

## Planning Committee

21 October 2010

**Reference:**  
**APP/10/00926**

**Area Team:**  
**South Team**

**Case Officer:**  
**Ms C Berry**

**Ward:**  
**Bromborough**

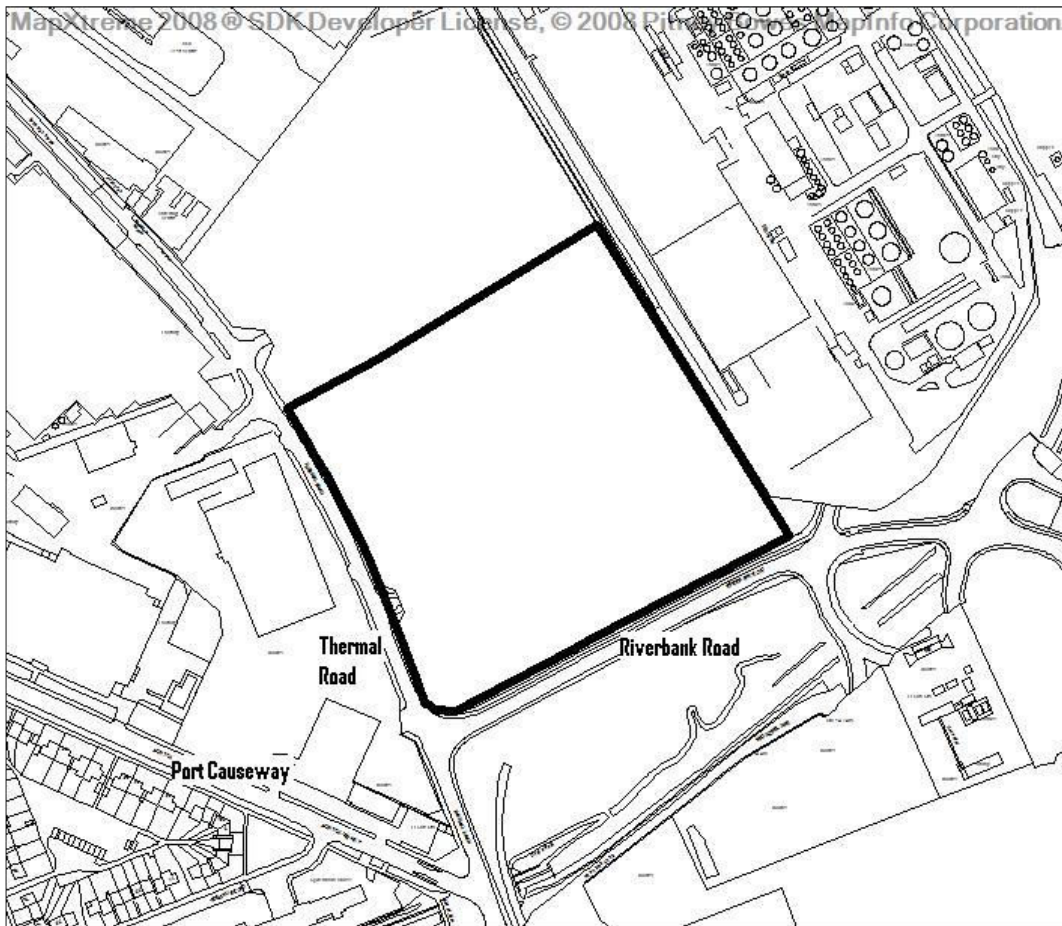
**Location:**  
**Proposal:**

Cleared Site, THERMAL ROAD, BROMBOROUGH, CH62 4TP  
New warehouse with associated offices, car parking and lorry loading areas.

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

Hampton Brook estates Ltd  
Tew and Smith

**Site Plan:**



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### **Development Plan allocation and policies:**

Primarily Industrial Area

### **Planning History:**

Previous approvals relating to the former power station, none relevant to this proposal.

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

A site notice was posted at the site and letters sent to adjacent properties. Comments received from Merseyside Cycling Campaign Wirral Group stating that the proposal gives considerable attention to transport access and request that full cycle and parking facilities are provided.

## **CONSULTATIONS**

Director of Law, Human Resources & Asset Management (Pollution Control) - No Objection subject to conditions.

Director of Technical Services (Traffic Management Division) – No Objection subject to conditions.

Director of Technical Services (Health, Safety and Resilience Operations) - Robust Emergency plans and procedures should be put in place to ensure the safe evacuation of the site.

Environment Agency - No Objection subject to conditions.

Natural England - Initially objected to the proposal as further information was required regarding potential effects on the Mersey Estuary, SPA and SSSI. The information was submitted to show that the proposal would have no likely significant effects on the protected area and the objection was withdrawn.

