of the adopted UDP.

Further Notes for Committee:

Last Comments By: 05/12/2020
Expiry Date: 30/12/2020