

Planning Committee	18 April 2024
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Reference:	PS Development Code	Case Officer:	Ward:
APP/23/01878	Q01 - Major Dwelling	Ms A McDougall	Bromborough

Location:	Car Park Woodhead Street, New Ferry, Wirral, CH62 5ER
Proposal:	Erection of 43 new Dwellings with associated new roads and amenity spaces (100% Affordable Housing).
Applicant:	Ms Katie Davies
Agent :	Mr Ben Green, John McCall Architects

Reason for referral to Planning Committee	Over 15 Letters of Objection
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Site Plan:



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1. Development Plan designation:	Town Centre Conservation Area
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2. Planning History:	Application DEM/23/01367
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	<p>Application for demolition of -104 - 124 New Chester Road are a number of properties that require demolition. The buildings have shop fronts to the ground floor and first floor flats above. The buildings are traditionally built with external brick walls, timber slat/concrete tile roofs, timber windows and concrete ground floors. All buildings have small yard areas to the rear with boundary walls (invalid application - waiting for bat survey)</p> <p>Application DPP3/20/00415 Outline Planning Application (with all matters reserved except access) for development of up to 15 houses and 30 apartments on Woodhead Street car park and land off New Chester Road, together with retention of 70 car park spaces for public use (approved).</p>
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3. Summary Of Representations and Consultations Received:

<p>3.1 Ward Member Comments</p>	<p>Councillor Murphy has commented on the application stating that whilst the loss of the car park is unfortunate the new homes are welcome as part of the regeneration of New Ferry.</p>
<p>3.2 Summary of Representations</p>	<p><u>REPRESENTATIONS</u></p> <p>Having regard to the Council Guidance on Publicity for Applications and the Statement of Community Involvement, 297. notification letters were sent to neighbouring properties on 11th December 2023. In response;</p> <p>18 representations objecting to the application were also received. Comments made within submitted representations are summarised below:</p> <ul style="list-style-type: none"> • loss of car park will impact neighbouring residential streets; • loss of car park will impact businesses within New Ferry; • alternative car parks are unsuitable; and • the proposal contradicts public consultation to protect car parking within Woodhead Street

	<p><u>CONSULTATIONS</u></p> <p>LLFA - No objection subject to conditions/informative</p> <p>Highways - No objection subject to conditions/informative</p>
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	<p>MEAS - No objection following confirmation of recreational pressure agreement</p> <p>Environmental Health - No objection</p> <p>Conservation - No Objections</p> <p>Housing Strategy - No objection</p> <p>Port Sunlight Village Trust - No comments</p> <p>Trees/Street Tree Officer - No Objections</p> <p>Wirral Rights of Way - No comments</p>
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4. Site and Surroundings	
4.1	The application site consists of predominantly the Woodhead Street Car Park and includes existing buildings running to the east along New Chester Road. These buildings are to be demolished to make way for residential development as part of the application proposal. The main visual setting of the New Chester Road element is traditional terraces with commercial at ground floor and residential above.
4.2	The site bounds the rear of properties to the south on Boundary Road non residential properties to the west on the pedestrian area of Bebington Road.
4.3	The application site is located within New Ferry Key Town Centre and is bounded by Port Sunlight Conservation Area to the south. Hesketh Hall is located adjacent to the existing vehicle access point onto Woodhead Street.

5. Proposed Development	
5.1	The proposal is for the redevelopment of the site to include 43 residential properties. There will be a mix of house types including a terrace style development along New Chester Road with an apartment block to the north section and more traditional housing types within the development re-purposing the Woodhead Street car park.
5.1.2	The proposal seeks 100% Affordable Housing. The works include boundary treatments, a green common that sits central to the site and retention of pedestrian walkways to access the retail area such as the link to Bebington Road.

