

**Certificate issued to:-
Hourigan Connolly
7 Swan Square
15 Swan Street
Manchester
M4 5JJ**

Application No: **15F/0359**
Date Issued: 10 September 2015

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

Location: Gateacre Garden Centre, Acrefield Road, Liverpool, L25 5JW

Proposal: To erect 10 detached dwellings with associated driveways, gardens and boundary treatments following demolition of existing buildings

**Applicant: Macbryde Homes Ltd
Macbryde House
Unit 28 St Asaph Business Park
Galscoed Road
St Asaph
LL17 0LJ**

Date Valid: 12/03/2015

In pursuance of its powers under the above-mentioned legislation, the Local Planning Authority on **10 September 2015 GRANTED** planning permission for the above-mentioned development in accordance with your application, subject to the compliance with the conditions specified on the attached schedule, for the reasons stated.

(see attached)



Head of Planning

SCHEDULE OF CONDITIONS AND REASONS

Condition No	Condition
1	<p>The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.</p> <p>REASON: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.</p>
2	<p>The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the local planning authority:</p> <p>(i) Drawing Numbers Proposed Site Layout (colour) Drawing reference GL-SL02_Rev I. Proposed Indicative Sections Drawing reference ARW_IS.01_Rev A. Access Elevation and Partial Plan Drawing reference GL-SS02_Rev A. Proposed Indicative Sections ARW_IS.01 rev A A1 House Type Floor Plans Plot 1 Drawing reference GL-A1-PL03 A1 House Type Elevations Plot 1 Drawing reference GL-A1-PL04. A1 House Type Floor Plans Drawing reference GL-A1-PL01. A1 House Type Elevations Drawing reference GL-A1-PL02. B1 House Type Floor Plans Drawing reference GL-A1-PL01. B1 House Type Elevations Drawing reference GL-A1-PL02. Canterbury Floor Plans Drawing reference GL-A1-PL01. Canterbury Elevations Drawing reference GL-A1-PL02. Canterbury Elevations Drawing reference GL-A1-PL03.</p> <p>(ii) Supporting Documents Design and Access Statement Planning Statement Report on Ecological Issues January 2015 Transport Statement February 2015 Materials Schedule Reference ARW-MS-01_Rev A_13/05/15. Lifetime Homes Developers Checklist Revision A_14/05/2015. Aboriginal Impact Assessment Revision B May 2015</p> <p>REASON: To ensure that the development is carried out in accordance with the approved plans and within the parameters of the grant of planning permission.</p>
3	<p>Prior to commencement of development, details of the following shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details to the satisfaction of the local planning authority before the development is occupied/brought into use:</p> <p>(i) all ground surfaces not built upon (ii) all new boundary treatment (iii) location, design, height, orientation and luminance of any external lighting (iv) location, design and orientation of CCTV systems</p> <p>REASON: These details are not included in the application and the Council wishes to</p>

	ensure that they are satisfactory in accordance with Policy HD18 of the Liverpool Unitary Development Plan.
4	<p>Prior to commencement of development, including any works of demolition, a detailed construction method statement shall be submitted to and approved in writing by the local planning authority. The statement shall include:</p> <ul style="list-style-type: none"> (i) commencement and completion dates (ii) hours of operation for construction work (iii) measures to control noise and dust (iv) details of site compounds, storage of plant and materials (v) temporary highway works or closures (vi) access for construction traffic (vii) parking of vehicles of site operatives and visitors (viii) wheel washing facilities (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The scheme shall be implemented in accordance with the approved statement and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: It is in the interests of the amenity of the surrounding occupiers and in accordance with Policy GEN8 of the Liverpool Unitary Development Plan.</p>
5	<p>Immediately prior to works commencing on site (during the breeding bird season March to September) nesting bird checks must be carried out prior to removal of suitable nesting bird habitats to ensure that there would be no disturbance of breeding birds.</p> <p>REASON: In accordance with the provisions of the Wildlife and Countryside Act 1981.</p>
6	<p>All trees, other than those shown to be removed on the approved plans, shall be adequately protected during the period of construction by the erection of a braced scaffold vertical and horizontal frame fence with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps. These panels must be at least 2.3m high (as per BS 5837 2012). This shall be constructed to form a construction exclusion zone around the trees, positioned at a minimum, outside the root protection area, calculated using table 2 of BS 5837 2012.</p> <p>There shall be no raising or lowering of ground levels; no storage of soil, debris or building materials; and no passage of vehicles or plant within the construction exclusion zone under any circumstances, except with the written consent and advice of the local planning authority on additional protective measures. Once erected, the protective fencing shall at no times be breached or removed without the prior written consent of the local planning authority.</p> <p>All fires on site shall be at least 20m from the outermost part of the trees spread, and oil, concrete and similar injurious materials or substances must not be stored or prepared less than 10m from the outermost part of the trees spread. No underground services, kerbing or hard surface materials shall be laid within the construction exclusion zone, except with the written consent and advice of the local planning authority. No notice boards, telephone cables, other services or similar elements shall be attached to protected trees on the site.</p>

