

Planning Committee

10 August 2010

Reference:
APP/10/00111

Area Team:
North Team

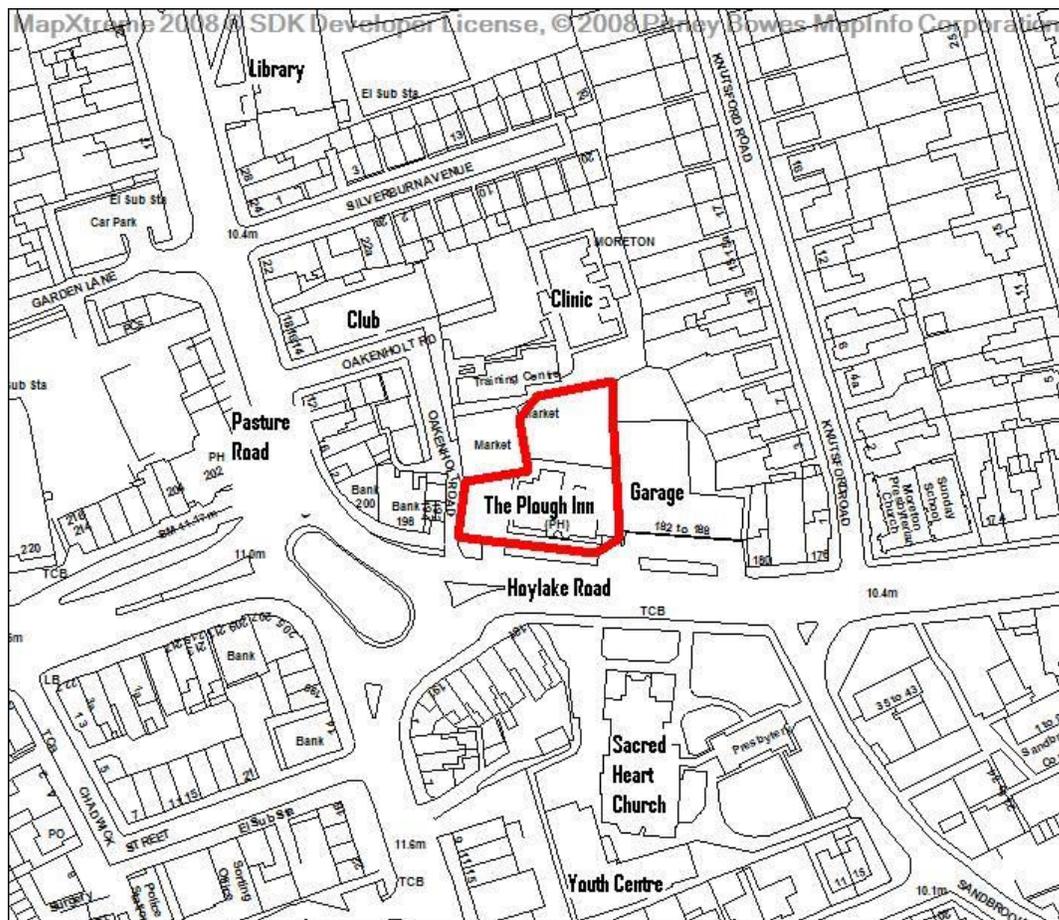
Case Officer:
Miss S Hesketh

Ward:
**Leasowe and
Moreton East**

Location: Plough Inn, 190 HOYLAKE ROAD, MORETON, CH46 8TH
Proposal: Demolition of the existing public house (A4) and the erection of a convenience store (A1) with associated parking and servicing details.

Applicant: GL Hearn
Agent :

Site Plan:



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Development Plan allocation and policies:

Key Town Centre
Primarily Residential Area
Major Highway Scheme

Planning History:

APP/74/00311 - Erection of detached garage - Approved 29/07/1974

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

24 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed on 27 April 2010 on Hoylake Road. A qualifying petition of 2496 signatures and 17 objections were received citing the following concerns:

- There is already a Tesco's at the top of Hoylake Road and one at top of Bidston and there is an Aldi Store going to be built at the top of Stavendale Road
- The effect on local business and traders, and driving local shops out of business
- The loss of Plough Inn, which is a social gathering among friends
- Traffic problems-existing large volumes of traffic including articulated lorries, congestion, accidents. The roundabout is an interchange for emergency vehicles.
- Access for delivery vehicles;
- Car parking is at a premium in Moreton;
- Pedestrian safety;
- Litter;
- Encouraging people to the area in cars;
- Alternative suggestions for use of the site (bar/restaurant or a small multi-storey car park)
- Degradation of the area as small businesses decline;
- Already a good selection of shops in the area
- Another Tesco's will put local traders out of business and people out of jobs;
- There is already a Tesco in Moreton and in Bidston and the prevalence of this one business destroys diversity and the local spirit offered by smaller, independent traders;
- A convenience store of this kind at Moreton Cross would also add to the heavy traffic and congestion that is already present in this area;
- Shops will be boarded up and Moreton will become a ghost town;
- An increase in graffiti;
- Loss of community spirit;
- Moreton is becoming a village of fast food and charity shops.

