

Planning Committee

22 August 2013

Reference:
APP/13/00771

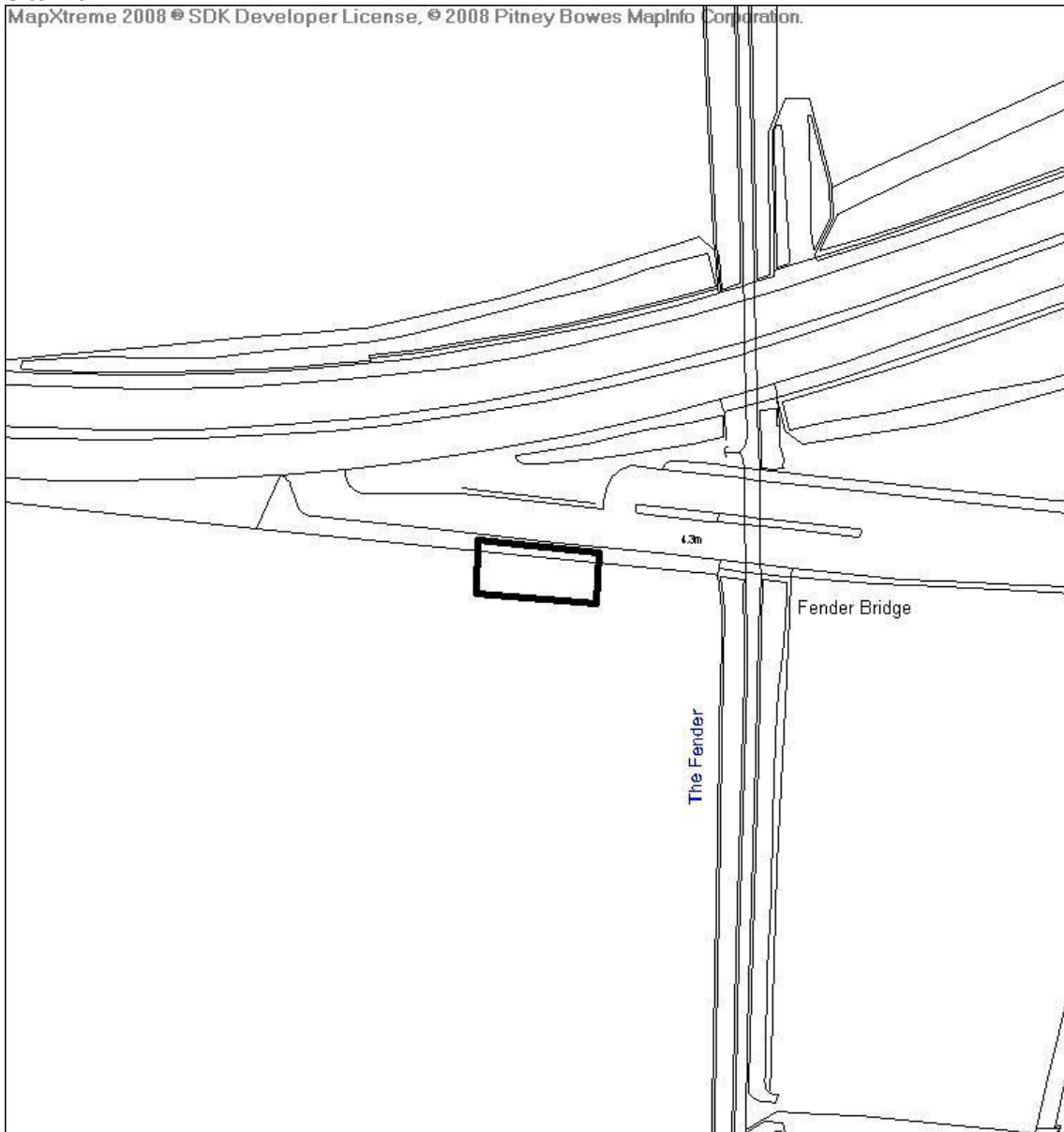
Area Team:
North Team

Case Officer:
Mrs S Day

Ward:
**Leasowe and
Moreton East**

Location: Land off Fender Lane, Fender Lane, Moreton, Wirral, CH46 9PA
Proposal: The installation of a single storey gas governor kiosk with fenced compound and access
Applicant: National Grid Gas PLC
Agent : I H C S Ltd

Site Plan:



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Development Plan allocation and policies:
Washland

Area Requiring Landscape Renewal
Green Belt
Road Corridor subject to Environmental Improvement

Planning History:
None

Summary Of Representations and Consultations Received:

REPRESENTATIONS

In line with the Councils policy for the publicity of planning applications, a notice was displayed on site. There are no neighbouring properties to notify individually. No representations have been received.

CONSULTATIONS

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

Wirral Wildlife - the proposal is unlikely to have any impact on Bidston Marsh SBI, condition required in relation to removal of hedgerow.

Director's Comments:

REASONS FOR REFERRAL TO PLANNING COMMITTEE

The application constitutes inappropriate development which is contrary to Green Belt Policy.

INTRODUCTION

The proposal relates to the erection of a single storey gas governor kiosk within a fenced compound. It is to be located to the south of Fender Lane adjacent to the perimeter of the existing field.

