

Public Document Pack



MEETING: PLANNING (URGENT REFERRALS) COMMITTEE
DATE: Wednesday 14th June, 2017
TIME: 4.00 pm
VENUE: Town Hall Bootle

Member

Councillor

Councillor Veidman (Chair)
Councillor Michael O'Brien
Councillor Hands

COMMITTEE OFFICER: Ian Aylward-Barton / Olaf Hansen
Telephone: 0151 934 2788 / 2067
Fax: 0151 934 2034
E-mail: ian.barton@sefton.gov.uk

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

AGENDA

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>
1.	Apologies for Absence	
2.	Declarations of Interest Members are requested to give notice of any disclosable pecuniary interest, which is not already included in their Register of Members' Interests and the nature of that interest, relating to any item on the agenda in accordance with the Members Code of Conduct, before leaving the meeting room during the discussion on that particular item.	
3.	Minutes Minutes of the meeting held on 25 May 2016	(Pages 3 - 4)
4.	Application No. DC/2016/02383 - Land Adjacent Southport And Formby District Hospital East Of Town Lane Town Lane Kew, Southport Report of the Head of Planning Services	Kew (Pages 5 - 20)

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

PLANNING (URGENT REFERRALS) COMMITTEE

**MEETING HELD AT THE TOWN HALL BOOTLE
ON 25 MAY 2016**

PRESENT: Councillor Veidman (in the Chair)
Councillors Michael O'Brien and Hands

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

3. MINUTES

RESOLVED:

That the Minutes of the meeting held on 25 May, 2012 be confirmed as a correct record.

4. APPLICATION NO. DC/2016/00853 - LAND ADJACENT TO, SOUTHPORT AND FORMBY DISTRICT HOSPITAL, TOWN LANE KEW, SOUTHPORT, PR8 6PN

The Committee considered the report of the Chief Planning Officer that recommended that a request to vary the requirement relating to the provision of affordable housing secured by a s106 planning obligation attached to planning permission S/2012/0008, be approved for the reasons stated or referred to within the report and Late Representations.

The Late Representations document stated that the provision of the whole of the 15% affordable housing will be by Affordable Rent.

RESOLVED:

That the recommendation be approved and the section 106 be varied, for the reasons stated or referred to in the report and the below additional condition:

Agenda Item 3

PLANNING (URGENT REFERRALS) COMMITTEE- WEDNESDAY 25TH
MAY, 2016

“The affordable rent level cannot exceed the local housing allowance level for the local area.”

Report to: URGENT REFERRALS
PLANNING SUB-COMMITTEE

Date of Meeting: 14th June 2017

Subject: [DC/2016/02383](#)

[Land Adjacent Southport And Formby District Hospital East Of
Town Lane Town Lane Kew, Southport](#)

Proposal: Erection of four residential apartment blocks with access from Town Lane, Kew

Applicant: Mulbury Homes Limited

Agent: Miss Emily Robinson
PWA Planning

Ward: Kew Ward

Summary

The proposed development would see an alternative proposal to a previously approved residential scheme which has already commenced on site and is capable of being delivered. The alternative proposal would see the replacement of a mix of proposed houses and apartments with three apartment blocks, increasing the overall number of residential units from 110 to 153 (overall increase of 43).

Many of the key issues were previously assessed under the original planning application and whilst there has been a change in the development plan through the adoption of the Sefton Local Plan, the alternative proposals do not give rise to any new concerns that were not originally considered and addressed. In particular, the proposed alternative would be acceptable in principle and would assist with the regeneration of this difficult site. It would provide a viable portion of affordable housing and would not give rise to concerns associated with residential living conditions, highway safety or visual amenity.

Overall it is considered that the application should be approved, subject to the recommended conditions and signing of an amended Section106 Agreement.

