

Public Document Pack

STRATEGIC APPLICATIONS SUB COMMITTEE

Thursday, 10 November 2022

Present:

Councillor S Kelly (Chair)

Councillors	S Foulkes	H Gorman
	K Hodson	B Kenny
	S Kelly	M Jordan
	P Stuart	

16 **APOLOGIES**

No apologies were received.

17 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and if so to declare them and state the nature of the interest.

No such declarations were made.

18 **MINUTES**

The Head of Legal Services submitted the minutes of the meeting held on 27 October 2022 for approval.

Resolved – That the minutes of the meeting held on 27 October 2022 be approved.

19 **OUT/20/01881 RIVERSIDE PARK, SOUTHWOOD ROAD, BROMBOROUGH AND DPP4/22/01080 FORMER MOD SITE, OLD HALL ROAD, BROMBOROUGH**

The Chair proposed and it was agreed that both applications would be presented and debated as one item with separate votes on each.

The Principal Planning Officer presented the reports of the Director of Regeneration and Place in relation to applications OUT/20/01881 and DPP4/22/0180 for consideration.

The Assistant Director Chief Planner noted an error on the published Addendum List for this application:

Under the revised recommendation two, it says “refuse the application in the event that a satisfactory section 106 agreement is not received by 10 January 2022...”, the correct date is 10 January 2023.

The Assistant Director Chief Planner also pointed out an error on the MOD site recommendation re affordable housing to delete the reference to vacant building credit.

The provision of Affordable Housing (subject to a minimum provision of 20%,;

Applicants Agent Darren Muir addressed the committee regarding OUT/20/01881.

Applicants Agent Greg Dickson addressed the committee regarding DDP4/22/01080.

On a motion by the Chair and seconded by Councillor K Hodson for application OUT/20/01881 (in respect of Riverside Park, Southwood Road, Bromborough), it was –

Resolved (6:1) – that the application be approved subject to the following conditions, including the revised conditions on the addendum list with the correction of the date included for paragraph 2:

1. approve the planning application subject to a planning obligation being completed securing:

- (a) A Recreational Pressure financial contribution of £60,816.42;**
- (b) A Bus Stop contribution financial contribution of £27,000 to enhance two existing bus stops on Old Hall Road**
- (c) The provision of Affordable Housing (subject to a minimum provision of 20%, subject to Vacant Building Credit);**
- (d) The provision of Homeowner Information Packs (to help offset Recreational Pressure);**
- (e) A Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);**
- (f) Highways Works (noting that some may be secured via planning condition) relating to:**
 - (i) the formation of footways continuous to the developments' boundaries along Riverwood Road and Old Hall Road**

stretching from the 'Riverside Park' development boundary in the east to the A41 / Old Hall Road junction in the west;

- (ii) The provision of cycle improvements taking in Riverwood Road, the gyratory and Old Hall Road to the A41 junction to form a segregated cycleway/footway;**
 - (iii) cycle lane improvements to include the Riverwood Road roundabout, providing improvements to the existing crossing provisions for pedestrians and cyclists. A route through to the Croft Retail Park utilising the Riverwood Road roundabout junction. All cycle improvements to accord with LTN 1/20 requirements and 'Sustrans' best practice;**
 - (iv) the inclusion of pedestrian crossing and cycle crossing facilities at the A41 / Old Hall Road junction across the eastern arm of the junction;**
 - (v) dropped kerbs and tactile paving to all internal junctions and at the site access junctions onto Riverwood Road;**
 - (vi) vehicle accesses to form adoption standard priority junctions onto Riverwood Road as necessary;**
 - (vii) the existing PROW which runs through the Riverside Park development to be maintained at all times and appropriate signage provided.**
 - (viii) widening of Warren Lane to 6m including the section that is within the adoption boundary;**
 - (ix) the provision of footway improvements to Warren Lane so that a suitable footway is provided for the full length of Warren Lane, improving access to Eastham Woods and the Tennis and Rugby Club;**
 - (x) vehicular, pedestrian and cycle link with the adjacent site across Warren Lane;**
 - (xi) Contribution to the upgrade of two bus stops on Old Hall Road.**
- (g) Warren Lane Works (including securing the link between the two sites);**
- (h) Public Open Space Management Plan;**

- (i) Employment and Skills Management Plan; and**
- (j) Monitoring Costs (for the planning obligation and for the Employment and Skills Management Plan)**

And subject to the conditions as listed within the report.

