

Planning Committee

26 September 2013

Reference:
OUT/13/00551

Area Team:
North Team

Case Officer:
Mr M Rushton

Ward:
Bidston and St James

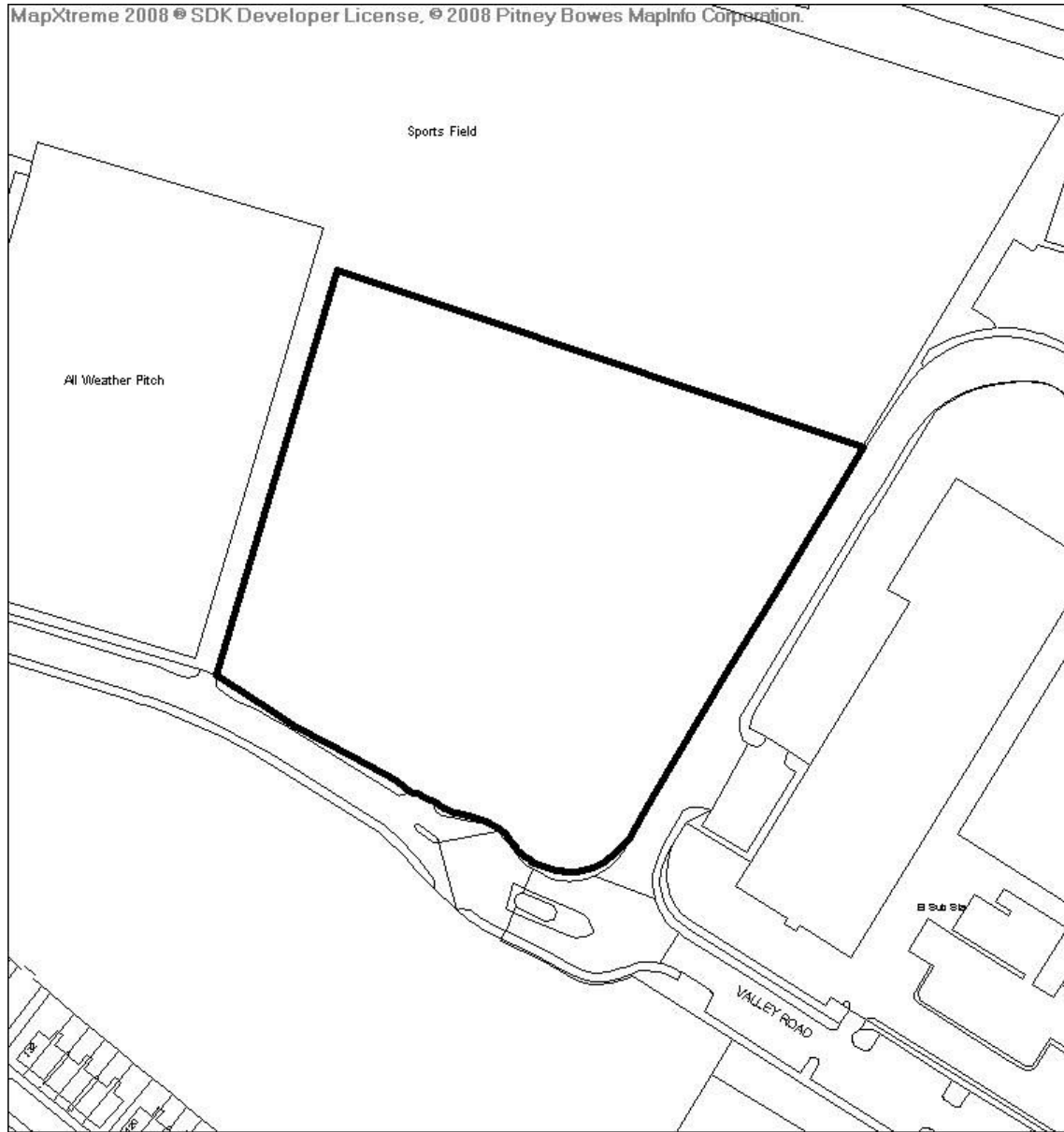
Location:
Proposal:

Unused Land, VALLEY ROAD, BIDSTON
Outline application for the construction of indoor skate park with associated facilities including offices, cafe, flexible learning spaces, business support for young entrepreneurs and car parking.