	<p>REASON: In the interests of visual amenity, and in accordance with the duty of the Council under Section 197 of the Town and Country Planning Act 1990, in respect of the planting and preservation of trees, in order to protect, on the basis of advice given in BS 5837 2012, the trunk, branches and root systems from damage.</p>
7	<p>Prior to commencement of development, a scheme which details the following off-site highway works required to accommodate the development, together with a programme for completion of the works shall be submitted to and approved in writing by the local planning authority. The off-site highway works shall be implemented in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>a) The provision of a suitable footway fronting the development site on Acrefield Road to maintain pedestrian accessibility</p> <p>b) The provision of dropped kerbs and tactile paving at the existing priority junction of the site access on Acrefield Road.</p> <p>c) The provision of an uncontrolled crossing point on Acrefield Road with dropped kerbs and tactile paving</p> <p>REASON: In the interests of highway and pedestrian safety and in accordance with Policies GEN6 and T8 of the Liverpool Unitary Development Plan.</p>
8	<p>No part or phase of the development hereby permitted shall commence until;</p> <p>a) An investigation and assessment methodology, including analysis suite and risk assessment methodologies has been completed and submitted to and approved by the LPA in writing, prior to any site investigations.</p> <p>b) A site investigation and assessment has been carried out by competent persons to determine the status of contamination including chemical, radiochemical, flammable or toxic gas, asbestos, biological and physical hazards at the site and submitted to the LPA. The investigations and assessments shall be in accordance with current Government and Environment Agency recommendations and guidance and shall identify the nature and extent of any contaminants present, whether or not they originate on the site, their potential for migration and risks associated with them. The assessment shall consider the potential risks to:</p> <ol style="list-style-type: none"> human health, controlled waters, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ecological systems, and Archaeological sites and ancient monuments. <p>c) A detailed remediation scheme (if required), has been submitted to and agreed in writing with the LPA. This scheme shall include an appraisal of remedial options, implementation timetable, works schedule, site management objectives, monitoring proposals and remediation validation methodology. The scheme once completed must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.</p> <p>REASON: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy EP2 of the Liverpool UDP.</p>
9	<p>After development commences and prior to occupation;</p>

	<p>a) Following completion of the measures identified in the approved remediation scheme and prior to occupation of any part of the development, a verification report which shall confirm the adequacy of remediation must be prepared and submitted to and approved in writing by the LPA before this condition will be discharged.</p> <p>If a phased approach to the development is being proposed, then a validation/completion report for an agreed number of plots within each of the proposed phases shall be submitted to the Local Planning Authority and approved in writing before the condition relating to the phase in question shall be discharged.</p> <p>b) If any potentially contaminated (unusual/suspect) material or flammable/toxic gas not previously identified is discovered, this must be reported in writing to the LPA and a further assessment and a revised remediation scheme will be required by the LPA. If no contamination is found then this should be detailed in the remediation verification report.</p> <p>REASON: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy EP2 of the Liverpool UDP.</p>
10	<p>Prior to commencement of development, a scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: To ensure a satisfactory means of drainage in accordance with Policy EP12 of the Liverpool Unitary Development Plan.</p>
11	<p>Prior to occupation of the dwellings all bathroom/W.C/en suite windows shall be fitted with obscured glass and shall be permanently retained as such thereafter.</p> <p>REASON: To safeguard the amenity of occupiers of adjoining properties and in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
12	<p>Prior to commencement of development, samples or specifications of all 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 scheme shall be implemented in accordance with the approved details to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: To ensure a satisfactory external appearance in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
13	<p>Prior to commencement of development, full details of the number, size, species, root treatment or container type and location of trees and shrubs to be planted and the treatment of all ground surfaces not built upon shall be submitted to and approved in writing by the local planning authority. The plan must be to a recognised scale and the symbols used and plant schedule provided must comply with BS EN ISO 11091:1999 Construction Drawings Landscape drawing practice.</p> <p>REASON: These details have not been submitted with the application and the Council wishes to ensure they are satisfactory in the interests of visual amenity in accordance</p>

	with Policy HD23 of the Liverpool Unitary Development Plan.
14	<p>i) The approved landscaping scheme shall be completed either</p> <p>(a) not later than the first planting season following completion of the development or</p> <p>(b) during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.</p> <p>(ii) Any trees or shrubs which die, become diseased, damaged or are removed within 3 years of planting shall be replaced with trees and shrubs of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter, all works to be carried out to BS 4428: 1989 "Code of Practice for General Landscape Operation".</p> <p>REASON: It is in the interests of visual amenity and in accordance with Policy HD23 of the Liverpool Unitary Development Plan.</p>

INFORMATIVES

During the site works the contractor shall pay full regard to the best practicable means available in respect of the control of noise and dust from the site. In addition, no operations which are audible at the site boundary shall be carried out:

- (i) outside the hours of 0800 to 1800 weekdays
- (ii) outside the hours of 0800 to 1300 Saturdays, and
- (iii) at any time on Sundays or Bank Holidays.