2. The development hereby permitted shall take place not later than [2] years from the date of approval of the last of the reserved matters to be approved.

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

3. All reserved matters applications shall be in accordance with the parameters and guidance set out in the approved Design Code document (October 2022). All reserved matters applications shall include a Statement of Conformity of how the development complies with the approved Design Code document

Reason: To ensure that the development delivers a high quality built environment which complies with all relevant national and local planning policy

4. No development involving the use of any facing materials shall take place until samples or details of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area having regards to the Wirral Unitary Development Plan

5. Prior to the commencement of any development and as part of an application for the approval of reserved matters for layout, appearance and landscaping full details of a sustainable surface water drainage system to serve the site and method of implementation shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority. The drainage strategy shall comply with the terms of condition below and shall be developed in accordance with the discharge hierarchy and limit the surface water discharge rate to the greenfield equivalent. The sustainable surface water drainage strategy shall be in accordance with the following submitted document:

- **Flood Risk Assessment and Drainage Strategy – Riverside Park, Bromborough (16.09.2022/ 20-0620.06/ Issue No.3/ Delta-Simons)**

Terms of Condition

Final/Confirmed Sustainable Drainage Strategy to comply with DEFRA's technical standards for sustainable drainage systems and the SuDS Manual and include:

- **Justification of final design, including:**
 - **For an infiltration design, a completed copy of Table B.6 Infiltration assessment checklist found in C753 The SuDS Manual (CIRIA), Appendix B**
 - **Demonstration that any infiltration design is in accordance with BRE 365 and CIRIA C753 SuDS manual; with a minimum of 1 metre clearance between the base of the soakaway and the seasonally high groundwater level; infiltration components of the system include an overflow and the maximum appropriate climate change allowance has been applied.**
 - **Evidence that the use of infiltration has been approved by a geotechnical engineer or engineering geologist (e.g. a Registered Ground Engineer Advisor or similar) with infiltration tests undertaken by a specialist site investigation company and the report submitted to support the drainage strategy**
- **Drawings to include:**
 - **Final layout of site with topography and finished floor levels a minimum of 300mm above the maximum flood level**
 - **Plan showing hatched permeable/impermeable areas. Pervious paving must be included in impermeable area for calculation of runoff.**
 - **Final layout of sewers; outfalls; SuDS. Invert levels (to OS datum), manhole and pipe sizes; pipe gradients; emergency overflows and annotation that correlates to the hydraulic calculations**
 - **Overland flow paths designed for exceedance of the 1 in 100 plus climate change event, system blockages, etc. An impermeability of 100% for the whole site area (including soft landscaped areas) should be used in all cases when determining exceedance flows. Water should not pond on the highway at the access points to property as part of the exceedance design**
 - **Plan showing ownership and maintenance responsibility for all SuDS components, including hard engineered and landscaped**

- **Hydraulic modelling for final drainage strategy to include:**
 - **System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance**
 - **Demonstration of sufficient storage for the 1 in 100 year (plus climate change) critical rainfall event**
 - **Design criteria summary, Full network details table, pipe and manhole schedules, contributing area summary, control/storage structure details, results summary print outs**
 - **Volumetric runoff co-efficient (Cv) should be set to '1' and 10% urban creep allowance included**
- **Timetable including any phasing and demonstrating completed SuDS construction prior to occupation**
- **Construction Phase Surface Water Management Plan**
- **Secure means of access for maintenance and easements, where applicable**
- **Completed North-West SuDS proforma**

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraphs 167 & 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

6. 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 Paragraph 167 and 169 of

the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems

7. No tree felling, scrub clearance, hedgerow removal, vegetation management and / or ground clearance 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 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, and the approved details adhered to in full

Reason: In the interests of ecology having regards to Wirral Unitary Development Plan Policy NC7

8. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of bird nesting and bat boxes, to include their location, number and type on a suitably scaled plan, and the timing of their installation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the boxes shall be installed in accordance with the approved details and retained.