Recommendation:

Case Officer Mr Kevin Baker

Email planning.department@sefton.gov.uk

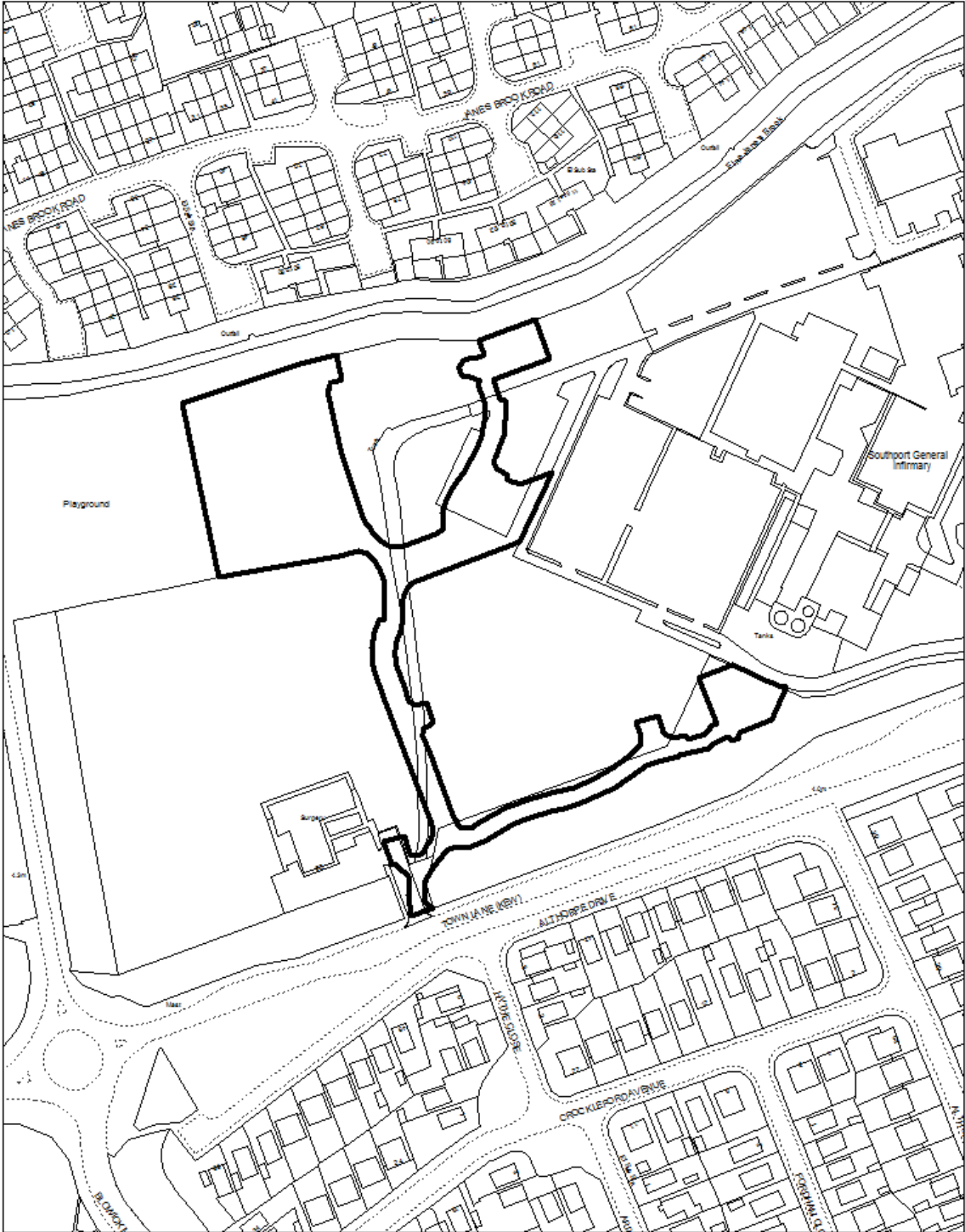
Telephone 0345 140 0845 (option 4)

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OHXGNSNWN0300>

Agenda Item 4

Site Location Plan



The Site

A vacant site to the west of the District General Hospital, on Town Lane, Southport.

The site is bounded to the north by Fine Janes Brook with housing beyond; to the west by Newlands open space beyond Town Lane/Southbank Road and to the south, housing beyond Town Lane.