Councillor Lewis requested the application be removed from delegation on the grounds the retail situated in Moreton is of concern to the wider Moreton community.

Consultations:

The Director of Technical Services, Traffic Management had no objection to the proposal subject to conditions

The Director of Law, HR and Asset Management, Pollution Control Section had no objection to the proposal subject to conditions

Director's Comments:

The application was deferred from Planning Committee on 6 July 2010 to seek clarification over the loss of the building and conduct a Committee Site Visit. The report has been amended following the receipt of further information from the applicant about the loss of the building.

REASON FOR REFERRAL

A qualifying petition of 2496 signatures was received.

INTRODUCTION

The application proposes the demolition of the Plough Inn and erection of a convenience store.

PRINCIPLE OF DEVELOPMENT

The site is within a Key Town Centre and as such shop proposals are acceptable in principle.

SITE AND SURROUNDINGS

The site is L shaped with a detached two-storey public house and associated parking, situated in Moreton Key Town Centre. The land is also designated Primarily Residential Area under the Wirral UDP. The surrounding properties are two-storey commercial buildings.

POLICY CONTEXT

The proposal shall be assessed against the adopted Unitary Development Plan Policy SH1 Criteria for Development in Key Town Centres and HS15 Non Residential Uses in Primarily Residential Areas . This is to be evaluated against the Government's key objectives in Planning Policy Statement 4: Planning for Sustainable Economic Growth.

APPEARANCE AND AMENITY ISSUES

Under HS15 proposals are tested for their effect on residential amenity and traffic conditions. The change of use from a public house to a shop will result in the loss of an A4 unit, however as Moreton demonstrates a variety of uses its loss is not deemed detrimental. Whilst it is recognised the proposal will result in an increase in activity in the locality, it is not considered to be at a scale that would be detrimental to the character or amenity of the area. As the site falls within a residential area it is considered reasonable to control the hours of the business by conditions. The proposal is not considered to cause a significant nuisance to neighbouring properties or result in a loss of amenity.

Planning Policy Statement 4 (PPS4) sets out the Government's framework for planning for sustainable economic development in urban areas. Policy SH1 considers A1 retail uses in a Key Town Centres as an appropriate use, and the proposal is not considered to undermine the vitality or viability of Moreton. A retail statement has been submitted to support the application.

The applicant has provided a statement to confirm why the building cannot be retained. The existing public house is no longer viable and other potential uses have been considered. The building does not lend itself well to conversion due to restrictions in terms of its position, external features (windows) and access. To retain the building for an A1 shop use there would have to be significant internal and elevational alterations, thereby losing any existing features of the original building and the internal alterations required would not be viable in any event. The existing building is not considered fit for conversion to a retail use. Notwithstanding this, the building is not listed or in a Conservation Area, and as such consent for demolition is not required. There has been an application submitted to English Heritage recommending the building for listing. Advice has been sought from the Conservation team and it is their opinion that on the basis of the building's exterior, it is questionable as to whether it would qualify for statutory listing. The benefits of redeveloping the site include improving delivery access, highway safety and improving natural surveillance and this adds to the reasoning from the applicant as to why the building is not capable of being converted. The height and scale of the proposed unit compares favourably with the adjacent two storey properties in an area of mixed design. The building will be constructed of brick and glass, which is common place in surrounding vicinity.

Objections were received that the approval of a Tesco store would undermine the viability of the area and put existing shops out of business in an area that is currently struggling. Policy SH1 encourages A1 retail uses in town centres and does not have recommended limits of use classes. The end user of the application cannot form a reason for refusal. The scale of the retail unit is not considered to harm the vitality of Moreton town centre. The Local Planning Department cannot assess if an application will result in loss of business.

SEPARATION DISTANCES

The nearest dwelling used solely as a residential property is 90m from the site. There appear to be first floor flats above the retail units opposite, however the proposed single-storey building is not considered to result in overlooking or loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

The application proposes parking for up to 18 vehicles (including two disabled parking spaces) and four cycle stands. The previous access arrangements for the Plough Inn are to be retained and utilised for the new store. A Transport Statement has been submitted in support of the application.

Given the town centre location of the proposed store, it is considered that it will not generate a significant increase in traffic volumes but will be more likely to result in the diversion of trips already taking place on the highway.

The proposed store is to utilise the existing vehicle accesses onto Hoylake Road with an in / out

arrangement with traffic entering the car park via the access closest to the roundabout (Moreton Cross) and leaving via the other access. The proposals do not include any indication to drivers that this is the arrangement (e.g. signing / road markings / etc). Therefore, a condition is requested in relation to this.