Reason: In order to mitigate for the loss of nesting bird habitat in accordance with the objectives of saved policy NC7 of the Wirral Unitary Development Plan.

9. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) document shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. Regarding ecology the CEMP should include, but not be limited to, the following:

- **Amphibian and reptile RAMs;**
- **Hedgehog and Badger RAMs;**
- **Soft-felling of trees with low bat roost potential (identified as trees T1);**
- **Measures to avoid harm to breeding birds;**
- **Tree and woodland protection measures; and**
- **Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS.**
- **Hoarding to be installed and maintained, around the active demolition and construction areas to avoid noise and visual**

disturbance to qualifying species within European sites and functionally linked habitats;

- Plant and equipment to be maintained in good working order and fitted with silencers and acoustic panels where appropriate;
- All vehicles and equipment to be switched off between periods of use;
- Methods used for concrete breaking and demolition will be carefully considered, non-percussive means will be used where possible;
- Use of construction lighting will be avoided, directional and restricted where possible so as not to exceed 0.5lux at the site boundary;
- Noise and vibration to be controlled and limited so far as reasonably practicable so that sensitive receptors are protected from excessive noise and vibration arising from; and
- Night working to be restricted. All construction works will cease at least 30 minutes before sunset and will not commence before sunrise in order to avoid disturbance to qualifying species roosting within European sites and adjacent functionally linked habitats.

Reason: To manage and mitigate the main environmental effects during the construction phases of the proposed development

10. No development shall take place until a Site Waste Management Plan, confirming how 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 policies WM8 of the Waste Local Plan.

11. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of external lighting to be installed on site have been submitted to and approved in writing by the Local Planning Authority. The details shall have regards to *Bat Conservation Trust website* - <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

Reason: In the interests of nature conservation having regards to Wirral Unitary Development Plan Policy NC7

12. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated

with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- A site investigation scheme, based on desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater quality in the underlying Principal aquifer and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

13. Prior to any part of the development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

14. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

15. No development, besides demolition and site clearance and remediation, shall commence until a Road Phasing and Completion Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Road Phasing and Completion Plan shall set out the development phases and the standards to which roads serving each phase of the development will be completed.

Reason: To ensure that roads serving the development are completed and thereafter maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

16. No phase of development (as set out within details relating to Condition 16) shall be occupied until the LPA has approved in writing a full scheme of works and timetable (relating to the relevant phase) for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street lighting and furniture, access onto the adjacent highway, road safety audit and monitoring. This shall include all roads proposed for adoption. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway

17. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed roads within the relevant phase of development have been submitted to and approved in writing by the Council as Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that roads serving the development are maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

18. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of the proposed surface water drainage for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. This shall be designed to prevent the discharge of water on to the public highway. The drainage design shall be implemented as set out within the approved details prior to first occupation of the relevant phase.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

19. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

20. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of the highways works for demolition/construction purposes has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- **Construction traffic routes, including provision for access to the site**
- **Entrance/exit from the site for visitors/contractors/deliveries**
- **Location of directional signage within the site**
- **Siting of temporary containers**

- **Parking for contractors, site operatives and visitors**
- **Identification of working space and extent of areas to be temporarily enclosed and secured**
- **during each phase of demolition/construction**
- **Temporary roads/areas of hard standing**
- **Schedule for large vehicles delivering/exporting materials to and from site**
- **Storage of materials and large/heavy vehicles/machinery on site**
- **Measures to control noise and dust**
- **Details of street sweeping/street cleansing/wheelwash facilities**
- **Details for the recycling/disposing of waste resulting from demolition and construction works**
- **Hours of working**
- **Phasing of works including start/finish dates**
- **How the existing public right of way across the site will be maintained and kept open to the public during construction**
- **How access to the tennis/rugby club and Eastham Woods will be maintained during construction and during completion of the Warren Lane works**

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

21. Prior to occupation, full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details on tree planting, including an assessment of canopy cover in comparison with the site as existing. The approved scheme shall be implemented in full prior to first occupation or no later than the first planting season following first occupation, unless otherwise agreed in writing with the Local Planning Authority.

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.

