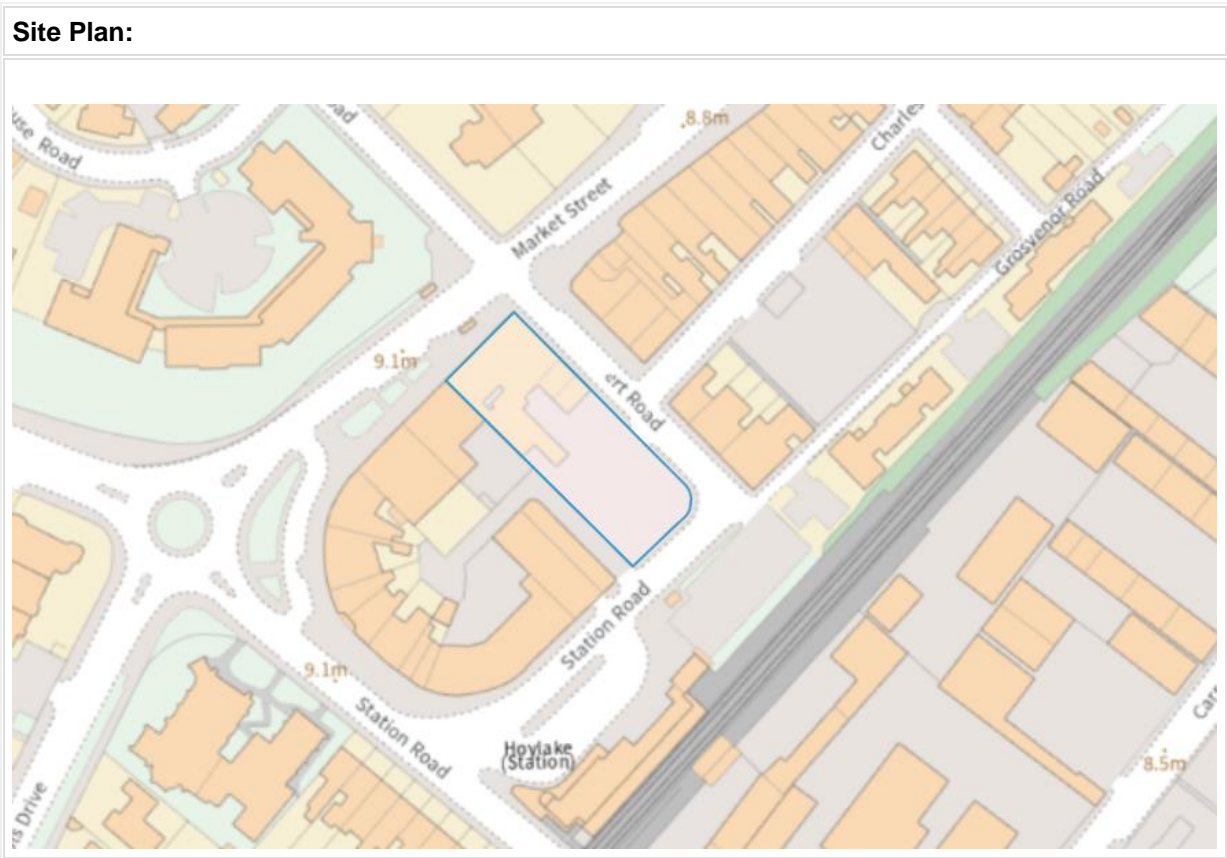


Planning Committee	
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<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
RVC/22/01426	DM	Ms A McDougall	Hoylake and Meols

<b>Location:</b>	The Beacon Project Albert Road, Hoylake, Wirral, CH47 2AB
<b>Proposal:</b>	Variation of Condition 8 and 12 of previously approved APP/19/00065 (original approval APP/17/01191)
<b>Applicant:</b>	Mr Peter Benson
<b>Agent :</b>	Paddock Johnson Paddock Johnson Architects