Applicant:
Agent :

Rampworx Youth Village 2000 LTD
ABW Architects

Site Plan:



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Development Plan Allocation:

Recreation Development Site

Planning History:

Location: Dock Club, Valley Road, Bidston, Wirral, L41 7ED
Application Type: Full Planning Permission
Proposal: Change of use of land from open space to industrial use in connection with the steel mill.
Application No: APP/76/04649
Decision Date: 22/07/1976
Decision Type: Refuse

Location: Bidston Steel Mill, Valley Road, Bidston, L41 7ED
Application Type: Full Planning Permission
Proposal: 2 storey amenity/office building with toilets, showers and canteen and offices with car park for 350 cars and access road
Application No: APP/76/05398
Decision Date: 22/07/1976
Decision Type: Refuse

Location: Dock Social Club, Valley Road, Bidston, Wirral, L41 4ED
Application Type: Full Planning Permission
Proposal: Renewal of temporary permission change of use of social club to offices.
Application No: APP/76/06066
Decision Date: 24/02/1977
Decision Type: Conditional Approval

Location: B.B.C. Eng. Co. Ltd., Valley Road, Bidston, CH41 7ED
Application Type: Full Planning Permission
Proposal: Erection of acoustic screen to part of south side of steel mill.
Application No: APP/79/11751
Decision Date: 08/03/1979
Decision Type: Conditional Approval

Location: Former Birkenhead Docks Sports and Social Centre and sports ground, Valley Road,
Application Type: Full Planning Permission
Proposal: Change of use to football club training ground.
Application No: APP/89/06784
Decision Date: 10/10/1989
Decision Type: Approve

Location: Development of retail store, petrol filling station, industrial/warehousing unit
Application Type: Outline Planning Permission
Proposal: Site of former Bidston Moss Steel Works, Bidston Station Approach, Bidston. L43 7RF
Application No: OUT/88/06066
Decision Date: 01/03/1989
Decision Type: Approve

Location: Valley Road Industrial Park, Valley Road, Bidston. L41 7ED
Application Type: Full Planning Permission
Proposal: Fencing works associated with Project Q and amended entrance and parking layout.
Application No: APP/95/05303
Decision Date: 03/04/1995
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's adopted Guidance on Publicity for Planning Applications, 28 letters were issued to adjoining land owners, a Site Notice displayed and a Press Notice posted in the Wirral Globe. At the time of writing no representations have been received.

CONSULTATIONS

Head of Environment and Regulation (Traffic and Transportation Divisions) - no objection, refer to Director's Comments.

Head of Environment and Regulation (Environmental Protection Division) - no objection

Wirral Wildlife - hold no information regarding wildlife, but since the site appears to have been unmanaged for 20 years and is overgrown, a condition regarding clearance outside the bird breeding season may be appropriate. The site is close to the Birket, but suitable SuDS is proposed - a condition should be imposed to ensure that SuDS is carried out. No mention is made of the sustainability of the building, and it is considered that detailed plans should include energy conservation, water conservation and energy generation. A green roof could compensate for loss of the current 'green' area, or off-site works to try for 'no net loss of biodiversity'.

Environment Agency - no objection subject to conditions. The Flood Risk Assessment is considered acceptable in principle; conditions would secure the satisfactory storage of and disposal of surface water from the site and the management of overland flow from surcharging of the site's surface water drainage system.

