

Planning Committee

03 June 2015

Reference:
OUT/15/00250

Area Team:
North Team

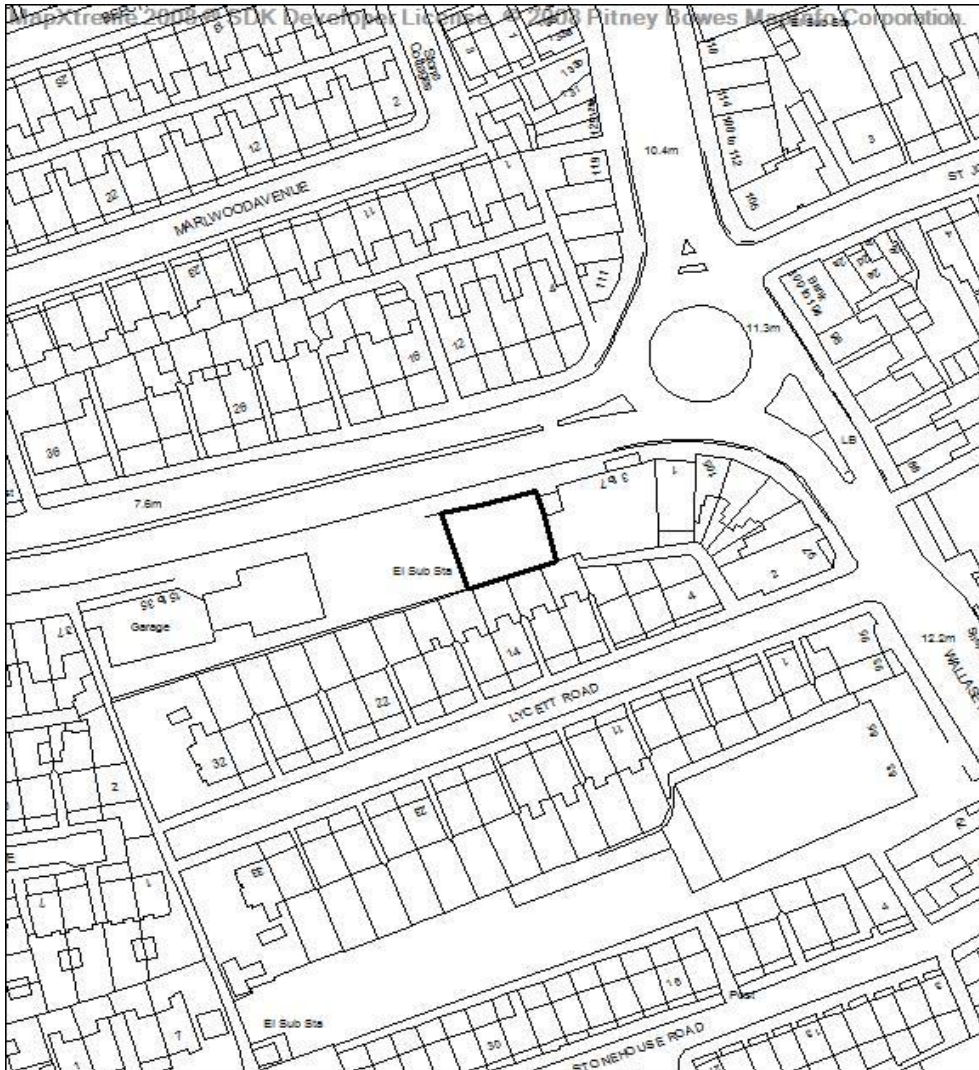
Case Officer:
Miss A McDougall

Ward:

Wallasey

Location: Cleared Site, LEASOWE ROAD, WALLASEY VILLAGE, CH45 8NY
Proposal: Erection of building to accommodate two retail units at ground floor and two self contained flats at first floor
Applicant: Pemway Ltd
Agent : C W Jones

Site Plan:



© Crown copyright and database rights 2014 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

1. Development Plan allocation and policies:

Primarily Residential Area
Primarily Commercial Area
Traditional Suburban Centre

2. Planning History:

Location: Public toilets west of 3-5, Leasowe Road, Wallasey Village. L45 8NY
Application Type: Work for Council by Council
Proposal: Erection of public toilets.
Application No: APP/88/07135
Decision Date: 23/02/1989
Decision Type: Approve

Location: Police Stn Leasowe Rd Wallasey
Application Type: Full Planning Permission
Proposal: Use of former Police Sub Station as a Taxi Hire Office
Application No: APP/74/00772
Decision Date: 25/10/1974
Decision Type: Refuse

Location: Public Conveniences to West of,5 Leasowe Road,Wallasey Village,L44 2BY
Application Type: Advertisement Consent
Proposal: Two hoardings, one either end of building frontage.
Application No: ADV/81/19266
Decision Date: 26/11/1981
Decision Type: Conditional Approval

3. Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 21 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report a petition of objection has been received with 62 signatures and 16 objections have been received, listing the following grounds:

1. existing shop units are vacant
2. increase in traffic and parking problems
3. too close to dwellings
4. overlooking from the windows
5. increase in noise and disturbance
6. type of retail unit
7. viability of further shops
8. disruption from building works

CONSULTATIONS:

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

4. DIRECTORS COMMENTS:

REASON FOR REFERRAL

The Council has received more than 15 letters of objection to the proposed development.

INTRODUCTION

The application is for outline consent for the erection of a two storey building with two ground floor retail units and two self contained flats at first floor.

PRINCIPLE OF DEVELOPMENT

The site is located within the designated Traditional Suburban Centre, the principle of development is therefore acceptable in principle.