History

Planning permission was granted on the site in March 2013 for the erection of 110 residential units comprising 99 two/two-and-a-half storey houses for sale, a block of 8 special care apartments, 2 wheelchair access bungalows and 1 five bedroom supported living house. The development also included the layout of roadways, external works, landscaping, improvements to access and landscape of adjacent urban greenspace and the provision of additional hospital staff car parking (app.ref: S/2012/0008). Permission was granted subject to a number of conditions and a Section106 Agreement for the provision of 15% affordable dwellings by bedspaces of which 12 were to be social rented units and 11 supported housing units.

This permission was subsequently varied in May 2013 to allow felling and shrub removal and to remove a substation which was no longer required (app.ref: S/2013/0401).

The amended scheme was partly implemented (in relation to the additional hospital staff car parking), following the discharge of a number of pre-commencement conditions attached to the previous permissions (app.ref. DOCS/2013/0022).

In May 2016, under the S106BA process, approval was given by members to vary the Section106 Agreement so as to provide 15% affordable dwellings based on affordable rent, rather than social rent and supported housing units (app.ref: DC/2016/00853).

The site has been stagnant for a number of years and certainly since the Unitary Development Plan (where this site is a mixed use site including housing) was adopted in 2006 . With the exception of the extension to the hospital staff car parking, no physical works have commenced on site. The delay in the development of the site has been due to a number of reasons, but mainly to the significant abnormal costs associated with the challenging ground conditions, which were significantly greater than originally anticipated, and the fragile nature of the housing economy.

The current proposal seeks to amend that originally approved scheme which remains extant and can still be delivered. The proposal subject to this new application would result in a net increase of 43 dwellings through the introduction of 4no. apartment blocks which can be broken down as follows:

- A 56 no. 2 bedroom apartment block within the north-west corner of the site (replacing 18no. dwellings as originally approved).

Agenda Item 4

- Three apartment blocks located along the sites eastern boundary, providing 16no. 2 bedroom apartments in similar location as the specialist housing units approved under the original consent).

Whilst this alternative scheme has been submitted separately from the wider development, it should not be viewed in isolation but as an amendment to the originally approved development.

Consultations

Highways Development Design

No objections subject to conditions.

Community Fire Officer

Consider that if the premises if constructed will not present an unacceptable hazard to neighbouring premises. Also make observations regarding access for fire appliances and water supplies for fire fighting purposes.

United Utilities - External Planning Liaison

No objection subject to foul and surface water being drained on a separate system and surface water drainage scheme be implemented based on the hierarchy of drainage options and subject to appropriate management.

Merseyside Environmental Advisory Service

Recognise that the ecological survey has limitations, but consider sufficient information has been provided to determine the ecological impacts of the proposals. Recognise that water voles are present upon Fine Jane's Brook and advise that a 5m buffer is put in place from the bank top of the brook. Also advise that a water vole survey would be required if new outfalls for surface water drainage into Fine Jane's Brook is proposed. Matters can be dealt with via planning condition.

In addition, conditions associated with Japanese Knotweed and waste are recommended.

Flooding And Drainage

No objections.

Natural England

No objection.

Neighbour Representations

1 objection has been received from a resident in Jane's Brook Road. The reasons for objecting are:

- Living adjacent to the overlooked land of the proposed development site is like having a small wildlife haven at the back of us.
- Concerned about privacy intruded by new buildings
- Dangerous gases being omitted on disruption of the land

A further 2 comments have been received from residents in Town Lane asking for consultations on the application to be extended and suggesting the address on the application is incorrect.

Lancashire Wildlife Trust have commented on the application and advice that consideration should be given to potential presence of red squirrel and when considering any landscaping proposal.

Policy Context

The application site is situated in an area designated as primarily residential on the Council's Adopted Local Plan.

The Sefton Local Plan was adopted by the Council on 20th April 2017. The policies of the Local Plan carry full weight and replace the policies in the Unitary Development Plan.

Assessment of the Proposal

Principle of development

The site has been earmarked for redevelopment for a number of years. Under the former Sefton Unitary Development Plan, the site was allocated as a mixed use site. Planning permission was granted for a residential development in 2012 and this has been partly implemented. Although the site has been stalled for a number of years, it has remained a housing development site.

This was recognised in the drafting of the recently adopted Local Plan, which designates the site as a primarily residential area. Under policy HC3 of the Local Plan, housing development is supported in principle.

