

## Planning Committee

15 February 2018

**Reference:**  
**APP/17/01266**

**Area Team:**  
**South Team**

**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Heswall**

**Location:** Darlingtons Yard, CHESTER ROAD, GAYTON, CH60 3RZ  
**Proposal:** Relocation of existing car wash and the erection of a single storey office/car wash bay building  
**Applicant:** Darlington Property Ltd  
**Agent :** Condry & Lofthouse Ltd

### Site Plan:



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**Development Plan designation:**  
Green Belt

### Planning History:

Location: Chester Road Industrial Units, CHESTER ROAD, GAYTON  
Application Type: Full Planning Permission  
Proposal: Erection of 2 units for B8 use  
Application No: APP/12/00142  
Decision Date: 25/05/2012  
Decision Type: Approve

Location: Darlington Industrial Estate, CHESTER ROAD, GAYTON  
Application Type: Full Planning Permission  
Proposal: Erection of 2 units for B8 use  
Application No: APP/15/01563  
Decision Date: 25/01/2016  
Decision Type: Approve

Location: A.Darlington (Heswall) Ltd., Chester Road, Gayton, L60 3SG  
Application Type: Section 53 Determination  
Proposal: Section 53 Determination for the use of the premises as a depot for the storage and maintenance of public transport vehicles.  
Application No: DTR/86/05393  
Decision Date: 08/05/1986  
Decision Type: Approve

Location: A. Darlington, Chester Road, Gayton. L60 3SG  
Application Type: Full Planning Permission  
Proposal: Extension of permission W/APP/23314 for the erection of extension to storage building.  
Application No: APP/88/06741  
Decision Date: 20/10/1988  
Decision Type: Approve

Location: A. Darlington, Chester Road, Gayton. L60 3SG  
Application Type: Full Planning Permission  
Proposal: Erection of a single storey toilet block.  
Application No: APP/91/05974  
Decision Date: 05/07/1991  
Decision Type: Approve

Location: J. Darlington, Chester Road, Gayton. L60 3SG  
Application Type: Full Planning Permission  
Proposal: Single storey rear office extension.  
Application No: APP/94/05276  
Decision Date: 30/03/1994  
Decision Type: Approve

Location: J. Darlington, Chester Road, Gayton. L60 3SG  
Application Type: Full Planning Permission  
Proposal: Change of use of part of site to D.I.Y. building supplies.  
Application No: APP/95/05924  
Decision Date: 15/11/1995  
Decision Type: Approve

Location: A. Darlington (Heswall) Ltd., Chester Road, Gayton, CH60 3SG  
Application Type: Full Planning Permission  
Proposal: Removal of existing petrol tank, replacement with new 10,000 gallon underground tank and resiting of pumps.  
Application No: APP/79/11864  
Decision Date: 17/05/1979  
Decision Type: Approve

Location: Liverpool Caravan Depot, East of Bridge House Farm, Chester High Road, Gayton L60 3SG  
Application Type: Full Planning Permission  
Proposal: Amendment to elevation of existing caravan repair depot  
Application No: APP/81/17614  
Decision Date: 25/03/1981  
Decision Type: Approve

Location: Caravan Works, Chester High Road, Heswall

Application Type: Advertisement Consent  
 Proposal: Erection of self illuminated sign integrated with existing sign at Liverpool Caravans.  
 Application No: ADV/74/00331  
 Decision Date: 08/11/1974  
 Decision Type: Approve

Location: The All American Hand Carwash, Unit 6 Darlingtons Yard, Chester Road, Gayton, Wirral, CH60 3SG  
 Application Type: Full Planning Permission  
 Proposal: Change of use and alterations (including the introduction of 2.4m high fencing and approximately 4m to 4.5m high lamp posts) to create hand wash facility for cars  
 Application No: APP/06/05840  
 Decision Date: 27/07/2006  
 Decision Type: Approve

Location: A. & J. Darlington & Bentley Builders Merchants, Chester Road, Gayton, Wirral. L60 3SG  
 Application Type: Full Planning Permission  
 Proposal: Change of use to private hire booking/control office.  
 Application No: APP/97/06109  
 Decision Date: 03/10/1997  
 Decision Type: Refuse

Location: J. Darlington, Chester Road, Gayton. L60 3SG  
 Application Type: Advertisement Consent  
 Proposal: Erection of free standing advertisement board.  
 Application No: ADV/94/05285  
 Decision Date: 22/04/1994  
 Decision Type: Refuse

Location: Darlingtons Yard/Stuarts Garage, Chester Road, Gayton. L60 3SG  
 Application Type: Outline Planning Permission  
 Proposal: Demolition of existing buildings and erection of a supermarket with a gross floor area of 5250 sq.m., car parking for 350 cars, and resiting of filling station.  
 Application No: OUT/87/06180  
 Decision Date: 06/07/1988  
 Decision Type: Refuse

