

## Planning Committee

27 March 2012

**Reference:**  
**APP/12/00101**

**Area Team:**  
**North Team**

**Case Officer:**  
**Miss K Elliot**

**Ward:**  
**Oxton**

**Location:**  
**Proposal:**

Chetwynd House, WEXFORD ROAD, OXTON  
Part change of use of Chetwynd territorial army barracks to incorporate a temporary fire station for the duration of the re-development of the existing Birkenhead fire station (programmed for 13 months) and siting of a temporary portakabin

**Applicant:**  
**Agent :**

Merseyside Fire & Rescue Service

**Site Plan:**



**Development Plan allocation and policies:**

Primarily Residential Area  
Density and Design Guidelines Area  
Sports Ground  
Primarily Residential Area  
Density and Design Guidelines Area

**Planning History:**

APP/89/06770 - Erection of 2.1 metre high steel fencing - Approved 06/11/1989

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

Having regard to the Council's Guidance on Publicity for Applications, 51 letters of notification were sent to the occupiers of adjoining properties. Two Site Notices were also displayed. At the time of writing this report, 13 separate representations and a qualifying petition of objection containing signatures from 71 separate households had been received and these can be summarised as follows:

1. The proposal will exacerbate the know traffic problems in the area and surrounding roads;
2. The surrounding area is residential in character and is defined as such by the Council itself;
3. Nearby Birkenhead School is the main cause of traffic problems at the junction of Wexford Road and Bidston Road;
4. The proposal to use the exit on to Bidston Road will only move the problem further away and in doing so create a new problem;
5. Chetwynd Close may not be suitable to carry the weight or size of a modern fire engine as it has not been used for such purposes for at least 29 years;
6. Accidents are bound to happen if the Chetwynd Close is brought in to use;
7. The Fire Service did not carry out a survey of the surrounding area before deciding to base themselves at the TA site;
8. Residents will be subjected to the noise of the fire engines and their sirens;
9. Neighbours are already subjected to the noise and smells from the heavy goods vehicles used by the TA;
10. The rear of properties in Kilmalcolm Close will have their privacy compromised 24/7;
11. The proposal will result in additional parking congestion in the vicinity, including on the grass verge in Chetwynd Close;
12. The use of the site will result on additional traffic on local roads, particularly at rush hour;
13. Chetwynd TA Barracks is not deemed a suitable location by local residents who are united in their concern about the temporary change of use and disruption it will cause;
14. It is already difficult for vehicles to exit out on to Bidston Road and this may delay fire engines on emergency call outs;
15. The proposal should not be allowed unless the problems of public safety are satisfactorily addressed by relevant restrictions;
16. At certain times of day, cars can be found parked on both sides of Wexford Road near the junction with Bidston Road making the carriage way severely restricted;
17. There is regular queuing in the area and lack of visibility caused on-street parking and cars waiting to drop off and pick up passengers;
18. The double yellow lines on Bidston Road should be extended and warning signs placed in the vicinity of the accesses;
19. This application refers to an exceptional case for emergency cover for the greater social good and despite the potential loss of amenity should not set a precedent for other uses at the TA;
20. The increase use in toilet facilities at the TA and washing of vehicles will result in further pressure on the drainage system in Chetwynd Close;
21. Other sites including Cleveland Street Bus Depot, Cammell Lairds and other local fire stations could be considered for the facility;
22. Visitors and Fire Service may use private residents car parking spaces;
23. The exit directly on to Bidston Road is the safest solution and drivers have a good view in either both directions and there are already double yellow lines;
24. Neighbours elsewhere along Wexford Road, South Court and Wexford Walk have not been consulted;
25. Casualties on the roads would be a likely consequence if planning permission is granted;
26. There are no guarantees that only two appliances will be used;

27. The safety of pupils from Birkenhead School would be compromised as they currently cross Bidston Road directly opposite where vehicles will be exiting the site;
28. An agreement has been reached between the School and TA regarding pupils using the Bidston Road access to reach the playing fields.
29. There is no provision for cycle parking within the proposal.

### **CONSULTATIONS**

The Director of Law, HR & Asset Management (Pollution Control Division) - no objections.  
The Director of Technical Services (Traffic & Transportation Division) - no objections, see Director's comments, Traffic/Highway Implications.