<b>Qualifying Petition</b>	No
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<b>Development Plan designation:</b>	Primarily Commercial Area
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<b>Planning History:</b>	Applications NMA/23/00157
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	<p>Conversion of Edwardian Town Hall to a small one or two screen cinema/arts space with associated cafe/bistro, fine dining restaurant, atrium cafe/bar with small retail units around a central courtyard, with further retail units for artists and makers. Also included are 40 Apartments on 4levels above the ground floor artisan spaces,</p> <p>APP/17/01191 APP/19/00065 DIS/22/00911</p>
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**Summary Of Representations and Consultations Received:**

<p><b>1. Ward Member Comments</b></p>	<p>Councillor Cox has removed the application from delegated powers due to the following reasons;</p> <ul style="list-style-type: none"> <li>• insufficient parking, further reduced by loss of 2 spaces</li> <li>• no community facility being brought forward due to the changes to the phasing plan</li> </ul>
<p><b>2. Summary of Representations</b></p>	<p><b><u>REPRESENTATIONS</u></b></p> <p>11 Objections have been received on the following grounds;</p> <ul style="list-style-type: none"> <li>• phasing plan changes results in the flats being brought forward first and no community facility provision.</li> <li>• insufficient parking</li> <li>• increased pressure on businesses and residents</li> </ul>

	<p><b><u>CONSULTATIONS</u></b></p> <p>Highways - No objection</p> <p>The relocation of the cycle store is appropriate and the loss of two car parking spaces is also accepted due to the accessible location of the development with frequent train services available from Hoylake Merseyrail station adjacent to the building and frequent bus services available from nearby stops in Market Street, all within short walking distance from the building. Shops and local services are also nearby which would help to make car use a non-essential mode of travel for residents.</p>
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<p><b>3.1 Site and Surroundings</b></p>	<p>The application site is located in the centre of Hoylake which is a coastal town to the north west of Wirral. The site is immediately adjacent to Albert Road and Market Street, of which Market Street is a key route through Hoylake. The site is comprised of the former offices of Hoylake Urban District Council adjacent fire station with the Quadrant to the west and Hoylake railway station to the south east.</p> <p>The site is located within the Meols Drive Conservation Area at its eastern most extent. The Meols Drive Conservation Area is protected due to its</p>
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particular architectural quality and spacious tree lined character, providing an example of late Victorian and Edwardian suburban housing.

The site is located within Hoylake Town Centre with the majority of the town centre extending to the east of the application site. A diverse range of amenities and uses are available within the town centre which includes a range of architectural styles that have evolved over time during the growth of Hoylake.

To the west of the site is the Quadrant a semi-circular run of operators marking the entrance point into Hoylake Town Centre and acting as an arrival space for Hoylake train station. To the north of the site is the residential accommodation for the town with agricultural fields and a golf course to the south of the site over the railway .

### 3.2 Proposed Development

Planning permission was for the redevelopment of existing town hall and fire station to create ground floor commercial units (Use Classes A1, A2, A3, A4), restaurant (Use Class A3), cinema (Use Class D2) and demolition of remaining buildings and structures, and erection of a mixed use development comprising 40 apartments (Use Class C3) and 17 artisan units (Use Class A1), and associated infrastructure.

The original approval APP/17/01191 was approved and works are underway, the application was further varied with regards to condition 12 under APP/19/00065, it should be noted that there is no Section 106 securing the phasing of the works.

The proposal is to vary conditions 8 & 12 of the planning application APP/19/00065 which was a variation of the originally approved scheme as set out above under planning application APP/17/01191, planning approval on APP/19/00065 was an application to vary condition 12 phasing details, this application seeks to vary conditions 8 and 12.

The original condition 8 reads;

***NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.***

It is proposed that Condition 8 will read;

The cycle parking as shown on plan 190-201-R (received 01/09/22) shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

The original condition 12 read;

***Prior to the commencement of development, a phasing plan indicating the phasing of the residential development with the commercial development shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full.***

The proposed varied Condition 12 (19/00065) reads;

***The proposed development shall be carried out in accordance with the phasing plan received by the Local Planning Authority on 12th March 2019 and the works programme for the Beacon Project received by the Local Planning Authority on 18th June 2019 unless otherwise agreed in writing with the Local Planning Authority.***

The proposed variation is to the phasing as agreed to allow for phase 2 to be completed before Phase 1.