The Environment Agency

The Environment Agency strongly recommends that chemical testing of soils for site investigation, verification of remediation and long-term site monitoring should be undertaken by laboratories with accreditation to the Environment Agency's Monitoring Certification Scheme (MCERTS) performance standard for soils. Liverpool City Council also recommend the adoption of these standards when the above mentioned activities are undertaken in accordance with planning requirements or as part of a voluntary remediation scheme. Further information on the standard is available on the Environment Agency's website at www.environment-agency.gov.uk/mcerts.

Liverpool City Council

Liverpool City Council guidance relating to the re-development of potentially-contaminated land is available at <http://www.liverpool.gov.uk/Business/Environmental-health/contaminated-land/>. This sets out general advice for Developers, the responsibilities of all involved parties, and detailed technical requirements for Environmental Consultants preparing information for regulatory submission. The Developer & Consultants' Guide, in particular, should be followed during the preparation and reporting of investigations so as to ensure of their adequacy, and allow swift, informed decisions to be made on the suitability of a proposed development and any remediation schemes put forward. We stress that failure of an appointed Environmental Consultant to submit adequate information is likely to result in requests for further information, may delay the commencement of a development, or prevent the discharge of associated Planning Conditions.

NB. This permission has been granted subject to the applicants entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990. Details of the agreement are available on request.

The applicant is advised that all necessary off-site highway works shall be carried out by means of a Section 278 Highways Agreement and all highway materials removed shall be reclaimed by the City Council. In this respect, the applicant should contact the Council's Highway Management Section on telephone number 0151 233 0324.

The permission hereby granted does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by the applicant, including party boundaries. Applicants should satisfy themselves that the agreement of any adjoining land owners has been given prior to works commencing on site.

The permission hereby granted does not convey any rights or approval to prune or remove trees on any land that is not fully owned or controlled by the applicant with the exception of branches overhanging into their property. All branch material must be offered back to the landowner.

Reasons for Approval - Positive Planning

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Liverpool Unitary Development Plan 2002. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning applications and have implemented the requirement in NPPF para 187.

Liverpool City Council is the street name and numbering authority and has the responsibility of allocating postal addresses to new properties and existing properties converted to residential. All street name and numbering must be managed and agreed appropriately in accordance with LCC standards and policy. Please contact Miss Zita Carroll on 0151 233 0319 to progress these works.

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NOTES FOR PLANNING DECISION NOTICES

OTHER CONSENTS

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular, if building alterations are involved these may also require consent under the Building Regulations and before commencing work this aspect should be discussed with Building Control (Email: building.control@liverpool.gov.uk Tel: 0151 233 4458/ 4467). Where a building regulations approval is obtained and this requires changes from your planning permission, revised drawings must be submitted to the Divisional Manager Planning.

COMPLIANCE WITH THE PERMISSION/CONSENT

It is important that this permission/consent is implemented strictly in accordance with the plans approved by the consent. Where a planning permission is granted subject to conditions it is important that these are fully complied with. Non-compliance with the conditions of the permission/consent may well result in a Breach of Condition Notice being served on you or any other appropriate enforcement action required to remedy the breach of planning control.

APPEALS TO THE PLANNING INSPECTORATE

If you are aggrieved by the decision of the city council as local planning authority then you can appeal to the Planning Inspectorate. *Please note, only the applicant possesses the right of appeal.*

If you want to appeal, then you must do so within **six months** of the date of issue of this notice.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

If you do not have access to this service, forms can be obtained from the Planning Inspectorate at 315a Eagle Wing, Temple Quay House, 2 The Square, Temple Quay Bristol, BS1 6PN. (Tel: 0117 372 6372 or e-mail: enquiries@planning-inspectorate.gsi.gov.uk). *You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.*

PURCHASE NOTICES

If the local planning authority or the Office of the Deputy Prime Minister refuses to grant permission to develop land or grants it subject to conditions, the owner may claim in certain circumstances that the land has become incapable of development. In these circumstances, the owner may serve a Purchase Notice on the Council under Part VI of the Town and Country Planning Act 1990, requiring the Council to purchase the owners interest in the land.

COMPENSATION

In certain limited circumstances, a claim must be made against the local planning authority for compensation. The circumstances in which compensation is payable are set out in Parts VI and V of the Town and Country Planning Act 1990.

NEW RESIDENTIAL DEVELOPMENT

In order to ensure that minimum disruption occurs once a development is completed; developers are asked to contact all the public utilities to ensure that adequate services are provided at the outset. In particular developers are asked to contact the Cable TV provider

PUBLIC NOTICE – PARTY WALL ETC. ACT 1996

From the 1 July 1997 any person intending to carry out works affecting party walls or involving excavations for foundations adjacent to a party wall will be required to serve notice on all adjoining owners before work commences. You are advised to engage the services of a private surveyor to act on your behalf in any formal private procedures and agreements that you are now required, by The Party Wall etc. Act 1996, to enter into.

Failure to comply with the Act may result in civil action being taken against you.