### **DIRECTORS COMMENTS:**

### **REASON FOR REFERRAL**

Councillor Williams requests that the application be removed from delegation and considered by Planning Committee following representations she has received from local residents that the application results in significant highway implications. A qualifying petition of objection containing signatures from 71 separate households has also been received.

### **INTRODUCTION**

The proposal is for the part change of use of Chetwynd territorial army barracks to incorporate a temporary fire station for the duration of the re-development of the existing Birkenhead fire station, which is programmed for a period of thirteen months, and the siting of a temporary portakabin.

### **PRINCIPLE OF DEVELOPMENT**

The principle of the development is acceptable subject to the criteria set out in Policy HS15 (Non-Residential Uses in Primarily Residential Areas) in relation to the impact of the proposal on the character of the area and neighbouring uses.

### **SITE AND SURROUNDINGS**

The site comprises an existing Territorial Army (TA) barracks, which is an established feature of the Primarily Residential Area. The premises is located on a corner at the junction of Wexford Road and Bidston Road and is surrounded by residential properties on nearly all sides. There are other non-residential uses within the vicinity of the site including Birkenhead School and two churches. There is 2 metre fencing and boundary walls around the perimeter of the site. The TA site has existing vehicular access points on to Chetwynd Close and Bidston Road.

### **POLICY CONTEXT**

Policy HS15 (Non-Residential Uses in Primarily Residential Areas) is directly relevant in this instance and changes of use for non-residential uses will only be permitted where the proposal will not:

- (i) be of such a scale as to be inappropriate to surrounding development;
- (ii) result in a detrimental change in the character of the area; and
- (iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

### **APPEARANCE AND AMENITY ISSUES**

The proposal relates to the reconstruction of the existing fire station in Birkenhead, which is part of a wider upgrade of fire service facilities throughout Merseyside. Although other sites across the borough were considered, the application site was deemed the most appropriate by the Fire Service in terms of existing on-site facilities and its positioning within the locality in respect of their required response times. The original proposal involved the siting of a temporary portakabin to the north of Chetwynd House and the storage of two appliances within the existing garage facilities to the south of Chetwynd House, as indicated on the original site plan. Once the redevelopment of Birkenhead fire station is complete, the TA site will revert back to its original state. It is anticipated that this will be in June 2013.

Policy HS15 does make provision for changes of use for non-residential uses in Primarily Residential Areas providing that they are of a suitable scale, do not result in a detrimental change in the overall character of the area and do not result in unacceptable levels of noise and disturbance to neighbouring properties. The existing use of the site is a long established feature of the residential

area and already has many of the office facilities and staff accommodation the Fire Service require. Therefore, neighbouring residential properties will already be accustomed to a certain amount of comings and going from the site, including the use of heavy goods vehicles, albeit less frequently. Wexford Road provides a main thoroughfare to Upton and Noctorum, whilst Bidston Road is a primary network route linking Oxton to Bidston.

Following a public meeting between the Fire Service and local residents, significant levels of concern were raised with regard to highway safety and how the proposed use would operate safely and effectively, particularly at rush hour. Many of the highway safety concerns raised within the objections received from local residents centred around parked cars on Chetwynd Close and Wexford Road which may prohibit appliances exiting the site in an emergency, increased traffic congestion around the Wexford Road/Bidston Road junction and the implications of the location of the facility for public safety. As a result of this, the Council's Highway Engineers attended the site at peak times, and particularly the junction where Wexford Road joins Bidston Road, to monitor traffic flows in the area.

It was concluded that it would be safer, and quicker, if the appliances made use of an existing internal vehicular access which opens out straight on to Bidston Road, when responding to emergency calls. A protocol has been drawn up in accordance with this in the form of a Traffic Management Statement. As there are already existing parking restrictions along Bidston Road, this also means that the exit will not be hampered by on-street parking. The access point provides optimum visibility for the fire appliance drivers, who are trained to negotiate busy junctions and traffic, and means that the vehicles have direct access on to the primary network. With the exception of during harsh winter months, the two appliances will be stored adjacent to Chetwynd House which also prevents the need for them to be maneuvered from the garages, thus reducing disturbance to neighbouring properties in Chetwynd Close. On the occasion when the entrances on to Chetwynd Close are utilised though it would be unreasonable to suggest that the privacy of properties within the close, and nearby Kilmalcolm Close, will lose privacy.