Condition 12 as varied under this application would read;

The proposed development shall be carried out in accordance with the phasing plan received by the Local Planning Authority on 1 September 2022 (Phasing Plan March 2019 Rev A) unless otherwise agreed in writing with the Local Planning Authority.

### **3.3 Development Plan**

At the current time the statutory development plan for the area comprises saved policies of the Wirral Unitary Development Plan (2000) (UDP) and the Merseyside and Halton Joint Waste Plan and the Hoylake Neighbourhood Development Plan.

The current policies of the UDP are relevant. Policy SHO1 will seek the enhancement of the vitality and viability of key town centres to ensure people have easy access by a choice of transport modes to a wide range of shopping provision.

Policy SH1 establishes that a range of use classes including retail, leisure and non- residential institutions would be suitable within Key Town Centres. The proposals would need to ensure that they do not undermine the vitality and viability of any Key Town Centre and does not generate traffic more than that which can be accommodated by the existing highway network.

Policy SH6 defines appropriate uses within Primarily Commercial Areas.

Policy HS4 establishes that sites within the Primarily Residential Areas as per the Proposals Map will be permitted, subject to the proposal being of an appropriate scale that does not have a detrimental change in the character of the area.

Policy CH2 permits development within Conservation Areas where the proposals preserve or enhance the distinctive characteristics of the Area. The general design and layout of the area including relationship between

	<p>its buildings and the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.</p> <p>Policy TR12 establishes that where considered practicable and desirable new development will be required to provide cycle parking facilities at a ratio of 1:1 for every residential apartment.</p> <p>The following Hoylake Neighbourhood Development Plan has the following relevant policies:</p> <p>Policy HS1 establishes that proposals for a range of retail development will be permitted provided that a consistent active frontage would be maintained at ground floor level.</p> <p>Policy HS2 supports redevelopment of selective buildings within the town centre boundary where a positive contribution to a vibrant mix of uses with a high-quality design is maintained.</p> <p>Policy HS4 proposals that support high quality food and drink, arts and cultural uses and retail trading will be permitted subject to the proposal being able to demonstrate no significant adverse impacts upon the amenities of local residents.</p> <p>Policy HS5 proposals which have an active ground floor level which seek to create residential apartments will be permitted subject to the proposal being able to demonstrate that it would not have a significantly adverse impact upon the living conditions of occupants of nearby buildings with a residential use.</p> <p>Policy DI1 requires the alteration of any building displaying characteristic local features must not materially diminish the significant character of the building.</p> <p>Policy DI2 requires all proposals for new buildings or alterations to existing buildings to respond to the distinctive character and reflect the identity of the area in terms of their size, design and materials of construction</p>
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<p><b>3.4 Other Material Planning Considerations</b></p>	<p>.</p>
	<p>The NPPF 2021 is a material consideration.</p> <p>It states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <ul style="list-style-type: none"> <li>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</li> <li>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</li> <li>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</li> <li>d) ensure that established shops, facilities and services are able to</li> </ul>

develop and modernise, and are retained for the benefit of the community; and  
e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.

Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.

On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25th July 2022. The Local Plan was submitted to the Secretary of State on the 26th of October 2022. The local plan and supporting evidence base can be viewed online at [www.wirral.gov.uk/lpexam](http://www.wirral.gov.uk/lpexam)

As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision-making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:

"Local planning authorities may give weight to relevant policies in emerging plans according to:

the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Relevant Policies;

[Policy WD 11 Design in Centres](#)

[Policy WD 10 Non-Residential Uses in Primarily Residential Areas](#)

[Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking](#)

[Policy WS 6 Placemaking for Wirral](#)

[Policy WD 6 Self Contained Flats](#)

