



Town and Country Planning Act 1990

## Approval Notice

Approval has been granted for the development referred to below providing it is carried out in accordance with the application and plans submitted. The approval is subject to the conditions set out on the attached sheet.

### Application Details

**Reference No:** DC/2019/02432

**Location of Development:** Land West Of Damfield Lane Damfield Lane Maghull

**Description of Development:** Variation of condition 2 pursuant to planning permission DC/2018/01681 (approved 22/8/2019) for amendments to the design, materials and internal layout of house types and landscape layout in order to fell 2 no. trees adjacent to the canal

**Date Notice Issued:** 3rd August 2020

**Signed:** *Derek McKenzie*

### Notice Issued to:

**Agent**

**Applicant**

Roman Summer Associates Limited  
Mr Richard Gee  
Haweswater House  
Waterfold Business Park  
Bury  
BL9 7BR

Chief Planning Officer

**We expect you to comply strictly with all conditions. If you do not, we may serve you with a Breach of Condition Notice and this may lead to you being prosecuted.**

## Conditions

### Time Limit for Commencement

### Approved Plans

- 1) The development hereby granted must be carried out strictly in accordance with the following details and plans:
  - Proposed Location Plan (A003 Rev P05)
  - Proposed Site Plan (A004 Rev P05)
  - Proposed Block Plan (A005 Rev P05)
  - Landscape Layout (101 Rev D)
  - Access Layout (J977 Access Fig 1 Rev E)
  - House Type 1 Plans and Elevations (A101 Rev P02 and A102 Rev P05)
  - House Type 2 Plans and Elevations (A103 Rev P02 and A104 Rev P05)
  - House Type 3 Plans and Elevations (A105 Rev P02 and A106 Rev P05)
  - House Type 2A Plans and Elevations (A107 Rev P02 and A108 Rev P05)
  - Material Specifications (A901 Rev P01)
  - Site Section A-A (A007 Rev P02)
  - Site Section B-B (A008 Rev P02)
  - Landscape Layout (101 Rev G)
  - Planting Plans 1 and 2,(103 Rev A and 104 Rev A)
  - Archaeological Evaluation at Damfield Land document (ARS Ltd Report 2019/224)
  - Otter and Water Vole Survey (Rachel Hacking Ecology, dated October 2019)

Reason: For the avoidance of doubt.

- 2) The provisions of the approved Construction Traffic Management Plan (Brierstone), confirmation to Canal and River Trust Third Party Works Agreement email dated 14th February 2020 and Initial Site Setup and Traffic Management Plan (as per approval of details application DC/2019/02216) shall be implemented in full during the period of construction.

Reason: In the interest of highway safety and to protect the ecological interest of the area, minimise waste and prevent pollution.

- 3) Tree protection barriers as specified within the Arboricultural Method Statement shall be maintained in a satisfactory manner around the outer limit of the crown spread of all retained trees until the development is completed. During the period of construction, no material shall be stored or trenches dug within these enclosed areas.

Reason: To prevent damage to the trees in the interests of visual amenity and conservation.

### Before the Development is Commenced

### During Building Works

- 4) No development shall commence above slab level until full details of a scheme of sustainable drainage which accords with the Drainage Strategy Document (18-1023-REP002 P1) and Drawing (18-1023-200) has been submitted to and approved in writing by the Local Planning Authority. This must include a technical specification for the connection to the canal and headwall including a fuel/oil interceptor, details of implementation, maintenance and management for the lifetime of the development. The sustainable drainage system shall be fully constructed prior to occupation and be managed and maintained thereafter in accordance with the approved details.

Reason: To ensure satisfactory drainage facilities are provided to serve the site.

#### Before the Development is Occupied

- 5) A scheme of works for the proposed vehicular access on to Damfield Lane must be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until this means of access has been constructed in accordance with the approved scheme.

Reason: In the interest of highway safety and ensuring suitable access.

- 6) A scheme of works for the following off-site improvements and alterations must be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until these works have been carried out in accordance with the approved scheme(s):-

a) Construction of new 2.0m wide footways on either side of the proposed access with dropped crossing to the east side of Damfield Lane - New dropped crossing and tactile paving on either side of the new access. - Appropriate carriageway markings and signage.