The site will operate 24 hours a day and statistics provided to the Council's Highway Engineers by the Fire Service show that during 2011 there was an average of 3.4 call outs per day from Birkenhead fire station. However within these figures only a small percentage of calls were during peak time, namely the hours commencing 8am, 4pm, 5pm and 6pm. The Council's Highway Engineers consider this to be a reasonable representation of the frequency of activity to be expected at the application site. In addition to this, if the fire appliance is already off-site carrying out routine checks or appointments, then there will be no disruption whatsoever on these occasions. In terms of the potential for additional noise and disturbance to neighbouring properties on Bidston Road, this will not be significant above the levels of traffic already accommodated on this primary network route.

Another issue which was raised with particular reference to pedestrian safety, and more specifically by Birkenhead School, was the safety of pupils accessing the McAllester playing fields which are to the south of the TA site. At present, pupils are escorted by staff and cross Bidston Road directly opposite where the appliances will be exiting the site. Therefore the Fire Service has agreed with representatives from Birkenhead School, and members of the TA staff, that a separate footpath will be created alongside the access specifically for this purpose. The existing gates will be removed, and a recessed area created so that the School can access the playing fields independently of the fire service's usage of the access. New gates will then be erected 12 metres behind the existing opening and will prevent any conflict between the two. Any further risk assessment or health and safety checks are the responsibility of the Fire Service and School. But as has been illustrated by the data provided, it is unlikely that there will be conflict between the two.

In response to some of the other objections received, these will be dealt with in turn. The concerns about noise generated by the appliances, the fire service has detailed in its original statement that fire appliance drivers are specifically instructed not to sound two tone horns and that there would be no need for them to be used when exiting the TA barracks. The use of flashing blue lights would be in the interest of motorist and pedestrians alike to alert them of their presence and therefore can not be avoided, but this alone is not considered to be an unreasonable disturbance. Pollution Control have raised no objection to the additional two vehicles being used and in relation to likely smells. It is considered that any additional fumes will be negligible compared to that generated by existing levels of traffic in the area.

As there is plenty of on-site parking it is not considered that the additional staff at the site will impinge

on private residents parking in the locality. The Council's Highway Engineers have advised that if temporary waiting restrictions are required once the use commences, then these can be implemented at short notice and do not consider that it is necessary as a condition of the planning application. The other concerns raised relating to possible drainage problems in Chetwynd Close, or the structural stability of the road, are not a planning issue. However this has been addressed to some extent by the use of the other access on to Bidston Road for emergency calls which will reduce the number of journeys having to be made along Chetwynd Close. All other necessary consultations with neighbouring properties adjoining, or opposite the site, were carried out in accordance with the Council's Guidance on Publicity for Applications.

In summary, it is considered that as the proposal is a temporary measure, and is not entirely out of character with the existing non-residential use of the site, it can be supported in the proposed location. The siting of the portakabin is considered acceptable in visual terms and will be removed once the use ceases. The Council's Highway Engineers are satisfied that there will be no highway safety implications as a result of the fire service operating from the site as long as the protocol submitted by the fire service is adhered to. This is an exceptional case which does not set a precedent for other uses at the site, as each proposal is based on its own merits. The purpose of the fire service being located in this position is to ensure that the response times to emergency calls are met, and this includes those in the immediate vicinity and beyond. The proposal is not considered to undermine, or be detrimental, to the residential character of the surrounding area, which ultimately the fire service are there to protect. The proposal is acceptable in the context of Policy HS11 and is 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**

Significant levels of objection have been received with regards to the increase in the volume of traffic, and parking congestion on surrounding roads, that may adversely impact on highway and pedestrian safety in the vicinity of the site. The following observations and comments have been made by the Council's Highway Engineers in their assessment of the proposal. When leaving the site on an emergency call, it is proposed that the appliances will utilise the existing access onto Bidston Road as described in the submitted Traffic Management Statement. Visibility at this access point is very good but concerns have been raised about parking in the area and the impact that this may have on safety. It is considered that it would be possible to introduce appropriate temporary waiting restrictions if parking does impact on emergency call-out access for the fire appliance.