Reason: To improve the appearance of the development having regards to Wirral Unitary Development Plan Policy GR5 and the National Planning Policy Framework

22. PRIOR TO COMMENCEMENT OF DEVELOPMENT, detailed drawings indicating the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent properties having regard to Wirral Unitary Development Plan Policy HS4

23. Any Reserved Matters application(s) shall be accompanied by an Arboricultural Impact Assessment which adequately assesses the impact on existing trees within and directly adjacent to the site

Reason: For the avoidance of doubt and in the interests of retaining trees having regards to Wirral Unitary Development Plan Policy GR7

24. Prior to commencement of development, a Method Statement in relation to the removal of wall cotoneaster shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include the following information:

- **A plan showing the extent of the plants;**
- **The methods that will be used to prevent the plant/s spreading further, including demarcation;**
- **The methods of control that will be used, including details of post-control monitoring; and**
- **How the plants will be disposed of after treatment/removal.**

The removal of the plant(s) as set out in the Method Statement shall be carried out prior to first occupation

Reason: In the interests of removing invasive species

25. Prior to first occupation a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of highway safety and to accord with Policy TRT1 of the Wirral Unitary Development Plan and the National Planning Policy Framework

26. The children's play provision, as set out in the approved Design Code, shall be made available for use prior to the occupation of the 100th unit and shall be retained for use thereafter

Reason: In the interests of amenity for future occupiers having regards to Wirral Unitary Development Plan Policy GR6

27. Prior to first occupation, a scheme of works for the removal of the redundant access onto Riverwood Road (to the north-east of the site) shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall set out how the redundant access will be brought back to adoptable standards and the works carried out in full prior occupation of the 30th dwelling

Reason: For the avoidance of doubt and to ensure that the unused access is removed and brought back to acceptable standards

28. No development, besides demolition and site clearance, shall commence until details of a scheme of works to the existing public right of way across the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include signage, improvements to footpaths within the site, and clear confirmation that it will be retained as open to the public in perpetuity. The agreed signage shall be erected prior to first occupation and retained as such thereafter

Reason: For the avoidance of doubt

29. refuse the application in the event that a satisfactory section 106 agreement is not received by 10 January 2022 unless an extension of time is agreed to the satisfaction of the Director of Regeneration of Place in consultation with the Chair and Spokespersons of the Strategic Applications Sub-Committee.

In respect of DPP4/22/01080 (Former MOD Site, Old Hall Road, Bromborough), it was –

Resolved (unanimously) – that the application be approved subject to the following conditions, including the revised conditions on the addendum list:

1. Approve the planning application subject to a planning obligation being completed securing:

(a) Recreational Pressure financial contribution of £69,784.74 ;

- (b) A Bus Stop contribution financial contribution of £27,000 to enhance two existing bus stops on Old Hall Road;**
- (c) The provision of Affordable Housing (subject to a minimum provision of 20%,;**
- (d) The provision of Homeowner Information Packs (to help offset Recreational Pressure);**
- (e) A Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);**
- (f) Highways Works (noting that some may be secured via planning condition) relating to:**
 - (i) the formation of footways continuous to the developments' boundaries along Riverwood Road and Old Hall Road stretching from the 'Riverside Park' development boundary in the east to the A41 / Old Hall Road junction in the west;**
 - (2) The provision of cycle improvements taking in Riverwood Road, the gyratory and Old Hall Road to the A41 junction to form a segregated cycleway/footway;**
 - (3) cycle lane improvements to include the Riverwood Road roundabout, providing improvements to the existing crossing provisions for pedestrians and cyclists. A route through to the Croft Retail Park utilising the Riverwood Road roundabout junction. All cycle improvements to accord with LTN 1/20 requirements and 'Sustrans' best practice;**
 - (4) The inclusion of pedestrian crossing and cycle crossing facilities at the A41 / Old Hall Road junction across the eastern arm of the junction.**
 - (5) Dropped kerbs and tactile paving will be required to all internal junctions and at the site access junctions onto Old Hall Road.**
 - (6) Vehicle accesses to form adoption standard priority junctions onto Old Hall Road as necessary.**
 - (7) vehicular, pedestrian and cycle link with the adjacent site across Warren Lane;**
 - (8) Contribution to the upgrade of two bus stops on Old Hall Road.**

- (k) Warren Lane Works (including securing the link between the two sites);**
- (l) Public Open Space Management Plan;**
- (m) Employment and Skills Management Plan; and**
- (n) Monitoring Costs (for the planning obligation and for the Employment and Skills Management Plan)**

2. No development shall commence on the site until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:

- (a) The external appearance of the development;**
- (b) The landscaping of the site;**
- (c) The Layout of the development; and**
- (d) The Scale of the development**

The development shall be carried out in accordance with the approved details.