SITE AND SURROUNDINGS

The siting of the development is on Leasowe Road, next to an existing petrol station and retail units, the site is currently a vacant plot with a brick build electricity sub station on. The site is located close to the busy central roundabout of Wallasey Village and a grouping of local shops, the area along Leasowe Road at this point is predominantly retail or commercial however there are residential properties to the rear of the site, on the opposite side of Leasowe Road and past the petrol station. The area is a busy thoroughfare in terms of traffic and is also well served in terms of public transport including Wallasey

Village train station.

POLICY CONTEXT

The proposal is for retail and residential within the designated Traditional Suburban Centre, the site does bound the retail area as well which will be taken into account. The application will be assessed in accordance with Wirral's UDP Policies SH2 and SH7.

Policy SH2; Within the Traditional Suburban Centres listed below, proposals falling within Class A1, Class A2 and Class A3 of the Town and Country Planning (Use Classes) Order 1987, will be permitted subject to satisfying the following criteria:

(i) the proposal, together with other recent or proposed development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;

(ii) the proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network;

(iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;

(iv) the siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area;

(v) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display;

(vi) the proposal does not cause nuisance to neighbouring uses or lead to loss of amenity, as a result of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;

(vii) where a proposal for Class A3 use is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;

(viii) proposals for Class A3 uses should include measures to mitigate smells and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading.

Policy SH7; The Local Planning Authority will permit the conversion of upper floors above shops for office uses or for residential uses not covered by permitted development rights, subject to access, parking, servicing, amenity and shop security considerations and the compatibility of the proposed use with neighbouring upper floor activities.

APPEARANCE AND AMENITY ISSUES

The proposal is for a mixed retail/residential building, the application is for outline consent with some matters reserved, the details to be considered under this application are access, appearance and scale. The application has been amended in order to soften the front elevation of the building. The original design was for a two-storey flat roof building, whilst there are a number of flat roof buildings within the immediate vicinity the introduction of a new building in a prominent position requires a level of detail that will have a positive contribution to the character of the area, there are similar flat roof buildings that have parapet designs to the front elevation that work well and provide an attractive detail to a functional building.

The building is to be sited on a vacant piece of land forward of the existing electricity sub station, there

is an existing dropped kerb and access from Leasowe Road to the back of the site, presumably to service the sub-station, this will remain in situ. The proposed scale of the building is similar to neighbouring existing retail buildings, the layout of the property allows for suitable outlook and privacy to existing residential properties. The proposed building has residential windows to the front elevation of the premises which is approximately 30m from the houses opposite and no residential windows to the rear, the houses to the rear are set approximately 14m from the rear elevation of the building. It is considered that the overall use, appearance and siting of the building is appropriate to the character of the area and the street scene.

Concerns have been raised with regards to highway safety, public safety and the impact of the building onto neighbouring uses. The building is not of a scale that would introduce an additional harmful level of activity in terms of the established use of the area as a traditional suburban centre, Leasowe Road is suitably protected in terms of traffic control, there are double yellow lines and zig-zags along the highway to prevent unsafe parking. Whilst there are some vacant retail units within the area the busy character of Wallasey Village is testament to the viability of the local shops and there are car parks around Wallasey Village which can be used by patrons driving to the shops although the character of a traditional suburban centre is a small collection of retail units that serve the local community.

SEPARATION DISTANCES

The proposed building introduces two residential units at first floor, the only windows serving the flats are located to the front elevation facing Leasowe Road, these windows are over 21m from the windows of the houses opposite, the actual building itself has a blank rear elevation and is located approximately 14m from the habitable room windows of the houses on Lycett Road. The proposal therefore meets the current interface distances set out in SPD2.

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.

CONCLUSION

The proposed building is appropriate in terms of scale and use in this location, the development is therefore acceptable having regard to Wirral's UDP Policies SH2 and SH7.

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 is appropriate in terms of scale and use in this location, the development is therefore acceptable having regard to Wirral's UDP Policies SH2 and SH7.

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) Landscaping

(c) Access

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. 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 SH2 of the Wirral Unitary Development Plan.

4. The ground floor premises' shall be used for A1 and for no other purpose of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.

Reason: In order to protect the character of the area & residential amenities of nearby occupants and to accord with Policy SH2 of the Wirral Unitary Development Plan.

5. No storage, display or sale of goods shall take place outside the building.

Reason: In the interests of visual amenity and to comply with Policy SH2 in the Wirral Unitary Development Plan.

6. The retail premises shall not be used except between the hours of :- 08.00 hours and 18.00 hours Mondays to Saturdays and 10.00 hours and 16.00hours on Sundays and Bank Holidays without the written consent of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

7. No servicing or deliveries shall take place at the site outside the hours of 08.00 and 18.00 unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of residential amenity and to comply with Policy SH2 in the Wirral Unitary Development Plan.

8. The development authorised by this permission shall not begin until the local authority has approved in writing details of works:-

- i) for the relocation of the existing bus stop, bus shelter and bus bay marking adjacent to the site and all associated road markings and traffic signs, including bus stop clearway. (Note: it will be the responsibility of the applicant to consult and agree an appropriate location with Merseytravel for the relocated bus stop and shelter.)
- i) for the provision of 24 hour waiting restrictions in Leasowe Road adjacent to the site including any necessary alterations to carriageway markings associated with the adjacent pedestrian crossing

The first use of the development shall not begin until those works have been completed in accordance with the local authority's approval and have been certified in writing as complete by or on behalf of the local authority.

Reason: Having regard to Highway Safety

Expiry Date:

20/04/2015