In addition to this, it is recognised that the site would deliver much needed housing to the area with the site being identified under the Strategic Housing Land Availability Assessment (SHLAA) as contributing towards Sefton's housing supply. The proposed increase in residential units would contribute further in this regard.

Agenda Item 4

Affordable housing

The original planning consent was subject to a Section 106 Agreement that provided for 23 affordable dwellings (15%) of which 12 were to be social rented units and 11 supported housing units.

Whilst the affordable housing policy requirement at the time (under the former Unitary Development Plan) required 30% affordable housing by bedspaces to be provided, a viability assessment submitted by the applicants argued for 15% affordable housing based on poor ground conditions/ heavy contamination. This was appraised by the Council's then retained economic viability consultants, Three Dragons. They concluded that 15% affordable housing by bedspaces was deliverable and the correct policy requirement to apply to this site. Furthermore, to specifically meet Social Services requirement for special needs housing on the site, it was agreed that a proportion of the affordable housing provision should be provided as special needs bedspaces.

In May 2016, an application was submitted to vary to the requirement of the Section 106 Agreement relating to the provision of affordable housing. This application was submitted under Section 106BA of the Act, which is a process no longer available. This application initially proposed to remove all affordable housing provision in order to make the scheme more viable. However, following discussions with the Council's retained viability consultants, Keppie Massie, it was agreed that the requirement for social rent would be replaced with affordable rent. In essence, this amendment enabled the site to be brought forward for development with the number of affordable units remaining unaltered, albeit all the units being for affordable rent. The amendment was based entirely on viability grounds, and demonstrated at the time that a very small profit would have been achieved, whilst still providing 15% affordable housing. Given the circumstances at the time, it was considered that the alteration to affordable rent was a reasonable solution to try to encourage development of the site, albeit still with risk, and accordingly the application to amend the s.106 was granted.

Despite the increase in housing numbers in the current proposal, the developer is offering 12.36% affordable housing provision by bedspaces, which equates to 24 affordable dwellings. This would provide a split of 80% affordable rent and 20% intermediate housing, containing a mix of apartments and dwellings. The applicant has provided a full assessment to justify the viability of the proposed development in light of market conditions.

Keppie Massie Appraisal

Keppie Massie, as the Council's retained viability consultants, have again been instructed to assess whether the scheme would be viable under current market conditions and the amount of affordable housing and s106 contributions that might be delivered. In assessing this they have appraised the submitted viability assessment and have calculated what level of affordable housing contributions could be delivered, based on the increased housing numbers to be delivered by this latest application.

Agenda Item 4

In assessing the viability assessment submitted by the applicants, Keppie Massie have concluded as follows:

- that the scheme can deliver 12.36% affordable housing by bed spaces. (NB This calculation is also inclusive of the cycle path contribution of £160,000.)
- that, based on viability, the scheme can deliver 24 affordable housing units, split by 20 units as Affordable Rented and 4 units as Shared Ownership. In terms of bedspaces this would deliver 64 bedspaces as Affordable Rent (80%) and 16 bedspaces as Shared Ownership(20%).
- in appraising the development Keppie Massie have concluded that there is a significant level of abnormal development costs associated with the site development that equates to a cost of over £370,000 per acre. Based on this, Keppie Massie conclude that abnormal costs equate to nearly 20% of the total construction costs reflecting the significant difficulties in dealing with development on this site.
- that the abnormal cost issues arise principally due to dealing with the requirements of the remediation of this former landfill site and also the cost of piling resulting from the underlying poor natural ground condition; in addition there is also a requirement for gas protection measures due to these factors.
- taking all of the above factors into consideration, Keppie Massie are satisfied that that the residual land value that is generated by the appraisal, inclusive of 12.36% affordable provision and the £160,000 cycle path contribution, are appropriate and will deliver an acceptable return to the landowner.