Sport England North West - no objection: the site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England has considered the consultation to be non-statutory. The application site did, however, form part of a playing field in the past and no lawful development has taken place that would prevent the site from being brought back into use as a playing field. However, given the length of time the site has been out of use and the absence of any remaining ancillary facilities, it is likely that there would be significant costs involved making the site a useable playing field. Any detriment, therefore, would result from the loss of a resource that has potential to be used for sport. The proposal would have the significant benefit of bringing land back into use primarily for sport and active recreation, and would represent a significant financial investment into sport and recreation. Whilst the proposed facility would be independent of the adjacent sports centre, the use as an indoor sports / recreation facility would be broadly consistent with the intended use of the land identified in the UDP. On balance, the benefits in terms of providing opportunities for participation in sport are considered to outweigh any detriment that would be caused by the loss of a resource that retains only potential to be brought back into use as playing field land. Taking all the above into account, Sport England does not wish to raise an objection to this planning application.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application seeks permission for the development of in excess of 1000 square metres of commercial floorspace, which is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

PROPOSAL

The application seeks Outline permission for an indoor skate park with a floorspace up to 6,000 square metres, Ancillary facilities would include admin offices, a café, flexible learning spaces, business support for young entrepreneurs and car parking.

PRINCIPLE OF DEVELOPMENT

The proposal is for a recreational development on an allocated Recreation Development Site. As such, the principle of development is acceptable.

SITE AND SURROUNDINGS

The site formerly supported Birkenhead Docks Sports and Social Centre, but is now part of a Recreation Development Site which currently supports Wirral Sports Centre, which includes provision for indoor tennis (to the west of the site) and associated outdoor facilities, completed during 1993. Immediately adjacent to the application site there is a grass playing field to the north, a floodlit artificial pitch to the west, an area of open land currently vacant to the south (beyond which are residential properties fronting Hillburn Drive), and the Valley Road Industrial Estate to the east. To the south east is a model boating lake accessed off Gautby Road. Further to the north runs the railway and the river Birket.

The site is closed off on each side by fencing in excess of 2m in height, and has been for some time – as a consequence significant scrub vegetation covers the entirety of the site.

POLICY CONTEXT

National Planning Policies

The National Planning Policy Framework ('NPPF') – Part 2: Ensuring the Vitality of Town Centres and Part 8: Promoting Healthy Communities, and

Unitary Development Plan

Policy REC1 – Principles for Sport and Recreation
Policy RE1 – Criteria for Urban Recreation Facilities
Proposal RE2 – Land for New Recreation Facilities
Policy TR9 – Requirements for Off-Street Parking
Policy TR12 – Requirements for Cycle Parking
Policy TR13 – Requirements for Disabled Access
Policy CH25 – Development Affecting Non-Scheduled Remains

Joint Waste Local Plan for Merseyside and Halton - formally adopted with effect from 18 July 2013.

Other

Supplementary Planning Document 4 – Parking Standards
Submission Draft Core Strategy – Policy CS2: Broad Spatial Strategy

The site forms part of Wirral Sports Centre, which is allocated through UDP Proposal RE2 as Land for New Recreational Facilities where proposals for additional indoor and outdoor sports facilities will be permitted subject to adequate servicing, highway access and parking arrangements and appropriate measures to minimise disturbance to adjacent residential property. However, since the adoption of the UDP, the national approach has changed and intensive sport and recreation facilities are identified as main town centre uses. NPPF, paragraphs 24-26 set out a requirement for a sequential approach and impact assessment for town centre uses (that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Sites at Europa Boulevard and the former Rank Bingo Hall on Conway Street, Birkenhead have been vacant for some time, but given the nature of this particular use it can be reasonably concluded that these are not suitable and should be targeted for more traditional town centre activities. In this particular case, with a planning condition to control potential future changes to other uses such as a cinema under the Use Classes Order, it is unlikely that would be any significant impact on the vitality and viability in town centres within the Borough, NPPF paragraph 74 also indicates that existing open space, sports and recreational land should not be built on unless assessed to be surplus to requirements; or it can be replaced by better of equivalent provision, or the development is for alternative sports and recreation, which clearly outweighs the loss. The proposed facility would be consistent with the land use allocation in the UDP, and it is considered that community benefits, including employment opportunities, primarily through sport and active recreation clearly outweighs any loss of a site where no realistic prospect of reuse as an outdoor playing field is foreseen.

