

Alan Evans
Director of Regeneration & Place
PO Box 290
Brighton Street
Wallasey
CH27 9FQ

Application **APP/20/01528**
Decision Made **18/12/2020**

Notice of Grant of Planning Permission

Town and Country Planning Act 1990

To: Mr Usherwood
Garry Usherwood Associates Limited
The Old Barn
59 Northcote Road
Wallasey
CH45 8LQ

For: Mr Mckinney
Hilbre Estates
Hilbre Business Park
Hoylake
CH47 4AZ

Subject **Two new detached properties to rear (amendment to planning permission APP/19/01922 - alternative design for Plot 1 and alternative entrance onto Croft Drive East)**

Location **Drayton, 46 CROFT DRIVE EAST, CALDY, CH48 1LS**

Council Decision Summary

The decision to grant Planning Permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Development Plan set out below. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to any problems arising in relation to dealing with this application and have implemented the requirement in National Planning Policy Framework paragraph 187. In reaching this decision, the Local Planning Authority has had regard to the following:

The proposed replacement dwelling will not harm the character of the Caldby Conservation Area or the amenities of neighbouring properties and the proposal therefore complies with Wirral Unitary Development Plan Policy HS4, HS10, CH2 and CH11 and the National Planning Policy Framework.

Wirral Borough Council hereby grants Planning Permission for the development specified in the application and accompanying plans submitted by you subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th October 2020 and listed as: 541-A001; 541-A002; 541-A201 Revision A; 541-A003 Revision B; 541-A200 Revision A 541-A100 Revision A

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

- 3 Before any construction above ground level commences, samples of the materials to be used in the

external construction of this development (including rainwater goods) shall be submitted to and approved in writing by the Local Planning Authority. The approved materials 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 CH11 and HS4 of the Wirral Unitary Development Plan.

- 4 Prior to first occupation of either dwelling hereby permitted, a full landscaping scheme (including all hard and soft landscaping and boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority

Reason: To preserve the character of the Caldys Conservation Area having regard to Wirral Unitary Development Plan Policy CH11

- 5 Prior to the commencement of any works above ground level, Tree Protection Barriers shall be installed to all trees within 2 metres of the proposed access route. The Tree Protection Barriers shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

Reason: To ensure protection for trees during construction works in order to ensure that the character and amenity of the area are not adversely impacted upon and to comply with Policy GR7 of the Wirral Unitary Development Plan.

Rights of Appeal

If you disagree with any of the conditions in this decision, other than those which have been imposed to comply with Regulations made under the Town and Country Planning Act 1990, you are entitled to appeal to the Secretary of State. You must however do this within 6 months of the date of this notice and on forms which may be obtained from:- The Planning Inspectorate, Room 3/06b Kite Wing, Temple Quay House 2, The Square, Temple Quay, Bristol. BS1 6PN

Notes To Applicant

The decision to grant planning permission has been taken having regard to the policies and proposals in the Wirral Unitary Development Plan and to all relevant material considerations including Supplementary Planning Guidance.

Compliance with Conditions: The Council expects strict compliance with all conditions. Failure to do so may result in the service of a Breach of Condition Notice and prosecution by the Council.

The applicant/developer is reminded that they may need to comply with other regulations that are not granted by this planning permission. The applicant/developer must gain all necessary consents as required (e.g. from water authorities, highways authorities, building regulations or landowners benefitting from legal rights affecting the land) before development is commenced. The granting of this planning permission for the use of the land does not confer any express or implied approval for other regulatory authorities and the applicant/developer is advised that the separate consent(s) of other authorities may be required before the development commences. You are advised that it is the responsibility of the applicant/developer to ensure all separate consents are obtained where required.

Building Regulations: A separate submission under the Building Regulations 2010 (as amended) may be required before you commence this development. You are therefore

advised to consult the Building Control Section at this office. Tel: 0151 691 8454

The Local Planning Authority has displayed a Site Notice advertising your application. It is normally mounted on a fence, lamp post or other item of street furniture. In order to keep the environment of Wirral clean and tidy would you please arrange to have this Notice removed as soon as possible.

Street naming and numbering process is a statutory function of the Council in allocating building names and addresses to new developments and conversions. Any addresses assigned outside of this process will not be officially recognised. Further information is available on our website via the following link; <https://www.wirral.gov.uk/planning-and-building/street-naming-and-numbering>, or by making contact with the section by either telephoning 0151 691 8454 or by emailing buildingcontrol@wirral.gov.uk, with your enquiry.

1. Consent under the Highways Act is required for the construction of a new vehicle access or the amendment/removal of an existing vehicular access. Proposed vehicle access to be constructed in accordance with LPA commercial concrete crossing specifications. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Highway Management team area manager via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details.



ALAN EVANS
Director of Regeneration & Place