To conclude, the viability of the scheme and ability to provide affordable housing provision has always been restricted, due mainly to the significant abnormal development costs associated with land remediation and the need for piled foundations for any development. Whilst the current scheme is now being assessed under the Local Plan Policy HC1 (rather than the former Unitary Development Plan), it has not significantly changed matters in relation to affordable housing provision and there is still a need to robustly justify the economic viability of the scheme when the full 30% affordable housing provision cannot be met. Based on the advice provided by Keppie Massie in relation to this application, it is considered that the provision of 12.36% affordable housing by bedspaces and split by 80% Affordable Rents and 20% Shared Ownership fully complies with this policy HC3 of the Local Plan.

The development as a whole would provide an appropriate mix of housing, consistent with policy HC2 of the Local Plan, with affordable housing units anticipated to be located across the site as a whole in line with policy HC1.

Agenda Item 4

Design and Layout

The original scheme was designed around a series of character areas which link together to respond to the characteristics of the site as a whole. A central spinal road leading to a central square with cul-de-sacs leading off was designed to respond to what is in essence an isolated site from other residential developments. The original development incorporates pedestrian and cycle links to a new and existing green space and cycle routes along Fine Janes Brook.

The design of the buildings originally approved is largely traditional, with the use of traditional materials, roof pitches, etc. Buildings of greater scale are located centrally to the development, whilst active frontages face towards key streets and areas of public realm.

The current proposal would not particularly impact on the overall design concept of the original scheme. The three smaller apartment blocks would substitute buildings of a slightly lesser scale and massing, but would not alter the overall layout of the scheme as originally approved. They would be of a traditional design and would sit comfortably within the originally approved scheme.

The most obvious change would be the four storey apartment block located to the north western portion of the site. This would be of a much greater scale and massing than any of the buildings proposed across the site. However, as recognised above, the scheme was originally designed around various character areas and this would be no different. The building would be located well within the site and would provide a strong frontage to an existing playground and new internal street (as originally approved). A large car park would separate the apartment block from new residential properties in the opposite side of the street, reducing its dominating appearance when viewed from these properties. Due to the orientation of the building, the scale and massing of the building would not be immediately obvious when viewed from the main spinal road through the site and in fact would appear more open than the original scheme, which introduced a block of 18 residential properties.

From a wider perspective, the apartment block would be most noticeable when viewed from the west off Town Lane. However, even in this context, the building would be located some 90m from the street, reducing its overall visual impact. As recognised in the original committee report, the site does not have a particular street scene to adhere to. Evidence of larger buildings are found in the local area both in terms of scale and massing, and as such it is not considered that the proposed apartment block would appear out of place.

Having regard to the site's characteristics and the design concept of the originally approved scheme, it is considered the proposed development would be acceptable and would comply with policy EQ2 of the Local Plan.

Residential Amenity

The impact of the development as a whole was considered in the determination of the original application. This concluded that the development was acceptable in terms of privacy between existing and future residents and provision of garden/amenity areas, despite there being shortfalls in the distances between proposed houses/ apartments and reduced areas of private amenity space.

This proposed alternative does not change this view. The proposed apartment blocks, including the four storey block, would provide sufficient privacy to both existing and proposed residents in view of the distances between existing and proposed properties and also between the different elements of the proposed development. In terms of amenity space, the three smaller apartment blocks would be consistent with standards. The larger of the blocks would fall short in terms of amenity space, providing approximately 560 sq.m of useable space (as supposed to a requirement of 1,120 sq.m). However, the larger apartment block would be sited adjacent to an existing and proposed open space (which far exceeds requirements). As such the shortfall is considered acceptable.

It is considered that the proposed development would comply with policy HC3 of the Local Plan.

Highway Issues

The access to the site and the general highway layout previously approved would be unaltered as a result of the proposed development. The only noticeable change would be that related to the four storey apartment block which would see alterations to the internal access road to accommodate the parking forecourt. Nevertheless, it is considered that there would be no detrimental impact on the existing or proposed highway as a result of the development, whilst parking provision would be acceptable.

It is accepted the increased residential units would result in increased vehicle numbers. It is also acknowledged that further housing has been constructed in the area. However, the original permission can still be constructed on site, whilst it is not considered that an additional 43 units would cause significant increased traffic to the area.

The proposal would accord with policies EQ3 and IN2 of the Local Plan.