5.1.3	The mix of house types is made up of 33 houses and 10 flats. There are 6 housing types that range from two bed to four bed houses and the flats are a mix of 2 bed (8 units) and 1 bed (2 units).
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6. Development Plan	
6.1	<p>Under the provisions of section 70(2) Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 and the provisions of the NPPF (paragraph 2) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.</p> <p>The statutory development plan at present consists of the Wirral Unitary Development Plan (UDP adopted February 2000 and saved by Direction of the Secretary State on 18 September 2007) and the Joint Waste Local Plan for Merseyside and Halton (adopted 18 July 2013).</p>
6.2	<p>The following Wirral Unitary Development Plan 2000 Policies are relevant to the determination of this planning application;</p> <p>HS4 Criteria for New Housing Development CH2 Development affecting Conservation Areas CH9 Port Sunlight Conservation Area SH1 Criteria for Development in Key Town Centres</p>
6.3	<p>The Joint Waste Local Plan for Merseyside and Halton (adopted 18th July 2013) is also applicable. Relevant policies are:</p> <p>WM8 WM9</p>

7. Other Material Planning Considerations	
7.1	<p><u>The National Planning Policy Framework</u></p> <p>Paragraph 70 of the NPPF states; Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:</p> <p>a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;</p> <p>b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;</p> <p>c) use tools such as area-wide design assessments, permission in</p>

- principle and Local Development Orders to help bring small and medium sized sites forward;
- d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
- e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes

Paragraph 90 of the NPPF states; Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
- e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

7.2

The Emerging Local Plan

Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.

On 21 March 2022 full council approved publication of the Draft Local Plan under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25th July 2022. The Local Plan was submitted to the Secretary of State on 26th

October 2022. The local plan and supporting evidence base can be viewed online at www.wirral.gov.uk/lpexam

On 4th March 2024 the Council received the post-hearing note prepared by the Planning Inspectors appointed to carry out the examination into the Wirral Local Plan. The note sets out the Inspectors' view on certain matters and what should now be done. It should be read as the Inspectors' initial thinking and is without prejudice to any findings they may ultimately come to. The Inspectors' view is that the Plan, as submitted, is unsound. Their view is also that the Plan may be capable of being made sound via main modifications. For the purposes of decision making, the post-hearing note does not change the status of the emerging Local Plan. The Plan is at an advanced stage and weight may be given to relevant policies in the emerging plan in accordance with the requirements of paragraph 48 of the National Planning Policy Framework, as set out in the officer report.

In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:

"Local planning authorities may give weight to relevant policies in emerging plans according to:

1. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
3. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

The following emerging plan policies are relevant to the determination of this planning application:

RA11 (RES-RA11.2) New Ferry Regeneration Area

Policy WD 6 Self Contained Flats

Policy WD 1 Landscaping including Trees

Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking

Policy WS 6 Placemaking for Wirral

Policy WS 11 including hierarchy of centres and impact assessments

7.3	<u>Wirral SPD 2 - DESIGNING FOR SELF CONTAINED FLAT DEVELOPMENT AND CONVERSIONS (2006)</u>
7.4	<u>Wirral SPD 4 - PARKING STANDARDS (2007)</u>
7.5	<u>Tree, Hedgerow and Woodland Strategy 2020-2030 (hereafter referred to as The Tree Strategy)</u>

8. Assessment	
8.1.1	<p>The main issues pertinent in the assessment of the proposal are:</p> <ul style="list-style-type: none"> · Principle of development; · Design; · Amenity; · Ecology & Heritage; and · Highways/Car Park

8.2 Principle of Development	
8.2.1	<p>The site has previously gained Outline planning permission for up to 45 flats and houses. The site is designated currently under the Wirral UDP as Town Centre. The site is designated under the emerging local plan as residential within the New Ferry Regeneration Area. The majority of the site is hardstanding for public car parking with the exception of the east boundary containing what was once retail units albeit much of these are now vacant.</p>
8.2.2	<p>In line with the emerging local plan Policy RA11 Residential development on the Woodhead Street Car Park (RES-RA11.2) shown on the Policies Map will be permitted subject to the delivery of:</p> <ol style="list-style-type: none"> i. The removal of obsolete hard surfaces and associated equipment to create a new high quality residential area with active frontages that will support and complement the regeneration of New Ferry Local Centre and preserve and enhance heritage assets at Port Sunlight Village and Hesketh Hall; and ii. A permeable layout which will give priority to cycle and pedestrian routes into the Local Centre.
8.2.3	<p>Taking account the previous 2020 permission and the emerging local plan, the principle of residential development has been established as acceptable.</p>