Concerns have also been raised that traffic on Bidston Road may queue across the mouth of the access and prevent the fire appliances from leaving the site. It would be possible to introduce "Keep Clear" road markings at this location if queuing does have this effect, similar to those in place at both Heswall and Liscard fire stations. These measures could be implemented in a very short time scale as they would be temporary in nature. This possibility has been discussed with the Fire Service and they have indicated a willingness to fund such measures if considered necessary by the Local Highway Authority. Discussions have taken place between the Fire Brigade, TAVR and Birkenhead School to agree a protocol for the use of the existing vehicle access onto Bidston Road. This has been submitted in support of the application and includes some alterations to the access road on to Bidston Road as previously described.

For those times when the fire appliances are attending programmed events, such as community engagement, smoke alarm fitting, educational visits, etc, it is considered that it would be appropriate for the appliances to utilise the existing access onto Wexford Road vis Chetwynd Close, which is currently utilised by the heavy vehicles of the TAVR unit. It is also considered that it would be appropriate for the fire appliances to use this access when attending emergency call-outs that require the vehicles to proceed in the direction of Budworth Road.

An analysis of emergency call outs submitted by the Fire Brigade in support of this proposal indicates that over the past year there have been 1245 emergency incidents that the Birkenhead fire appliances have been called to. Further analysis of the data indicates the following:

1. The "busiest" months were March and November, averaging 4.3 call-outs each day during those two months.

2. The “quietest” month was January, averaging 2.2 call-outs each day,
3. The busiest time period was the hour commencing 6pm, with an average of 0.3 call-outs each day (or one every three days).
4. During the morning peak hour commencing 8am, there were an average of 0.07 call-outs each day (or one every fortnight),
5. During the afternoon peak hours commencing 4pm and 5pm, there were an average of 0.2 call-outs each day (or one every five days) during each of those two hours.
6. Approximately 29% of call-outs take place during the weekend.

Included in the above figures are those call-outs that occur when the appliances are already away from the station on routine duties (such as community engagement, smoke alarm fitting, educational visits, etc). Although this is likely to be a relatively low number, it would further reduce the number of call-out movements from the application site itself. Whilst these are average figures, calculated from 2011 data for Exmouth Street fire station, it is considered it to be a reasonable measure of the number of call-outs that could be expected from the proposed temporary site. In conclusion, it is considered that the use of this site as a temporary fire station will not impact on congestion or highway safety in the area and that there are no sustainable reasons to object to this proposal on those grounds subject.

In reaching this conclusion, the Council's Highway Engineers have taken into account factors such as:

1. The good visibility at the accesses onto Bidston Road and Wexford Road,
2. The existing classification of Bidston Road as a fire priority route and part of the strategic highway network (B5151),
3. The existing classification of Budworth Road (to the northwest of the site) as a fire secondary route and a local distributor road,
4. The number and spread of call-outs that are expected,
5. The training and experience of the fire appliance drivers,
6. The existence of a protocol and implementation of additional safety measures on the access road,
7. The location and local highway conditions of other fire stations around the Borough,
8. The possibility at short notice of introducing temporary waiting restrictions and road markings on the highway in the vicinity of the site if considered necessary.

The proposals have been fully assessed by the Council's Highway Engineers who have confirmed that the proposals are unlikely to result in any increase in traffic and are satisfied that highway safety will not be affected. As such, it is not considered that the proposals represent any adverse impact on highway safety that would warrant a refusal of planning permission.

#### **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**

The proposal complies with Policies HS15 of Wirral's Unitary Development Plan and is not considered to be detrimental to the character of the area or the amenities which the occupiers of neighbouring properties and uses can reasonably expect to enjoy.

#### **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 complies with Policies HS15 of Wirral's Unitary Development Plan and is not considered to be detrimental to the character of the area or the amenities which the occupiers of neighbouring properties and uses can reasonably expect to enjoy.

**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 use and associated works authorised by this permission shall be discontinued, within 13 months of their implementation on site. The land shall be reinstated in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt.

3. The development hereby approved shall be carried out in accordance with the Traffic Management Statement and accompanying site plan received by the Local Planning Authority on 09/03/2012.

**Reason:** For the avoidance of doubt.

4. Before the development commences, details of the fencing and security gates serving the Bidston Road access shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the construction of the development.

**Reason:** In the interests of visual amenity.

5. Prior to the commencement of the use, details of space and facilities for cycle parking shall be submitted to and agreed in writing by the Local Planning Authority.

**Reason:** In accordance with Policy TR12 of Wirral's Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 07/03/2012 13:25:52

**Expiry Date:** 21/03/2012