

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

Application **APP/21/00350**
Decision Made **11/06/2021**

Notice of Grant of Planning Permission

Town and Country Planning Act 1990

To: Mr Jones
KJP Architecture
62a Pensby Road
Heswall
Wirral
CH60 7RE

For: Mr. & Mrs. Burns
78 Dawstone Road
Gayton
Wirral
CH60 8ND

Subject The proposal is an amendment to an extant approved planning application APP 19/00034 for two new residential properties to replace an existing bungalow. This application proposes alterations to Plot 2, which includes internal and external alterations to the previously approved dwelling

Location 78 DAWSTONE ROAD, GAYTON, CH60 8ND

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 development will provide a positive visual feature on this vacant site whilst retaining the existing landscaped characteristics of the area. The proposals are not in conflict with Unitary Development Plan Policies HS4, HS5 GR5 and GR7 or 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 19/3/2021 and listed as follows: 001, 002, 003, 004 and 005 and with the approved plans dated as 10/6/2021 and listed as 006 Rev A and 007 Rev 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 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 HS4 of the Wirral Unitary Development Plan.

- 4 Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

- 5 No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/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, 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 to the Local Planning Authority.

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

- 6 Prior to the occupation of the dwelling hereby approved, details of a landscaping scheme shall be submitted to and agreed in writing with the Local Planning Authority. The approved landscaping shall be completed before the dwelling hereby approved is occupied. Within 5 years of the implementation of the approved landscaping scheme, any plants or trees which die or become diseased shall be replaced with an equivalent plant or tree.

Reason: To retain and enhance the character of the area in accordance with policy GR5 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 or the amendment/removal of an existing vehicular access. Such works are undertaken at the developers 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 Maintenance Team area manager via www.wirral.gov.uk prior to the commencement of the works for approval of the proposed details.

2. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

3. The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.



ALAN EVANS
Director of Regeneration & Place