The applicant has outlined within submitted feasibility study and supporting statement documents the location drivers for the development. Whilst acknowledging that the development would, as potentially the UK's largest indoor extreme sports centre, attract people from the wider area, Rampworx has charitable status and a focus on the delivery of community based activity –outreach and personal development support programmes mainly targeted at young people. It is outlined in the

application that Rampworx would offer a range of employment, social and healthy living programmes and projects as well as vocational based training.

The location chosen is informed by this rationale, and would seek to address socio-economic problems in the immediate locality (suburban Birkenhead), recognizing that young people using the facility are likely to have limited travel 'mobility' (2 miles), and that there are specific need in the wards of Beechwood and Bidston, the two wards closest to the application site. In these areas the applicant notes a younger age profile, a higher average proportion of children and young adults, and that worklessness is high (over 25%), and a high proportion of 16-18 year olds are classed as 'NEET' – not in education, employment or training.

UDP Policy RE1 sets criteria for Urban Recreation Facilities, noting that the Local Planning Authority will permit proposals for new facilities for sport and recreation within the urban area where:

(i) the siting, scale and visual impact of any related buildings or structures is appropriate within the surrounding area and well related to associated outdoor facilities;

(ii) the proposals would not give rise to unacceptable levels of noise or other disturbance, particularly to areas of residential property; and

(iii) adequate provision has been made for highway access and for on-site car parking and manoeuvring, including for buses and coaches where appropriate, in order to cater for the maximum number of players and spectators anticipated.

The policy notes that facilities likely to draw users from outside the immediate local neighbourhood should be located so as to be easily accessible by public transport.

The proposed development is considered to address each of these criteria. The context for the development is a recreation site, with existing indoor and outdoor facilities. Adjacent are larger commercial buildings, next to which the proposed development would sit comfortably in terms of scale. There is a significant buffer to the nearest residential street, which would ensure noise and disturbance is limited.

In terms of accessibility, an interim Travel Plan and transport statement has been submitted, which includes measures that would be implemented to encourage sustainable means of transport to the site. This forecasts that there could be 2000 visits to the site in an average week, but the applicant's has experience of operating a similar facility at Netherton (Sefton Rampworx) where given the average age of users the majority of users arrive on foot, cycle, scooter or skates. The site is located between Bidston train station and Birkenhead North train stations on the Merseyrail and Borderlands routes, it is close to national cycle route 56, served by public footpaths running north to Breck Road and regular bus services are available on Hoylake Road., As such the site is considered to be in a generally accessible location, though pedestrian and cycle access from the east and south are not ideal. The application site has capacity for a 100-space car park. as the application is at outline stage, full details of access for pedestrians and cyclists and parking arrangements will be considered in a future application for reserved matters.

In relation to UDP Policy CH25, an archaeological assessment has been undertaken, which considers the significance of the site. It is concluded that there are no nationally significant heritage assets on or adjacent to the site, and that wetlands (which are proven areas of archaeological interest) are not found on the site. The applicant considers there to be sufficient information to confirm the site may contain peat deposits, which can be of possible archaeological interest - it is noted that geotechnical tests (boreholes) are proposed which might clarify the need for any archaeological sampling. Given these conclusions, it is considered appropriate to impose a planning condition requiring further consideration of such mitigation matters at the Reserved Matters stage.

APPEARANCE AND AMENITY ISSUES

The nearest residential properties are a considerable distance from the application site (90m), which, as noted above, is surrounded by non-residential uses on each side. The proposed development is not considered to have any significant impact to residential amenity given this separation distance, though the application is in outline at this stage, with scale and appearance reserved matters. A

building footprint has been indicated (64m by 93m) and a quantum of floor space within Use Class D2 set out as 6,000 square metres.

