

Planning Committee

04 January 2011

Reference:
APP/10/01224

Area Team:
South Team

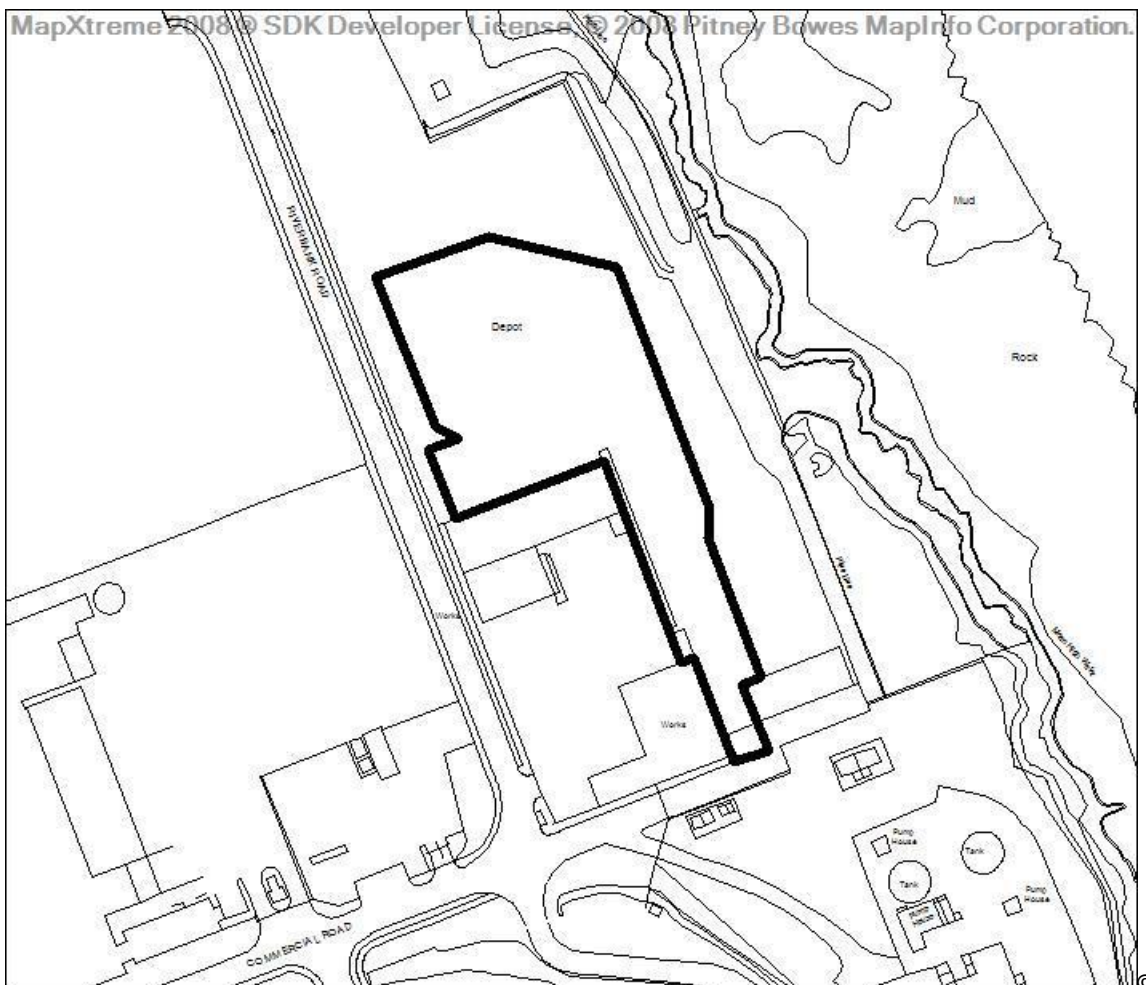
Case Officer:
Mr N Williams

Ward:
Bromborough

Location: Derelict Depot, COMMERCIAL ROAD, BROMBOROUGH, CH62 3NL
Proposal: Extension of planning consent APP/2007/5782 for the erection of a dry silo mortar bagging plant.

Applicant: Peel Environmental Ltd
Agent :

Site Plan:



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Development Plan allocation and policies:

Primarily Industrial Area
Coastal Zone

Planning History:

APP/2007/05782 - Erection of a dry silo mortar and bagging plant (Approved 28/03/2008)

Summary Of Representations and Consultations Received:

REPRESENTATIONS

A Site Notice was displayed at the site and a total of 2 letters of notification sent to properties in the area. As a result, there were no comments received.

CONSULTATIONS

Director of Technical Services (Traffic Management) - No objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is a major application (site area in excess of 0.5 hectares).

INTRODUCTION

The application is for the extension of planning permission APP/2007/5782, which was granted on 28th March 2008. This permission is for the erection of a dry silo mortar bagging plant.

The proposal involves the construction of a dry silo mortar plant and associated dry mortar sand bagging plant. Together they comprise a series of buildings and silos, associated parking, administration offices, weighbridge and ancillary development. The proposed buildings would house hoppers and mixing equipment to enable the production of dry mix mortar utilising sand from the adjoining permitted sand drying and storage facility. The proposed process is well established, mirroring that currently operated by the applicant at two existing plants. The proposed development is required to serve the north west of the country.