<p><b>3.5 Assessment</b></p>	<p>The main issues pertinent in the assessment of the proposal are; Whether sufficient information has been received to ensure compliance with the conditions.</p> <p>The condition was originally applied to ensure that the whole scheme was developed out in a comprehensive rather than one element being developed out rather than the whole scheme.</p>
<p><b>3.6 Principle of Development</b></p>	<p>Planning permission was for the redevelopment of existing town hall and fire station to create ground floor commercial units (Use Classes A1, A2, A3, A4), restaurant (Use Class A3), cinema (Use Class D2) and demolition of remaining buildings and structures, and erection of a mixed use development comprising 40 apartments (Use Class C3) and 17 artisan units (Use Class A1), and associated infrastructure.</p> <p>The proposal is to vary conditions 8 and 12, the original planning application 17/01191 which was subsequently varied under application 19/00065, the principle to vary these conditions is considered acceptable as the site has an extant consent, whether the changes to the conditions are acceptable will be assessed within this report in terms of the impact those changes have to the development as a whole and the wider commercial and neighbouring residential areas.</p>
<p><b>3.7 Design</b></p>	<p>The variation to condition 8 has minimal impact onto the design of the original scheme, the placement of the cycle parking does result in the loss of two external dedicated parking bays, this reduces the provision from 6 as per the original approval to 4.</p> <p>The location of the cycle parking is considered acceptable and contained within the application site for both visitors, staff and residents. The loss of the two parking bays is not considered detrimental to the delivery of the scheme as a whole due to the location of the premises being within an established commercial area and located within close proximity to a train station.</p> <p>The variation to condition 8 therefore has limited harmful impact onto the objectives of the development and is considered acceptable.</p> <p>The variation to Condition 12 relates to the phasing of the project, this was varied previously under application 19/00065, the phasing plan has been updated and would allow for the completion of phase 2 prior to the completion of phase 1.</p> <p>Concerns have been raised that the changes to the phasing would result in no community or commercial elements of the scheme being brought forward, however it is not under the original planning consent or within the planning department's remit to enforce the delivery of a development. Whilst the provision of positive public facilities would benefit the wider community and the local businesses, the changes to the phasing do not mean that in the future these facilities cannot and will not be provided, it would therefore be unreasonable to prevent the delivery of the residential flats on the basis that the non-residential is not being provided immediately.</p> <p>The changes to the phasing do not therefore impact the design of the scheme as a whole.</p>

<p><b>3.8 Highways</b></p>	<p>The variation to condition 8 provides a plan showing the cycle parking which is to be located externally at will see the loss of 2 car parking spaces, leaving 4 dedicated spaces for the use of the site. The number of spaces is minimal however there is also minimal external space for the site.</p> <p>The amendments have been assessed by the Local Authority Transport Engineers, due to the sustainable location and an element of on street parking within the wider area, the loss of car parking spaces to make way for cycle parking is considered acceptable.</p>
<p><b>3.9 Ecology</b></p>	<p>There are no Environmental/Sustainability issues relating to these proposals.</p>
<p><b>3.10 Amenity</b></p>	<p>The proposed variation to condition 8 does see the loss of two dedicated parking bays which may have an overspill impact onto the surrounding streets on parking provision however the site is well situated in terms of public transport and the residential units would be well supported due to the surrounding commercial provision. Therefore, the variation to condition 8 is not considered to harm to the objectives of Wirral's UDP Policy SH1 or the NPPF.</p> <p>The variation to phasing under condition 12 is considered acceptable in that the phasing allows the continuation of development for the residential prior to the completion of the non-residential elements. This does not prevent the commercial elements being brought forward at a future date and provides the continuation of the development as originally approved albeit in different stages. Whilst concerns have been raised with regards to how the original application was approved on the basis that the community/commercial facilities were to be provided, the rewording of this condition to allow one development to complete before the other does not restrict the continuation of the commercial element and does not therefore in terms of planning control harm the objectives of the development as approved and is acceptable in accordance with Wirral's UDP and the NPPF.</p>
<p><b>Summary of Decision</b></p>	<p>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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-</p>
	<p>The submission of details to vary condition 8 and 12 of planning approval 19/00065 are sufficient and will ensure that the resulting development makes the most effective use of brownfield land multiple different uses have been proposed to deliver commercial, leisure, retail and community uses whilst retaining the important buildings to respect the Conservation Area. The scheme has been designed in order to retain and restore the locally important historic buildings and contribute to the development of and further regeneration of Hoylake Town Centre. In addition, the proposal will assist in the creation of new jobs associated with construction and then operation of the development. The proposed development is consistent with the NPPF's core principles. The proposed development makes use of brownfield land and is in a sustainable, urban location and therefore</p>