8.3 Design	
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8.3.1	<p>Apartments - There are 10 flats to be housed within the proposed apartment building, the design of the building is a mix of three storey to each end and two storey to the central section. This takes account of the variation of building heights within the wider New Ferry and the design style. The building has a dual main elevation appearance, with access to individual flats from the front and the rear, walkways around the building, designated amenity space separate to the central green common and parking to the rear via Woodhead Street.</p>
8.3.2	<p>The overall design does not appear out of place when taking into account the existing buildings on site. The proposed dwellings and the existing retail units opposite are of a similar scale.</p>
8.3.3	<p>New Chester Road - The New Ferry Road terrace proposal is a mix of two and two and a half storey style houses, similar to the apartment block. The two end units have gable ends. Within the terrace there are true two storey house types as well as part three storey types which are designed with a dormer style roof extension. This design feature is ad hoc across the elevation which allows for some visual break across the terrace. It is relevant that within the immediate street scene along New Chester Road there are some properties with front dormers.</p> <p>The design is a modern twist on the more traditional terraces within the area, however given the overall relationship between the proposed terrace, the apartments and the houses in Woodhead Street. This variation is not considered to harm the overall objectives of the development as a whole.</p> <p>These properties will have active frontages facing onto New Chester Road however the vehicle access and parking will be located to the rear. Due to this and to enhance the Woodhead Street side of the development, the terrace has a dual aspect, so that the rear stays active with hit and miss fencing and elongated gardens.</p>
8.3.4	<p>Woodhead Street - The Woodhead Street element of the development is considered more traditional in the context of a new housing scheme. There are a mix of housing types but each relates to the other so there is a continuity in design terms. These houses are arranged around the outer perimeter of the site and face onto the proposed green common that sits central to the development as a whole.</p> <p>The houses are typically two storey. Some include dormers to the roof to provide additional living space.</p>
8.3.5	<p>The boundary treatments along New Chester Road are predominantly low railings with shrubs behind allowing for a distinct separation from the public highway and the residential houses. The houses are also set back from the pavement so that they do not dominate the walkway. The current retail units are located up against the highway.</p>

	<p>To the southern corner of the New Chester Road element and the southern rear elevation of the new houses will be masonry walls. These properties are located against alley ways or vulnerable corners. This type of boundary is considered appropriate given the context. A condition for boundary treatment details for submission is therefore recommended..</p> <p>The majority of the remaining boundary treatments are hit and miss fencing and fencing panels between houses and gardens.</p>
8.3.6	<p>The overall design of the development plot is considered to reflect the scale, mass and character of the existing New Chester Road. The design introduces a less dense residential development behind that echoes the layout and character of Port Sunlight Village. This is exemplified by houses facing over common green areas and walkways through. Materials are shown on the plans, however given that the location is adjacent to the conservation area, conditions are recommended for materials to be submitted. There are also pedestrian walkways retained from the site to Boundary Road and into Bebington Road. This prevents the development feeling enclosed and allows easier movement from the site and neighbouring sites into the retail area of New Ferry. Overall the design is considered to reflect the principle of UDP HS4 and Policy RA11 of the emerging local plan</p>

8.4 Amenity	
8.4.1	<p>Apartments - It is noted that the flats and the houses on New Chester Road will replace existing buildings and there is an established pattern of development in terms of interface distances. Whilst the interface distances of 21m are not achieved to the east, it is not considered that the replacement buildings result in any greater harm than the current relationship. The apartments to the New Chester Road elevation have approximately 18m to the mixed use premises opposite and 14m from the side elevation of the proposed houses to the rear (angled) elevation of the apartment building.</p>
8.4.2	<p>New Chester Road - As above, the replacement houses do not fully achieve the interface distances and do have outlook to the east towards mixed use properties (commercial ground floor/residential above). The set back of the new terrace is considered to benefit the overall visual setting along the street scene and add a break between the pavement and the built form.</p> <p>The terraced houses have front and rear gardens, with access at the rear for car parking and through Woodhead Street into Bebington Road on foot. Given the limitations of the site, this dual aspect type of design is considered to fit well as a positive solution for both New Chester Road and Woodhead Street.</p>
8.4.3	<p>Woodhead Street - The houses within the site meet the interface distances to the neighbours located south (21m) and west (21m). The new properties also have a relationship in part to the rear elevation of</p>