PRINCIPLE OF DEVELOPMENT & POLICY CONTEXT

The application site is within an area designated as a Primarily Industrial Area and as such, a development of this kind is generally considered to be acceptable, subject to criteria set out in Policies EM6, EM7, EM8, CO1 and NC1 of Wirral's Unitary Development Plan.

The site is adjacent to the Mersey Estuary Wetland, which is a Site of International Importance for Nature Conservation, and also a Ramsar site and a Special Protection Area.

Merseyside Environmental Advisory Service and Natural England have both been consulted with regards to whether an Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats &c) Regulations 1994 is required. It is considered that the proposed development, either alone or in combination, will have no significant effect on Natura 2000 sites and that accordingly, no 'Appropriate Assessment' is required to be made under Regulations 48,49 and 54 of the Conservation (Natural Habitats &c) Regulations before the planning application is approved.

SITE AND SURROUNDINGS

The application site is located towards the eastern side of the Wirral, in close proximity to the River Mersey and near the junction of Commercial Road and Riverbank Road. The wider site area is currently used for sand dredging, which will be used in association with the proposed use. The surrounding area is almost solely industrial, with a number of different industrial uses and open industrial land in the immediate vicinity. There is no street scene as such to describe on Riverbank Road other than railings and derelict land.

The Mersey itself is a large, sheltered estuary which comprises large areas of saltmarsh and extensive intertidal sand and mudflats, with limited areas of brackish marsh, rocky shoreline and boulder clay cliffs, within a rural and industrial environment. The intertidal flats and saltmarshes provide feeding and roosting sites for large and internationally important populations of waterfowl. During the winter, the site is of major importance for ducks and waders. The site is also important during spring and autumn migration periods, particularly for wader populations moving along the west coast of Britain. The site is designated as a Ramsar site and a Special Protection Area.

APPEARANCE AND AMENITY ISSUES

The site is a Primarily Industrial Area and as such, the appearance and character of the area are

generally industrial, with few buildings with any design characteristics. The proposed buildings and complex will be of an appearance which suits the site, and although they cannot be described as architecturally interesting, they are functional for the required use.

Although the proposal is of a standard industrial design, it is considered that a substantial scheme of landscaping should be able to soften the appearance of the complex from street level. As such, a condition has been attached requiring a landscaping scheme to be agreed and implemented.

When viewed from the River Mersey, although the proposed complex will be visible and fairly prominent at the forefront, this will be against a backdrop of numerous industrial buildings and uses and the new buildings will blend in with the surroundings without being detrimental to the views.

The nearest residential properties are approximately 650 metres away, on Port Causeway and Terminus Road, and do not have a direct view of the application site. This distance is considered to be sufficient to ensure that the proposed development does not have an adverse impact on the amenities of the occupiers of these properties. The location of these properties, in close proximity to other industrial uses, will also minimise any impact the proposal will have on them.

NATURE ISSUES

Merseyside Environmental Advisory Service and Natural England have been consulted and provided expert advice on the impact the proposal will have on the adjacent site – the Mersey Estuary Special Protection Area, Ramsar site and Site of Special Scientific Interest.

The applicant has submitted extensive information on how the proposal will not harm these special sites. This included detailed surveys on any potential impact on roosting, migratory and wading birds in terms of direct and indirect impacts from the proposed development. The potential impact of the proposal on the birds themselves, their environment, food availability, lighting and cumulative effect on their habitat was all considered in detail.

Merseyside EAS and Natural England were both satisfied that this proposal would not have an unacceptable adverse impact on the Mersey Estuary sites of importance and that, subject to certain conditions being attached, the proposal should be recommended for approval

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

In conclusion, it is not considered that policy, circumstances or the surrounding area have changed significantly since planning permission was granted for this development under three years ago. It is therefore still considered that the proposal complies with all relevant local and national planning policy.

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 proposed development is considered to be acceptable and will not have an adverse impact on the

surrounding area, the amenities of any residential properties or the Mersey Estuary itself. As such, the proposal is considered to comply with all relevant national, regional and local policies.

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. Before any construction 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 EM8 of the Wirral Unitary Development Plan.

3. No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development.) of the Wirral Unitary Development Plan.

4. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development.) of the Wirral Unitary Development Plan.

5. All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 3. The works shall be carried out within 3 months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development.) of the Wirral Unitary Development Plan.

6. Before the development hereby permitted is first begun, a construction method statement, detailing dust suppression measures shall be submitted to and approved in writing by the Local Planning Authority. All works carried out shall be in accordance with the approved statement.

Reason: To secure dust suppression measures detailed within the planning application.

7. No lighting must be directed towards the Mersey Estuary and no lighting should be located higher than 10m.

Reason: To protect the Mersey Estuary RAMSAR site.

8. During the construction phase any pumped ground water or perched groundwater must be disposed of to sewer or tankered off-site

Reason: To protect the Mersey Estuary RAMSAR site.

9. All surface water drainage must be discharged to the existing industrial estate drainage only. There must be no discharge to the Mersey Estuary.

Reason: To protect the Mersey Estuary RAMSAR site.

10. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

11. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution.

Further Notes for Committee:

1. A Part B Permit under the Pollution Prevention and Control Act 1999 may be needed. The applicant should contact Wirral Council's Pollution Team, Environmental Health, Department of Law, HR & Asset Management on 0151 691 8290

Last Comments By: 04/12/2010 12:01:35

Expiry Date: 13/01/2011