	accords with THEME 1 of the Hoylake Neighbourhood Development Plan and Policies SH01, SH6, HS4 of the Wirral UDP and the NPPF.
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<b>Recommended Decision:</b>	Conditional Approval
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<b>Recommended Conditions and Reasons:</b>	
<p>1. The development hereby permitted shall begin not later than 3 years from the date of this decision.</p> <p><b>Reason:</b> To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.</p> <p>2 No development involving the use of any facing materials shall take place until samples of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policies of the Wirral Unitary Development Plan.</p> <p>3 No development shall commence until the final detailed sustainable drainage design<sup>1</sup>, for the management and disposal of surface water from the site based on the principles and details identified in the following documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority: - Drainage Strategy and Flood Risk for Proposed Development The Beacon, Albert Road, Hoylake, Wirral (July 2018 rev 03 /LRD29750/Sutcliffe)</p> <p><b>Reason:</b> To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework.</p> <p>4 Prior to the occupation of any properties, a completed Operation and Maintenance Plan with appended as-built drawings must be submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority along with evidence of arrangements to secure funding and maintenance of the sustainable surface water drainage system for the lifetime of the development through an appropriate legally binding agreement. The approved Operation and Maintenance Plan shall be implemented prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. (Details submitted DIS/22/00911)</p> <p><b>Reason:</b> To ensure a satisfactory sustainable surface water drainage system is provided to serve the site and secure satisfactory management and maintenance of the approved surface water drainage system in accordance with the National Planning Policy Framework.</p> <p>5 A suitable scheme of fume extraction shall be submitted in writing to and approved by the Local Planning Authority prior to any building/renovation work commencing. When designing the fume extraction system reference should be made to the Defra document: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems</p> <p><b>Reason:</b> In the interest of amenity and to comply with UDP Policy SH6</p> <p>6 The ground floor commercial premises shall not be used except between the hours of :- 08:00 hours and 22:00 hours Mondays to Thursday 08:00 hours and 11:30 hours Friday and Saturdays 10:00 hours and 22:00 on Sundays and Bank Holidays without the written consent of the Local Planning Authority.</p> <p><b>Reason:</b> To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties</p>	

7 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 31st January 2018 and listed as follows: 02-02-000, 02-02-001, 02-02-002, 02-02-003, 02-02-004, 02-03-000, 02-03-000, 02-03-001, 02-03-002, 02-05-004, 02-05-004, 02-05-003, 02-05-002, 02-05-001,

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

8 NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

9 Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interests of highway safety and to accord with Policy HS4 of the Wirral Unitary Development Plan

10 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 HS4 of the Wirral Unitary Development Plan

11 Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse including recycling facilities, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

(submitted DIS/22/00911)

**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 WM9 of the Waste Local Plan

12 The proposed development shall be carried out in accordance with the phasing plan received by the Local Planning Authority on 1 September 2022 (Phasing Plan March 2019 Rev A) unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure a comprehensive development and to comply with Unitary Development Plan Policy SH1 and the policies within the Planning Policy Framework

13 Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

(Details submitted DIS/22/00911)

**Reason:** In the interests of highway safety and to accord with Policy HS4 in the in the Wirral Unitary Development Plan.

<b>Last Comments By:</b>	06-10-2022
<b>Expiry Date:</b>	14-December-2022

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