PRINCIPLE OF DEVELOPMENT

The site is located within the Green Belt and within an area designated for landscape renewal by the Wirral Unitary Development Plan. It is also within flood zone 3b as shown on the Environment Agency's Flood Map. The proposal constitutes inappropriate development which can only be approved if very special circumstances can be demonstrated and if issues relating to flooding can be satisfactorily resolved.

SITE AND SURROUNDINGS

The application site consists of an existing access road and field to the south of Fender Lane and to the east of, and below the M53. The northern boundary of the field consists of a 3m hedge. The field is lower level than the hedge and falls away to the south. There is an existing gate into the field.

The site is located within the adopted Green Belt and within flood zone 3.

POLICY CONTEXT

The site is designated as part of the Green Belt, Washland, a Road Corridor Environmental Improvement and an Area Requiring Landscape Renewal Unitary Development Plan Policies (UDP). The relevant UDP Policies include: GB2 - Guidelines for Development in the Green Belt, LA3 - Priorities for Areas Requiring Landscape Renewal, and LA4- Areas Requiring Landscape Renewal. The application must also be considered against the National Planning Policy Framework (NPPF) which provides an updated position in relation to development within the Green Belt and within areas at risk from flooding.

Policy GB2 specifies which types of development are appropriate in the green belt and advises that where proposals are inappropriate, very special circumstances must be demonstrated which would overcome the presumption against approval. This approach is reiterated in the NPPF.

Policies LA3 and LA4 identify sites where landscape renewal is required and set out the criteria which will be applied to development proposals within such areas. Any proposals will be required to contribute to the visual improvement of the area.

NPPF advises that a sequential test is applied to development within areas identified as flood zones to consider the availability of other reasonably available sites. Where development cannot locate elsewhere, the exception test must be applied which will indicate if the wider benefits of the development outweigh the flood risk and that a site specific flood risk assessment is in place which should include mitigation measures.

Whilst the site itself is not a site of biological importance, the applicant was also asked to consider the impact of the development on nearby sites of Biological importance

APPEARANCE AND AMENITY ISSUES

The proposal is to erect a single storey building to house gas pressure reduction equipment, the building would measure 7.6m by 3.4 m with a height of 2.25m. The building is to be positioned to the south of the existing access road along the edge of the existing field. The proposals include a small compound around the building which would be bounded by 3m palisade fencing and would utilise the existing gates to the field. As the field slopes away to the south, the overall height of the kiosk will vary to take account of the gradient and to provide a finished floor level of 5.29m AOD. Thus the height of the structure along the northern boundary will be 2.6m increasing to 3m to southern elevation.

The proposal constitutes inappropriate development within the Green Belt and as such the applicant must demonstrate the very special circumstances which would permit this proposal. The applicant has stated that the structure is required to improve gas pressure control over the existing network. Specifically, it is to assist in controlling gas supply through damaged lengths of pipeline in the area, which is causing gas leaks. In addition this particular location is critical as it is at the junction of two major pipelines.

The importance of this particular location also is relevant to the approach to flood risk. The applicants have applied the national sequential and exception test to the proposal, which has resulted in the mitigation through the height of the finished floor level AOD. The nature of the building is such that infrequent visits are anticipated at a level of once every nine months and as such the risk is not high to its users.

The position of the building will necessitate the removal of a section of hedge along the northern elevation whilst additional native hedging will be planted along the southern boundary and around the sides of the structure. The views from Fender Lane are limited as the building will be viewed against the existing hard standing which is at a higher level. Views from the surrounding green belt will be softened by the additional planting, the low profile of the building and the finished green colour.

In these particular circumstances it is considered the benefits of the development would outweigh any harm to the openness of the green belt.

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

The application is accompanied by a flood risk assessment a Landscape and Visual appraisal and Ecology Survey. The proposed landscaping and the design of the building take into account the implications of both flood risk and the requirement for landscape improvement. The site has no statutory or non-statutory ecological designations on site, the nearest designated site is at Bidston Moss to the north west of the site. The Ecology survey did not find any evidence of protected species on site and concluded that there would be no adverse impact on any nearby sites of ecological

importance

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed building would bring significant safety improvements which would constitute the very special circumstances needed to satisfy UDP policy GB2 and advice in the National Planning Policy Framework. In addition the siting and design will minimise the visual impact of the building and contribute to landscape improvement in line with policies LA3 and LA4 of the Wirral UDP.

5. 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 building would bring significant safety improvements which would constitute the very special circumstances needed to satisfy UDP policy GB2 and advice in the National Planning Policy Framework. In addition the siting and design will minimise the visual impact of the building and contribute to landscape improvement in line with policies LA3 and LA4 of the Wirral UDP.

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. Details of the proposed hedge shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The proposed hedge shall be planted in accordance with the agreed details within six months of the completion of the building hereby approved and thereafter shall be maintained to the satisfaction of the Local Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

3. Details of materials and colour finishes for all external work including boundary fencing shall be submitted to and approved by the Local Planning Authority before any work is commenced. The development shall be completed in accordance with the approved details and maintained as such thereafter.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th June 2013 and listed as follows: AW014/01, AW014/02, AW014/03, AW014/04, AW014/05 and AW014/06.

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

5. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

Last Comments By: 19/08/2013 12:23:26
Expiry Date: 08/08/2013