Other Matters

Public Open Space

The original scheme proposed a publicly accessible green space to the west of the site of 1.92ha; in essence this was to address significant land contamination constraints on the site. The proposed development does not affect this and, as such, a significant area of public space would remain accessible for all future residents. The increase in residential units would introduce a development in excess of 150 residential units, and therefore

Agenda Item 4

policy EQ9 of the Local Plan would be triggered in relation to the provision of on-site open space. The open space provided would far exceed the requirement set out in policy EQ9.

Similarly, the proposed development would not affect the original proposals associated with the landscape belt located to the south of the site, whilst any tree replacement would still be addressed through new tree planting on the western green space and within the development itself. This would be consistent with policy EQ9 of the Local Plan.

Ecology

An updated ecological survey report and an Extended Phase 1 report has been submitted with the application. This has raised no further concerns that were not already assessed on the original scheme, including comments relating to planning conditions.

Flooding and Drainage

The original scheme identified that the site was not in an area at risk of tidal or fluvial flooding. A number of details have still not been submitted and conditions covering such matters can still be dealt with by way of condition.

Contamination

As previously identified in the original committee report, the site suffers from significant levels of contamination related to the historic use of the site as a landfill site. As per the previous application, matters associated with land contamination, including levels, can be addressed by condition.

Summary

The proposed development would assist in the redevelopment of a long stalled residential site located in Southport. It would offer an alternative to a previously approved residential scheme which has already been commenced on site. The alternative proposal would see the replacement of a mix of proposed houses and apartments with three apartment blocks, increasing the overall number of residential units on the site by 43.

The proposed alternative would be acceptable in principle and would make a significant contribution towards the Council's market housing supply as well as a welcome contribution to much needed affordable housing in Southport. It would provide a viable portion of affordable housing based on the Council's viability consultants' appraisal. Many of the key issues were previously assessed under the original planning application and whilst there has been a change in the development plan through the adoption of the Sefton Local Plan, the alternative proposals do not give rise to any new concerns that were not originally considered and addressed.

A number of conditions attached to the previous permission remain relevant to this application. Furthermore, there is a need to update the Section 106 Agreement to ensure it is linked between both schemes. This relates to the need to provide a financial contribution towards the provision of a cycle-route to the north of the site (at a cost of £160,000), alongside Fine Jane's Brook, and for the provision of affordable housing.

Overall it is considered that the application should be approved, subject to the recommended conditions and signing of an amended Section 106 Agreement.

Recommendation - Approve with Conditions and subject to signing of a Section106 Agreement.

Conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

- 2) The development hereby granted shall be carried out strictly in accordance with the following details and plans:-

Reason: To ensure a satisfactory development.

- 3) Before any construction commences:-

- a) Samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority.

- b) The materials approved under (a) above shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with policy DQ1/MD1 of the Sefton Unitary Development Plan.

- 4) Full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan. Subsequent to this agreement a validation report confirming that the remediation treatment has been carried out and that the site is free of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

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

Agenda Item 4

- 5) Prior to commencement of development a preliminary investigation must be prepared in accordance with best practice and current guidance. The report must include:

- Desk study
- Site reconnaissance
- Data assessment and reporting
- Formulation of initial conceptual model
- Preliminary risk assessment

If the Preliminary Risk Assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a competent person (as defined in the DCLG National Planning Policy Framework, March 2012). The contents of the scheme and scope of works are subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies CS3 & EP3 of the Sefton Unitary Development Plan.

- 6) Prior to commencement of development the approved scope of works for the investigation and assessment must be undertaken by competent persons and a written report of the findings must be produced. The report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies CS3 & EP3 of the Sefton Unitary Development Plan.

- 7) Prior to commencement of development a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks and the relevant pollutant linkages identified in the approved investigation and risk assessment, must be prepared and is subject to the approval in writing of the Local Planning Authority.

a) The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 on completion of the development and commencement of its use.

b) In the event that the proposed remediation scheme involves the provision of a ground cover system a plan indicating the existing and proposed external ground levels on the application site shall be submitted for approval to the Local Planning Authority.

c) The development shall proceed in accordance with the external ground levels approved under (b) unless the Local Planning Authority gives its prior written approval to any variation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies CS3 & EP3 of the Sefton Unitary Development Plan.