The proposed 18-space car park, which includes two disabled spaces, is within the SPD4 maximum of 23 spaces for a development of this size. In order to allow for deliveries to take place, three parking spaces would need to be closed off for a temporary period. This is considered acceptable, and can be secured by condition.

The plans indicate four cycle parking racks to the front of the store, although access to those racks would prove difficult when the adjacent parking spaces are utilised. There are no secure cycle parking facilities indicated for the use of staff.

The plans indicate that pedestrian access into the store would be shared through the vehicle accesses. This is not acceptable and a condition is requested in relation to this.

Vehicle swept path analysis has been submitted that indicate vehicles up to and including an articulated lorry of 14.25m length and a rigid vehicle of 10.35m length are able to enter the site, service the store and then exit using the proposed "in / out" access arrangement (subject to the temporary closing of the three parking spaces mentioned above). However, in order to enter the site under existing conditions, the service vehicles would need to start on the outside lane of the exit from the roundabout and swing across the inside lane, which is unacceptable. Details of access amendments have subsequently been submitted that will assist larger vehicles when entering the site and conditions are requested in relation to this.

In addition, experience with other stores of a similar type shows that the car park can become congested which may lead to larger service vehicles having to wait on the highway whilst the car park clears. This would not be acceptable so close to the exit from the roundabout and a condition on the size of servicing vehicles is requested.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Director of Regeneration (Environmental Health) had no objection to the proposal but recommended conditions relating to hours of use.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to significantly affect the character of the Primarily Residential Area or undermine the vitality or viability of Moreton Key Town Centre. The proposal complies with relevant Council policy HS15 Non Residential Uses in Primarily Residential Areas and SH1 Criteria for Development in Key Town Centres of the adopted Wirral Unitary Development Plan and SPD4 Parking Standards.

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 and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to significantly affect the character of the Primarily Residential Area or undermine the vitality or viability of Moreton Key Town Centre. The proposal complies with relevant Council policy HS15 Non Residential Uses in Primarily Residential Areas and SH1 Criteria for Development in Key Town Centres of the adopted Wirral Unitary Development Plan and SPD4 Parking Standards.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. The premises shall be closed for the development hereby permitted between 23.00 hours and 06.00 hours.

Reason: In the interest of amenity and to accord with Policy HS15 of the Wirral Unitary Development Plan.

3. No deliveries shall take place at the site outside the hours of 06.00 hours until 22.00 hours unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interest of amenity and to accord with Policy HS15 of the Wirral Unitary Development Plan.

4. Commercial waste collection shall not take place between the hours of 21.00 hours and 07.00 hours

Reason: In the interest of amenity and to accord with Policy HS15 of the Wirral Unitary Development Plan.

5. Before development commences details of the position, type and insulation of external refrigeration and ventilation equipment should be submitted to and agreed in writing by the Local Planning Authority and retained thereafter.

Reason: In the interest of amenity and to accord with Policy HS15 of the Wirral Unitary Development Plan.

6. Details of the positioning of security lights should be submitted to and approved in writing by the Local Planning Authority prior to the store opening, and retained thereafter.

Reason: In the interest of amenity and to accord with Policy HS15 of the Wirral Unitary Development Plan.

7. Development shall not commence until detailed proposals for indicating the in/out arrangement of the vehicle accesses have been submitted and approved in writing. The approved proposals shall be implemented to the satisfaction of the Local Planning Authority prior to first opening.

Reason: In the interest of highway safety and prevention of congestion / delay on the highway

8. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter. The submitted proposals shall include details of cycle parking for both

staff and customers and clear, safe cycle access routes to that parking.

Reason: In the interests of highway safety and to accord with Policy TR12 in the in the Wirral Unitary Development Plan 2006

9. No part of the development shall be brought into use until detailed proposals for clear, safe pedestrian routes from the highway to the store entrance have been submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

Reason: In the interest of highway safety

10. No part of the development shall be brought into use until detailed proposals for alterations to the westernmost vehicle access to facilitate safe access by larger service vehicles have been submitted to and approved in writing by the Local Planning Authority, and retained thereafter

Reason: In the interest of highway safety and prevention of congestion / delay on the highway

11. Development shall not commence until detailed proposals for tactile paving to be provided on each side of both vehicle accesses have been submitted and approved in writing by the Local Planning Authority and retained thereafter.

Reason: In the interest of highway safety

12. Delivery and service vehicles servicing the premises shall be no more than 11m overall length.

Reason: In the interest of highway safety and prevention of congestion / delay on the highway

Further Notes for Committee:

Last Comments By: 01/07/2010 11:17:36

Expiry Date: 08/06/2010