	houses on Underley Terrace. The side elevation of one of the new builds is approximately 18m from the rear elevation of the existing dwelling.
8.4.4	There are some corner properties to the south on Woodhead Street and the south west of the Woodhead Street development that do not fully achieve the interface distances at 13m, window to blank elevation (14m being the distance recommended in SPD2). This is not the only outlook to the proposed houses and whilst it is unfortunate that this is not reflective of the layout as a whole, the shortfall is considered minimal at 1m and is between proposed houses so does not cause harm to existing residents. The remainder of the site is well set out, with appropriate gardens and outlook.
8.4.5	The properties are all set out in a traditional style, front to rear outlook, small gardens to the front and larger amenity space to the rear. There is parking available for the properties and it is noted that the corner dwellings along Woodhead Street entrance and the walk way through to Bebington Road also have windows to the side elevations allowing for an active feel to the development.
8.4.6	Each residential unit meets the national described space standards. Each property including the flats has private amenity space as well as the central shared common area. The access to the dwellings from within the site and externally is considered appropriate, with parking available as well as visitor parking spaces located around Woodhead Street itself.
8.4.7	The overall layout, scale and impact of the development maintains access points through the site into Bebington Road, softens boundary relationships to New Chester Road and is not considered to result in undue harm to the amenity of future occupiers or existing residents.

8.5 Ecology	
8.5.1	The main area is currently hard standing and there are existing buildings along New Chester Road that are subject to a demolition application DEM/23/01367, which is awaiting the relevant bat surveys. There are 7 trees near to the vehicle entrance point of Woodhead Street off New Chester Road which would be removed to make way for the development. The landscape layout shows 13 new trees to be planted. Due to the condition of the buildings on New Chester Road there are some landscaping features that may currently provide habitats for birds and other wildlife.
8.5.2	The proposal seeks to increase the amount of soft landscaping through the green common in the central section of the site that includes tree plantings, as well as the introduction of gardens to the front and the rear of the houses and apartment block. Therefore the overall impact is considered to improve on site provision of soft landscaped areas. MEAS (ecologists) have been consulted and no

	objection has been received due to the off set by overall uplift in landscaping and biodiversity contribution.
8.6 Heritage	.
8.6.1	The majority of the development site falls within New Ferry Key Town Centre, however to the south and south-west the rear gardens of houses within Port Sunlight bound the application site. The development also has relationships between its positioning to Hesketh Hall. The redevelopment of the site, more specifically the Woodhead Street element is considered to take design cues from the general layout and house mix that is common within Port Sunlight Village. Whilst the views from and to Port Sunlight will be minimal due to the existing buildings, there is a relationship that is not considered to harm the objectives of preserving the special character of the Conservation Area. The proposed layout and soft landscaped areas of the development would also contribute more positively than the existing car park

8.7 Highways	
8.7.1	The proposed provision and layout of the site, the access in and through is considered acceptable in accordance with the NPPF and SPD4.
8.7.2	The main objection from the public to the proposed development is the impact of the loss of public parking to the established businesses of New Ferry. Concerns have been raised with the reduction of available parking and how that will not only impact businesses but push visitors to park in neighbouring residential roads.
8.7.3	The application site has been identified as part of the emerging local plan as a suitable housing site, there has been a previous approval for residential, albeit this retained 70 of the 213 parking spaces within the site. It is however noted that there is public parking at two sites off Grove Street and availability on Olinda Street. New Ferry is also served well in terms of bus links and walking proximity for neighbouring residential properties.
8.7.4	The site is considered in a sustainable location due to the proximity to bus links and New Ferry retail centre itself. Whilst the loss of the car park is considered unfortunate, the existing site is large and there are existing provisions within the surrounding locality for visitors to New Ferry. It is also considered that the introduction of new residents with easy links to the retail centre could help with the continued use and regeneration of New Ferry and would be less likely to travel out.