8) a) The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation.

b) Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates compliance with the agreed remediation objectives and criteria must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies CS3 & EP3 of the Sefton Unitary Development Plan.

9) a) In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Agenda Item 4

b) Following completion of the remedial works identified in the approved remediation strategy, verification of the works must be included in the verification report required by condition 8.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies CS3 & EP3 of the Sefton Unitary Development Plan.

10) a) The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority.

b) Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity.

11) a) The Development shall not be occupied until a Travel Plan has been submitted to and approved by the Local Planning Authority.

b) The provisions of the Travel Plan approved under (a) above shall be implemented and operated in accordance with the timetable contained therein.

Reason: In the interests of highway safety.

12) A scheme of works for the proposed vehicular and pedestrian/cycle accesses shall be submitted to and approved by the local planning authority. No part of the development shall be brought into use until the approved scheme has been implemented.

Reason: In the interest of highway safety.

13) Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of:

1. The provision of flush kerbs and tactile paving at Town Lane, Kew / existing crossing point (approximately 50 metres west of the site access).

2. The provision of access kerbs, raised footway areas and enhanced 'Bus Stop' carriageway markings at the following existing bus stop locations:

- (a) Town Lane, Kew opposite Ovington Drive (Bus Stop Ref 61061 A)
- (b) Town Lane, Kew at Ovington Drive (Bus Stop Ref 61061B)
- (c) Town Lane, Kew opposite Hythe Close (Bus Stop ref 61062 C)
- (d) Town Lane, Kew at Hythe Close (Bus Stop ref 61062D), together with a programme for the completion of the works has been submitted to and approved in writing by the Local Planning Authority.

No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details.

Reason: In the interests of highway safety.

- 14) No part of the development shall be occupied until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

- 15) Details of space and facilities for cycle parking shall be submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until space and facilities for cycle parking have been provided in accordance with the approved details and these facilities shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

- 16) Prior to the commencement of the development, full details of an acoustic fence to be erected along the eastern boundary of the site shall be submitted to and agreed by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any of the dwellings along the eastern boundary of the site.

Reason: To safeguard the amenity of future residents of the development.

- 17) Before the construction of a storm water outfall into Fine Jane's Brook is commenced a survey for water voles shall be undertaken and results, together with a scheme of protection measures and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in accordance with the approved details.

Reason: To safeguard the conservation of species/habitats.

- 18) a) Prior to the commencement of development, full details of the proposed measures to ensure that mud and other loose materials are not carried on the wheels and

Agenda Item 4

chassis of any vehicles leaving the site and measures to minimise dust nuisance shall be submitted to an agreed in writing with the Local Planning Authority.

b) The details approved under (a) above shall be implemented throughout the period of construction unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 19) Prior to the commencement of development, a detailed scheme of traffic calming measures designed to maintain vehicle speeds at 20mph or less on the existing access stub road and the proposed access roads within the development site shall be submitted to and agreed in writing with the Local Planning Authority. No part of the development shall be occupied until the traffic calming measures have been implemented in full.

Reason: In the interests of highways safety.

- 20) Prior to the commencement of Phase I of the approved development, a detailed scheme of street lighting on the existing stub access road and the proposed access roads within the development site shall be submitted to and approved in writing by the Local Planning Authority. The approved street lighting scheme shall be carried out in full prior to the occupation of any part of the development.

Reason: In the interests of highway safety.

- 21) The development hereby permitted shall not be commenced until a surface water regulatory scheme has been submitted to and approved by the Local Planning Authority. The scheme shall include detailed drainage plans, long sections, pipe sizes, SUDs details, calculations/simulations results to cater for a predicted increase in run-off as a result in climate change, phasing arrangements and a management plan. The approved scheme shall be implemented in full and subsequently maintained, in accordance with the approved details and timetable.

Reason: To ensure that the site is adequately drained and to prevent pollution of controlled water.

- 22) Prior to commencement, detailed plans including a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property shall be submitted to and approved by the Local Planning Authority. The ground levels across the site and finished slab levels shall be as per the approved plans.

Reason: In the interests of privacy and amenity of neighbouring occupiers.