Location: Darlington ,Chester Rd,Gayton,L60 3SG  
 Application Type: Advertisement Consent  
 Proposal: Flag Pole and Flag  
 Application No: ADV/75/03082  
 Decision Date: 16/08/1975  
 Decision Type: Refuse

Location: Site of Darlingtons yard & D. C. Cooks garage, Chester Road, Gayton. L60 3SG  
 Application Type: Outline Planning Permission  
 Proposal: Erection of a supermarket and car parking.  
 Application No: OUT/90/07376  
 Decision Date: 10/12/1990  
 Decision Type: Withdrawn

Location: Darlington Industrial Estate, CHESTER HIGH ROAD, GAYTON, CH60 3RZ  
 Application Type: Full Planning Permission  
 Proposal: Erection of 2 units for B8 use  
 Application No: APP/15/00974  
 Decision Date: 09/09/2015

Decision Type: Withdrawn

Location: Darlingtons Industrial Estate CHESTER HIGH ROAD, THORNTON  
HOUGH, CH60 3SE  
Application Type: Full Planning Permission  
Proposal: Erection of 2 units for B8 use with some B1 use associated with the B8 use  
Application No: APP/11/01083  
Decision Date: 03/11/2011  
Decision Type: Withdrawn

Location: A.Darlington ,Chester Road ,Gayton ,L60 3SG  
Application Type: Full Planning Permission  
Proposal: Erection of extension to existing storage building.  
Application No: APP/82/21056  
Decision Date: 14/10/1982  
Decision Type: Conditional Approval

Location: A. Darlington Ltd ,Chester High Road ,Gayton ,L64 8T  
Application Type: Full Planning Permission  
Proposal: Erection of extension to storage building on the site.  
Application No: APP/83/23314  
Decision Date: 15/11/1983  
Decision Type: Conditional Approval

Location: Caravan Depot,North of Leighton Motors,Chester High Road ,Heswall,L60  
3SG  
Application Type: Advertisement Consent  
Proposal: Erection of illuminated projecting sign  
Application No: ADV/81/19567  
Decision Date: 14/01/1982  
Decision Type: Conditional Approval

Location: Caravan Depot,Chester Road ,Gayton,L60 3S  
Application Type: Full Planning Permission  
Proposal: Extension to rear of existing repair depot to be used for storage  
Application No: APP/82/19972  
Decision Date: 01/04/1982  
Decision Type: Conditional Approval

Location: Heswall Caravans ,Chester Road ,Gayton ,L64 7TR  
Application Type: Advertisement Consent  
Proposal: Erection of internally illuminated pole mounted advertisement sign  
Application No: ADV/83/22591  
Decision Date: 13/06/1983  
Decision Type: Conditional Approval

Location: Land Chester ,High Rd,Gayton  
Application Type: Full Planning Permission  
Proposal: Erection of Industrial Buildings for garaging and storage  
Application No: APP/74/01815  
Decision Date: 30/04/1975  
Decision Type: Conditional Approval

Location: Darlington ,Chester High Rd ,Gayton ,L60 3SG  
Application Type: Reserved Matters  
Proposal: Erection of extension to existing storage building for general storage at  
premises  
Application No: DLS/77/08855  
Decision Date: 06/02/1978  
Decision Type: Conditional Approval

Location: Darlington's Yard, Chester High Road, Gayton  
Application Type: Full Planning Permission  
Proposal: Alterations to building and access in conjunction with proposed sale of horticultural supplies.  
Application No: APP/77/07103  
Decision Date: 02/08/1977  
Decision Type: Conditional Approval

Location: Darlington's Yard , Chester High Road , Gayton , L60 3SG  
Application Type: Prior Approval of Telecommunications PD  
Proposal: Erection of extension to existing storage  
Application No: ANT/77/08147  
Decision Date: 09/11/1977  
Decision Type: Conditional Approval

Location: Darlington , Chester High Road , Gayton L60 3SG  
Application Type: Full Planning Permission  
Proposal: Two boards in V shaped formation and 1 illuminated sign  
Application No: APP/79/12303  
Decision Date: 17/05/1979  
Decision Type: Conditional Approval

Location: Darlington, Chester High Road, Gayton , L60 3SG  
Application Type: Full Planning Permission  
Proposal: Retail sales of horticultural supplies and associated car park  
Application No: APP/76/05249  
Decision Date: 05/01/1976  
Decision Type: Conditional Approval

#### **Summary Of Representations and Consultations Received:**

##### **REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 24 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 15 objections have been received, listing the following grounds:

1. highway safety
2. restricted access
3. noise

##### **CONSULTATIONS:**

Highways - No Objections

Environmental Protection - No Objections

#### **DIRECTORS COMMENTS:**

#### **REASON FOR REFERRAL**

The proposal is a departure from the Wirral Unitary Development Plan UDP and the Council received 15 letters of objection to the proposed development.