8.8 Section 106 agreement	
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8.8.1	<p>When considering the potential content of a s106 Agreement regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations in a s106 Agreement can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.</p> <p>The applicant proposes Contributions/Provisions for the following are to ensure the proposal is policy compliant:</p> <ul style="list-style-type: none"> • Recreational Pressure - Commuted sum contribution for each new home. A commuted sum contribution will be required for each new home (net new home) of: £280.26 per new home in the core zone (100% of the administrative area of Wirral is within the core zone. This was determined as only a small parcel of land in mid Wirral is >5km from the coast and this does not coincide with any proposed allocations in the emerging Wirral Local Plan 2021-2037 and is rural); and • Affordable Housing 100% provision
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9. Summary of Decision (planning Balance)	
9.1	<p>Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. Having regards to the individual merits of this application this recommendation has been made having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000), Joint Waste Local Plan for Merseyside and Halton and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following: -</p>
9.2	<p>The application site is allocated for residential development in line with the emerging local plan Policy RA11, taking account of this and the previous residential approvals on site, the scheme for residential is considered acceptable. As a residential development, the proposed development is considered an appropriate reuse and redevelopment, resulting in a visually positive contribution to New Ferry and its wider setting, the proposed development is considered acceptable in terms of scale, density, design, access and overall impact in accordance with Wirrals UDP Policies HS4, CH9, the NPPF and Policy RA11 of the emerging Local Plan.</p>

10. Recommended Decision:

Planning Committee is recommended to authorise the Director of Regeneration and Place to:

(1) approve the application subject to the following conditions and subject to the completion of a s106 agreement pursuant to section 106 of the Town and County Planning Act 1990 to be prepared, in accordance with section 8.8 of this report.

(2) refuse the application in the event that a satisfactory section 106 agreement is not completed within 6 months of the date on which Planning Committee resolve to approve the application 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 Planning Committee.

Recommended Conditions and Reasons:

1 The development hereby permitted shall begin not later than [3] years from the date of this decision.

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

2 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8 December 2024 and listed as follows:

Overall Development Plans

Drainage Strategy Report

1829-JMA-ZZ-00-DR-A-0110 Rev 04 (site plan)

1829-JMA-ZZ-00-DR-A-0450 Rev 04 (whole site elevations)

1829-JMA-ZZ-00-DR-A-0117 Rev 03 (common green space)

1829-JMA-ZZ-00-DR-A-0118 Rev 03 (boundary treatments)

Apartments

1829-JMA-ZZ-00-DR-A-0257 Rev 03

1829-JMA-ZZ-00-DR-A-0258 Rev 03

1 829-JMA-ZZ-00-DR-A-0256 Rev 03

1829-JMA-ZZ-00-DR-A-0451 Rev 03

Housing

1829-JMA-00-ZZ-DR-A-0250 Rev 03

1829-JMA-00-ZZ-DR-A-0251 Rev 03

1829-JMA-00-ZZ-DR-A-0252 Rev 03

1829-JMA-00-ZZ-DR-A-0255 Rev 03

1829-JMA-00-ZZ-DR-A-0254 Rev 03

1829-JMA-00-ZZ-DR-A-0253 Rev 03

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

3 No above ground development involving the use of any facing materials shall take place until samples 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 Wirral Unitary Development Plan Policy HS4

4 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 (where practical) but not be limited to, species of local provenance and native and non-native flowering perennial species and features such as bird boxes, log piles, bug boxes, solitary bee houses and hedgehog homes to encourage net gains in biodiversity and 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment

5 No tree felling, scrub clearance or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub 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.

Reason; Having regard to protected species in accordance with Wirrals UDP Policy NC7

6 Prior to first occupation, notwithstanding the information included in plan 1829-JMA-ZZ-00-DR-A-0118, details of the heights and materials to be used in the construction of the boundary treatments shall be submitted to and agreed in writing with the Local Planning Authority. The boundary treatments as agreed shall then be implemented and maintained as such.

Reason; Having regard to the character and appearance of the site and its surroundings in accordance with Wirral's UDP Policy HS4.