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.

3. The development hereby permitted shall be implemented no later than [2] years from the date of approval of the last of the reserved matters to be approved.

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

4. All reserved matters applications shall be in accordance with the parameters and guidance set out in the approved Design Code document (11996-AEW-XX XX-PP-A-005 P15). All reserved matters applications shall include a Statement of Conformity of how the development complies with the approved Design Code document

Reason: To ensure that the development delivers a high quality built environment which complies with all relevant national and local planning policy

5. No development involving the use of any facing materials shall take place until samples or details of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area having regards to the Wirral Unitary Development Plan

6. Prior to the commencement of any development and as part of an application for the approval of reserved matters for layout, appearance, scale and landscaping full details of a sustainable surface water drainage system to serve the site and method of implementation shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority. The drainage strategy shall comply with the terms of condition (set out as an informative) and shall be developed in accordance with the discharge hierarchy and limit the surface water discharge rate to the greenfield equivalent. The sustainable surface water drainage strategy shall be in accordance with the following submitted documents:

- Design Code – Former MOD site Bromborough (28.06.2022/11996-AEW-XX-XX-PP-A-005 P15/ AEW Architects**
- Flood Risk Assessment – Old Hall Road, Bromborough (28.06.2022/ 076574-CUR-00-XX-RP-C-00001/ V04/Curtins)**

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraphs 167 & 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

7. 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 Paragraph 167 and 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

8. If utilised for the drainage of surface water from the site, the existing length of private sewer on Riverwood Road from the development site to the public sewer must be offered for adoption at adoptable standards to the water and sewerage company at the earliest opportunity and evidence of an agreement in principle must be provided to the Local Planning Authority prior to the commencement of any development.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

9. No development or demolition shall take place until the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include the following five steps:

- A phased programme and methodology of site investigation and recording;**
- A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;**
- Provision for appropriate publication and dissemination of the archaeology and history of the site;**
- Provision for archive deposition of the report, finds and records of the site investigation; and**
- Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI**

Reason: To provide sufficient information in relation to archaeology, having regards to Paragraph 205 of the National Planning Policy Framework

10. No tree felling, scrub clearance, hedgerow removal, vegetation management and / or ground clearance is to take place during the period 1 Marc to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all 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, and the approved details adhered to in full

Reason: In the interests of ecology having regards to Wirral Unitary Development Plan Policy NC7

11. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of bird nesting and bat boxes, to include their location, number and type on a suitably scaled plan, and the timing of their installation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the boxes shall be installed in accordance with the approved details and retained.

Reason: In order to mitigate for the loss of nesting bird habitat in accordance with the objectives of saved policy NC7 of the Wirral Unitary Development Plan.

12. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) document shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. The CEMP should include, but not be limited to, the following:

- **Amphibian and reptile RAMs;**
- **Hedgehog RAMs (pre-commencement check; all trenches and excavations shall have means of escapes; exposed open pipes shall be capped;**
- **appropriate storage of materials);**

- **Soft-felling of trees with low bat roost potential (identified as trees T4, T5 and T7 in Bat Tree Assessment report);**
- **Measures to avoid harm to breeding birds;**
- **Tree and woodland protection measures; and**
- **Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS**

Reason: To manage and mitigate the main environmental effects during the construction phases of the proposed development

13. No development shall take place until a Site Waste Management Plan, confirming how 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 policies WM8 of the Waste Local Plan.

14. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- **A site investigation scheme, based on desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.**
- **The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater quality in the underlying Principal aquifer and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

15. Prior to any part of the development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

16. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

17. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of external lighting to be installed on site have been submitted to and approved in writing by the Local Planning Authority. The details shall have regards to *Bat Conservation Trust website* - <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

Reason: In the interests of nature conservation having regards to Wirral Unitary Development Plan Policy NC7

18. No development, besides site clearance and remediation, shall commence until a Road Phasing and Completion Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Road Phasing and Completion Plan shall set out the development phases and the standards to which roads serving each phase of the development will be completed.