Whilst vegetation would be removed from the site, it is not considered that there are trees of a maturity or amenity value that might require consideration under UDP Policy GR7, whilst landscaping (and consideration of UDP Policy GR5) would be set out at the reserved matters stage.

A Design Out Crime Assessment has been submitted that concludes that there is no reason the development cannot achieve Secured By Design accreditation, and sets out a number of detailed recommendations – notably seeking confirmation of the detail of access arrangements, external lighting, window and door security, CCTV, and landscaping. Such matters would form part of subsequent reserved matters applications, and a condition is proposed to ensure the required detail is incorporated at that stage.

SEPARATION DISTANCES

Separation distances of 90m are achieved and as such no residential properties will be affected in terms of privacy or outlook by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

As noted above, the site is located between Bidston train station and Birkenhead North train stations on the Borderlands route, adjacent to national cycle route 56, is served by public footpaths running north to Breck Road, and bus services are available on Hoylake Road, and as such is considered to be in a generally accessible location.

The Head of Environment and Regulation (Traffic and Transportation Divisions) has raised no objection to the proposed development, noting that the principle of development is acceptable (in terms highway safety and traffic congestion), but there are a number of areas of detail that will need to be worked up as part of a subsequent reserved matters application, if this outline proposal were to be approved. Whilst access arrangements are not detailed, the Planning Statement indicates at 7.10 that vehicle access would be “via the existing entrance”, whereas the drawings indicate a new vehicle access to be constructed. The drawings do not indicate how pedestrians or cyclists will access the site. Given the nature of the use, it would be expected that separate safe access provision is made for pedestrians and cyclists - such access from the south and east is not ideal as it involves travelling all the way to the end of Valley Road / Compton Road and back again (there is no direct route to the site from the east or south). If there is any way of providing direct and safe access to the site for pedestrians and cyclists approaching from the east and south, this should be explored by the applicant (for example, by the provision of a shared route from the end of Hurrell Road to a point opposite the site) and the benefits balanced against the implications. The layout proposed for car parking would need to be assessed at the reserved matters stage. On balance, no objection to the principle of the development.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

A Flood Risk and Drainage Assessment has been submitted with the application. The site is within Flood Zone 1 and at low risk of tidal/fluvial flooding. Attenuation is proposed within the site to ensure capacity for surface water in storms with return periods up to and including 1 in 100 year events. Options for a surface water strategy based on SuDS are set out in the report. The EA has raised no objection to the proposal, subject to the imposition of planning conditions.

There are no significant environmental/sustainability issues relating to these proposals (beyond those considered in relation to UDP Policy GR7 and flood risk).

CONCLUSION

The proposed development is considered to comply with the relevant UDP Policies, REC1 – Principles for Sport and Recreation, RE1 – Criteria for Urban Recreation Facilities, RE2 – Land for New Recreation Facilities, TR9 – Requirements for Off-Street Parking, TR12 – Requirements for Cycle Parking, and CH25 – Development Affecting Non-Scheduled Remains. The development is accessible, would result in positive impacts to social inclusion and employment and would have no significant impact to residential amenity.

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 development is considered to comply with the relevant UDP Policies, REC1 – Principles for Sport and Recreation, RE1 – Criteria for Urban Recreation Facilities, RE2 – Land for New Recreation Facilities, TR9 – Requirements for Off-Street Parking, TR12 – Requirements for Cycle Parking, and CH25 – Development Affecting Non-Scheduled Remains. The development is accessible, would result in positive impacts to social inclusion and employment and would have no significant impact to residential amenity.

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 or two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout
- (b) Scale
- (c) Appearance
- (d) Access and
- (e) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

3. The premises shall be used only for the purpose of an indoor skateboard park and associated sports and ancillary uses as set out at paragraph 5.1 of the submitted Planning Statement (Doc Ref 3676 001 received by the Local Planning Authority 22nd July 2013) and for no other purposes, including other uses within Use Class D2 of the Town and Country Planning (Use Classes) Order 1987.