7 Detailed drawings shall be submitted to and approved by the Local Planning Authority following site clearance to indicate 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 and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no fencing, gates or other types of enclosures to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

10 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 Drainage Strategy as detailed in the following submissions:

- Drainage Strategy Report, New Ferry, Wirral – Site A / ref: 221-166 / dated 31 July 2023 / by AJP

For the avoidance of doubt, the surface water discharge rate from the development shall be no more than 5l/s.

The approved scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved 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.

Reason; To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 175 of the National Planning Policy Framework.

11 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 and that maintenance arrangements are in place to ensure an acceptable standard of operation for the lifetime of the development in accordance with Paragraph 175 of the National Planning Policy Framework.

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

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 and WM9 of the Waste Local Plan.

13 No development shall take place until a full scheme of works and timetable for the construction of the new adoptable highways and/or amendment of the existing adopted highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, TRO's, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval and in accordance with the approved development phasing plan.

Reason: In the interest of highway safety and to comply with UDP Policy HS4 – Criteria for new housing development.

INFORMATIVE

Highways - In order to fulfil the highway condition, it may be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and/or the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary new carriageways, footways, street lighting, surface water drainage, traffic signs, TRO's, road markings, traffic calming, tactile pedestrian paved crossings, street furniture, Road Safety Audit and Road Safety Audit monitoring.

Consent is required for the formal closure of an existing highway. All costs will be recharged to the applicant, who should contact the Council's Highway Management team via www.wirral.gov.uk for further information." Private right of access to the rear of the properties will need to remain.

Drainage - The recommendation of the LLFA to accept a sustainable surface water drainage proposal, is always predicated on the fact that maintenance of the surface water drainage system is secured in perpetuity to manage flood risk for the lifetime of the development. The LPA should be satisfied that maintenance of the system is secured in perpetuity. If there are any material changes to the submitted information which impact on surface water drainage or the management of flood risk, the local planning authority is advised to consider re-consulting the LLFA.

United Utilities - Existing public sewers pass through this site which modelling data identifies as being at risk of sewer flooding. We request that the applicant liaises with United Utilities by email at Seweradoptions@uuplc.co.uk to understand

the nature of this flood risk and the impact upon the proposed site layout. We have identified that the finished floor levels of several proposed properties are close to main sewer which is susceptible to surcharging. The risk of sewer flooding needs to be assessed further as this could affect the developable area of the site and the detail of the design. The sequential approach should be applied in accordance with national planning policy. New development should be located so that it is safe and will not increase flood risk elsewhere. To discuss their drainage proposals the applicant should contact our Developer Services team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>.

The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Based on the information currently available, it is unclear whether sufficient distance is provided between proposed development features and our water asset(s). We recommend the applicant contacts our Water Developer Services team to ensure existing water assets, along with our required access widths, can be accommodated in the proposed layout. If the applicant fails to investigate and resolve any concerns prior to a positive determination, there is a risk that as the scheme progresses, the applicant, or any subsequent developer, may discover that their plans are not implementable in their existing form or that diversion of assets is required.

If the Local Authority requires any additional comment on the acceptability of the proposed layout from United Utilities, we will require a detailed site layout plan, which overlays the PROVEN location of the water asset(s) in relation to any proposed development (including walls, fencing, parking etc.). A public sewer crosses the site and we will not permit building over it. We require an access strip for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

MEAS - Preliminary bat roost assessment identified the building on site as having bat roost potential. An emergence and re-entry bat survey is required. Bats are protected species and UDP policy NC7 applies. Protected Species are a material

consideration. The survey and report are essential to determine if bats are present. If present the Local Planning Authority is required to assess the proposals against the three tests (Habitats Regulations) and determine whether an EPS licence is likely to be granted. Surveys must follow Standing Advice and best practice guidance[1]. Any deviation from these guidelines must be fully justified. The applicant should note that timing for this survey is May to August / September inclusive. [1] Collins J (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edition, Bat Conservation Trust, London, ISBN- 978-1-7395126-6-0

Last Comments By:	03-01-2024
Expiry Date:	05-March-2024