Reason: To ensure that roads serving the development are completed and thereafter maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

19. No phase of development (as set out within details relating to Condition 18) shall be occupied until the LPA has approved in writing a full scheme of works and timetable (relating to the relevant phase) for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street lighting and furniture, access onto the adjacent highway, road safety audit and monitoring. This shall include all roads proposed for adoption. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway

20. No phase of development (as set out within details relating to Condition 18) shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed roads within the relevant phase of development have been submitted to and approved in writing by the Council as Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that roads serving the development are maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

21. No phase of development (as set out within details relating to Condition 18) shall be occupied until details of the proposed surface water drainage for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. This shall be designed to prevent the discharge of water on to the public highway. The drainage design shall be implemented as set out within the approved details prior to first occupation of the relevant phase.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

22. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of the highways works for construction purposes has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- **Construction traffic routes, including provision for access to the site;**
- **Entrance/exit from the site for visitors/contractors/deliveries;**
- **Location of directional signage within the site;**
- **Siting of temporary containers;**
- **Parking for contractors, site operatives and visitors;**
- **Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of construction;**
- **Temporary roads/areas of hard standing;**
- **Schedule for large vehicles delivering/exporting materials to and from site;**
- **Storage of materials and large/heavy vehicles/machinery on site;**
- **Measures to control noise and dust;**
- **Details of street sweeping/street cleansing/wheelwash facilities;**
- **Details for the recycling/disposing of waste resulting from construction works;**

- Hours of working;
- Phasing of works including start/finish dates

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

23. Prior to occupation, full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details on tree planting, including an assessment of canopy cover in comparison with the site as existing. The approved scheme shall be implemented in full prior to first occupation or no later than the first planting season following first occupation, unless otherwise agreed in writing with the Local Planning Authority.

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.

Reason: To improve the appearance of the development having regards to Wirral Unitary Development Plan Policy GR5 and the National Planning Policy Framework

24. PRIOR TO COMMENCEMENT OF DEVELOPMENT, detailed drawings indicating the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent properties having regard to Wirral Unitary Development Plan Policy HS4

25. Any Reserved Matters application(s) shall be accompanied by an Arboricultural Impact Assessment which adequately assesses the impact on existing trees within and directly adjacent to the site

Reason: For the avoidance of doubt and in the interests of retaining trees having regards to Wirral Unitary Development Plan Policy GR7

26. Prior to commencement of development, a Method Statement in relation to the removal of wall cotoneaster and montbretia shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include the following information:

- **A plan showing the extent of the plants;**
- **The methods that will be used to prevent the plant/s spreading further, including demarcation;**
- **The methods of control that will be used, including details of post-control monitoring; and**
- **How the plants will be disposed of after treatment/removal.**

The removal of the plant(s) as set out in the Method Statement shall be carried out prior to first occupation

Reason: In the interests of removing invasive species

27. Prior to first occupation a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The provisions of the Travel Plan shall be implemented and the site operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of highway safety and to accord with Policy TRT1 of the Wirral Unitary Development Plan and the National Planning Policy Framework

28. The children's play provision, as set out in the approved Design Code, shall be made available for use prior to the occupation of the 100th unit and shall be retained for use thereafter

Reason: In the interests of amenity for future occupiers having regards to Wirral Unitary Development Plan Policy GR6

29. No development shall commence unless and until all relevant interests in the land enter into a section 106 agreement substantially in the form appended to this permission.

Reason: As the Local Planning Authority would not have granted outline planning permission in the absence of a signed Deed pursuant to section 106 of the Town and Country Planning Act 1990 binding all relevant interests in the land and, at the time of this outline permission being issued, it was not possible to bind all relevant interests in the land. This condition restricts the commencement of development until such time that the relevant interests in the land are bound by the section 106 agreement appended to this planning permission.

30. All Reserved Matters application shall set out how they comply with the conclusions set out within the submitted Outline Planning Application Energy and Sustainability Statement (Hannan Associates, 17th May 2022)

Reason: In the interests of sustainability having regards to the National Planning Policy Framework