#### **INTRODUCTION**

The proposal is for the relocation of the hand car wash from the rear of the site to the designated spot and the construction of an associated building that will provide an office, equipment storage and three covered valeting bays.

#### **PRINCIPLE OF DEVELOPMENT**

The proposal is for the relocation of an existing car wash from one part of the site to another however the site is located within the Green Belt and the use is a departure from the statutory development plan, there being no provision for car wash facilities in UDP Policy GB2.

#### **SITE AND SURROUNDINGS**

The plot is an established industrial use which includes a number of industrial buildings and outdoor storage, including car sales, car storage, building supplies, tool hire and plumbing supplies. The application site contains a car wash service to the rear of the site however the proposal is to clear a section of the car storage area and relocate the car wash with the provision of associated buildings.

The application site is a large developed area containing a number of large buildings, and an area covered in hardstanding. Despite this, the area is designated as Green Belt within Wirral's Unitary Development Plan.

## **POLICY CONTEXT**

### GB2 Guidelines for Development in the Green Belt Policy

Within the Green Belt there is a general presumption against inappropriate development and such development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of:

- (i) agriculture and forestry;
- (ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (iii) the limited extension, alteration or replacement of existing dwellings, subject to Policy GB4 and Policy GB5;
- (iv) the limited infilling in existing villages, subject to Policy GB6, including limited affordable housing subject to local community needs;
- (v) the limited infilling or redevelopment of major existing developed sites identified under Proposal GB9;

Such appropriate development shall not damage the visual amenities of the Green Belt by virtue of its siting, materials or design.

### National Planning Policy Framework

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings within the Green Belt are inappropriate, with one exception being limited infilling of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. In this particular case, the site contains a number of large industrial-type buildings and is covered in hardstanding and should therefore be considered as a previously developed site (brownfield land). The proposed building has only a small footprint when compared to the existing buildings on the site and will be built

on existing hardstanding. It is therefore considered that this would constitute limited infilling of a previously developed site.

### **APPEARANCE AND AMENITY ISSUES**

A car wash is classed as a Sui Generis use, and is considered to be compatible with the existing industrial uses that are established within the site, having regard to the type of buildings and associated hardstanding for various industrial processes and the existing car wash use.

The plot itself and the surrounding neighbouring uses consist of a large expanse of industrial buildings, hardstanding and car retail established within this location,

The proposal is for the use of an area currently used as car storage, this has now been cleared but the land is hardstanding. , Having regard to the character of the area and the existing buildings and businesses, it can be concluded that the proposed use is unlikely to have a detrimental impact on the appearance of the Green Belt and would complement the commercial character of the area within Darlington's Yard.

The existing hand car wash is located to the rear close to a building merchants; relocation to the application site is would not have a greater visual impact than the current vehicle storage and would be in keeping with the character of the surrounding area.

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals.

### **CONCLUSION**

Whilst there is no provision for the proposed development in UDP Policy GB2, the proposal would constitute limited infilling of a previously developed site within the Green Belt and can be considered to be appropriate development under the terms of NPPF, paragraph 89. The proposal would be compatible with existing businesses within Darlington's Yard and is unlikely to harm the amenities of any nearby residential properties on Chester Road. The application would be acceptable in terms of its visual impact on the amenities of the Green Belt under UDP Policy GB2 and would be compliant with the National Planning Policy Framework.

### **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:- Whilst there is no provision for the proposed development in UDP Policy GB2, the proposal would constitute limited infilling of a previously developed site within the Green Belt and can be considered to be appropriate development under the terms of NPPF, paragraph 89. The proposal would be compatible with existing businesses within Darlington's Yard and is unlikely to harm the amenities of any nearby residential properties on Chester Road. The application would be acceptable in terms of its visual impact on the amenities of the Green Belt under UDP Policy GB2 and would be compliant with the National Planning Policy Framework.

**Recommended  
Decision:**

**Approve**

**Recommended Conditions and Reasons:**

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 17 October 2017 and listed as follows: 17-106-SK02 Rev C & 17-106-SK03 Rev B.

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

3. The car wash shall not be used except between the hours of :- 0900 hours and 1800 hours Mondays to Saturdays and 1000 hours and 1700 on Sundays and Bank Holidays without the written consent of the Local Planning Authority.

**Reason:** Having regard to the character of the area and neighbouring uses.

4. Within one month of the start of trading at the approved car wash, the existing car wash shall cease operation, in accordance with the relocation of the existing business.

**Reason;** Having regard to vehicle movements and highway safety within the site.

**Last Comments By:** 22/11/2017 10:05:41

**Expiry Date:** 12/12/2017