Reason: In the interests of highway safety and to improve accessibility to public transportation.

- 7) No part of the development shall be brought into use 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 dwelling.

Reason: In the interests of highway safety.

- 8) No part of the development shall be brought into use until a Traffic Regulation Order for a 20mph speed limit on the proposed access road has been implemented in full.

Reason: In the interests of highway safety.

- 9) No dwelling shall be occupied unless and until full details of a scheme of street lighting on the access road in compliance with the requirements of BS4389 must be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into use.

Reason: In the interests of highway safety.

- 10) No dwelling shall be occupied unless and until an electric vehicle charging point for that dwelling has been installed and is operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The approved infrastructure shall be permanently retained thereafter.

Reason: To facilitate the use of electric vehicles and to reduce air pollution and carbon emissions.

- 11) No dwelling hereby approved shall be occupied until details of full fibre broadband connections to all proposed dwellings within the development has been submitted to and approved in writing by the Local Planning Authority. The infrastructure shall be installed prior to occupation and made available for use immediately on occupation of any dwelling in accordance with the approved details.

Reason: To ensure adequate broadband infrastructure for new dwellings and to facilitate economic growth.

- 12) The approved bird boxes to be fixed to trees shall be fitted prior to occupation of any dwelling, while swift bricks and sparrow terraces must be included within the construction of each dwelling (as per approval of details application DC/2019/02216).

Reason: To mitigate the loss of and provide enhanced habitats.

- 13) The recommendations of the approved Japanese Knotweed Method Statement dated 6th January 2020 along with the 30th January clarification letter, Cross Section of Excavation (JK19-5740-07 Rev A) and full Excavation Option in Relation to Horse Chestnut Tree (JK19-5740-06) shall be carried out prior to the occupation of the development.

Reason: In order to prevent the spread of an invasive species across the site.

### Ongoing Conditions

- 14) The approved hard and soft landscaping scheme (Landscape Layout, Drawing Number 101 Rev G and Planting Plans 1 and 2, 103 and 104A) shall be carried out in full within 3 months of occupation. 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.

Reason: In the interests of visual amenity, protecting the character and appearance of Damfield Lane Conservation Area and ensuring privacy.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 other than those expressly authorised by this permission.

Reason: In order to protect the character and appearance of Damfield Lane Conservation Area and in particular views from the canal.

- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no gate, fence, wall or other means of enclosure shall be erected other than those expressly authorised by this permission.

Reason: In order to protect the character and appearance of Damfield Lane Conservation Area and in particular views from the canal.

## Complying with Planning Conditions

This application is subject to conditions. Where stated, further details will need to be submitted and approved by us at certain stages of the development (including prior to its commencement) and what details must be submitted to do so. You will need to apply to us to approve details required by conditions, a fee will be required. For further details please visit <https://www.sefton.gov.uk/planning-building-control/apply-for-permission/confirming-compliance-with-planning-conditions.aspx>

**You are responsible, where necessary, for obtaining approval under Building Regulations before you start work. The approved plans for both Building Regulations and Planning Permission must be for the same development. Our Building Control Team will be happy to answer any queries you have regarding this, please contact [building@sefton.gov.uk](mailto:building@sefton.gov.uk) or call 0345 140 0845.**

## Appeals to the Planning Inspectorate

You can appeal against this decision (including an appeal against conditions) within **6 months** of the date of this decision notice (except for householder applications and minor commercial (e.g. shop fronts), which have **12 weeks** from the date of this notice).

Appeals should be made to the Planning Inspectorate.

Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Phone: 0303 444 5000  
Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)  
Website: <https://www.gov.uk/appeal-planning-decision>

In respect of a retrospective/part retrospective application being refused, the period for an appeal would be reduced to 28 days from the date on which any enforcement notice has been served.

## Amendments following your decision

There are various ways to obtain approval if you need to vary any details from those submitted with your application. These include “non-material amendments” and “minor material amendments”. For more information, please visit [www.sefton.gov.uk/amendpp](http://www.sefton.gov.uk/amendpp)

## Issued By

Planning Services  
Magdalen House  
30 Trinity Road  
Bootle  
L20 3NJ

Phone : 0345 140 0845

Email: [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

Website: [www.sefton.gov.uk/planning](http://www.sefton.gov.uk/planning)