For the purposes of this condition, "ancillary" is defined as not exceeding 15% of net floor space.

Reason: For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to the statutory Development Plan and the National Planning Policy Framework.

4. The premises shall only be open between the hours of 1600 and 2230 Monday to Friday and between 1030 and 1900 on Saturdays and Sundays, and shall be closed at other times.

Reason: In the interests of residential amenity having regard to the submitted planning application and UDP Policy RE1.

5. NO DEVELOPMENT SHALL COMMENCE UNTIL the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing by the Local Planning Authority:
- 1) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risk arising from contamination at the site;
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - 3) The site investigation results and the detailed risk assessment (2) and, based on remediation measures required and how they are to be undertaken
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution in accordance with UDP Policy PO5.

6. Full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to first occupation of any part of the development unless an alternative timescale has previously been agreed in writing with the Local Planning Authority, in accordance with the details so approved, and retained as such thereafter.

Reason: In the interests of residential amenity and crime prevention, and to ensure a satisfactory appearance to the development having regard to UDP Policies HS4 and HS15

7. Development shall not commence until details of a regime for servicing and deliveries for the Development have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented upon first occupation of the site and shall be retained as such thereafter. For the avoidance of doubt, all deliveries and servicing shall only take place between the hours of 07.00 and 22.00 Monday to Saturday. On Sundays and Bank Holidays, deliveries and servicing shall only take place between the hours of 09.00 and 17.00.

Reason: In the interests of highway and pedestrian safety, and having regard to the amenities of adjoining residents in accordance with UDP Policy RE2

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.

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

9. Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 6 months of occupation of the development hereby approved. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme and shall not be varied other than through agreement with the Local Planning Authority. For the avoidance of doubt a travel plan should include, but shall not be limited to:

- A commitment to the principals outlined in the draft Framework Travel Plan;
- Any changes to the existing transport services to the site;
- Results of the initial staff travel survey;
- Details of visitor travel patterns;
- Revised targets for modal shift or split based upon the travel survey;
- Identification of a Travel Plan co-ordinator;
- An action plan of measures with a timescale for implementation;
- Detail of measures and resource allocation to promote the Travel Plan; and
- Mechanisms for monitoring (which include mode share and exact numbers of staff) and reviewing the Travel Plan, including the submission of an annual review and action plan to the Local Planning Authority.

Reason: To ensure a sustainable form of development through the encouragement of access to a choice of means of transport to the site and to comply with UDP policy TR9

10. Notwithstanding the submitted details, and having regard to the submitted Design Out Crime Advice, the development authorised by this permission shall not begin until the Local Planning Authority has approved in writing the details of measures to be incorporated for the prevention of crime. The detail shall include the following measures:

- External Lighting;
- CCTV cameras to be installed to the building and car park;
- Roller shuttering/grilles or 6.4mm laminated glazing to be installed to ground floor vulnerable windows;

The development shall be implemented in accordance with the approved details, and retained as such thereafter.

Reason: In the interests of crime prevention, having regard to the National Planning Policy Framework.

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. For the avoidance of doubt, the scheme of investigation shall be informed by the detailed design of the building set out at the reserved matters stage, and the geotechnical investigations undertaken.

Reason: In the interests of archaeology, having regard to UDP Policy CH25 and the National Planning Policy Framework.

12. The development hereby permitted shall not be commenced until such time as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site, having regard to the National Planning Policy Framework.

13. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed building Finished Floor Levels.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants having regard to the National Planning Policy Framework.

14. Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage in accordance with details previously submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the building.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

15. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan.

16. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22 July 2013 and listed as follows: 3676 300 (March 2013)

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

Last Comments By: 06/09/2013 11:12:45
Expiry Date: 21/10/2013