Policy Architectural Liaison Officer - No objection

## **Director's Comments:**

## **REASON FOR REFERRAL**

The application is a major development, which requires Committee approval.

## **INTRODUCTION**

The proposal is for a distribution warehouse comprising 18,544 square metres floor space of which the majority is B8 warehouse with 625 square metres of ancillary B1 office space. The warehouse unit will be operated by Great Bear Distribution in association with the Cereal Partners factory located opposite the application site. Currently Cereal Partners transport the goods from the factory to an existing Great Bear warehouse located at Deeside a 22 mile round trip. The new warehouse facility will reduce transport costs and enable more efficient operations by providing storage facilities for the manufactured goods produced at Cereal Partners. The warehouse will be operated by 23 full-time staff working in two shifts, 7 days a week, 24 hours a day. The service yard is located at the front of the building and contains 18 dock loading doors, 3 level access doors and parking for 40 lorry trailers. Car parking is provided for 70 vehicles including 5 spaces for disabled users and secure provision for motor cycle and pedal cycle parking.

## **PRINCIPLE OF DEVELOPMENT**

The site is within a Primarily Industrial Area where proposals falling into B1, B2 and B8 are acceptable in principle.

## **SITE AND SURROUNDINGS**

The site is the former power station at Thermal Road and forms part of Wirral International Business Park. The site is cleared following the removal of the former power station and following demolition environmental remediation works have been carried out to remove contamination. Notwithstanding this, conditions are recommended to ensure that an up to date ground contamination risk assessment is carried out. The site is accessed from Thermal Road and is bounded by Riverbank Road to the south east and there is existing fencing on this boundary that will be retained. The existing fencing at the rear will be retained with new fencing provided on the front boundary with Thermal Road. The character of the immediate area is industrial with adjacent units varying in scale and design. The site is within close proximity of the Mersey Estuary, which is a RAMSAR site a Site of Special, Scientific Importance (SSSI) and Special Protection Area identified as International Importance for Nature Conservation. As such the proposal needs to demonstrate that there will be no likely significant

effects or negative impacts on the features of the Mersey Estuary. This is discussed later in this report under the heading of environmental/sustainability issues.

## **POLICY CONTEXT**

### **Wirral Unitary Development Plan**

The site is within an area designated as Primarily Industrial and the proposal is assessed against the following UDP policies:

Policy URN1 – Development and Urban Regeneration  
Policy NC01 – Principals for Nature Conservation  
Policy LAN1 – Principals for Landscape  
Policy TR3 – Transport and the environment  
Policy TR9 – Requirements for off street parking  
Policy TR12 – Requirements for cycle parking  
Policy EM6 – General Criteria for new employment  
Policy EM7 – Environmental Criteria for new employment  
Policy EM8 – Development in Primarily Industrial areas

### **National Policies**

In addition to the local policies given above it is considered that the following national policies apply:

Planning Policy Statement 1: Delivering Sustainable Development.  
Planning Policy Statement 4: Planning for sustainable economic growth.  
Planning Policy Statement 9: Biodiversity and Geological Conservation.  
Planning Policy Statement 10: Sustainable waste management.  
Planning Policy Statement 25: Development and Flood Risk.  
Planning Policy Guidance Note 13: Transport.

## **APPEARANCE AND AMENITY ISSUES**

The site is a brownfield site previously occupied by a power station (demolished circa 1999 / 2000). The development of the site makes full and effective use of land within an existing urban industrial area and brings into use a site that has remained unused for approximately ten years. This is in accordance with national policy and UDP policies EM6, EM7 and EM8. Local services already exist, so there is no need for new services to be created to support the development. In its current state the existing site has little ecological value. The proposals include a landscaping scheme which will improve and enhance the ecological value of the site. The siting, scale, design, choice of materials, boundary treatment and landscaping is of a good standard and is in keeping with neighbouring uses. The design of the building and the proposed boundary treatments provide adequate security measures to meet crime reduction objectives. The development will be assessed by BREEAM (Building Research Establishment's Environmental Assessment Method) which sets the standard for best practice in sustainable design and measures the building's environmental performance. The proposal is registered with BRE (Building Research Establishment) and the building will be assessed to achieve an 'excellent' rating with a score in excess of 70%.

## **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

The proposal does not generate traffic in excess of that which can be accommodated by the existing highway network and adequate off-street car and cycle parking is provided. This development has been brought about by the desire to reduce lorry movements between Cereal Partners existing factory and their storage and distribution unit. This development will provide a new storage and distribution facility directly opposite the existing factory. This will reduce the journey from the factory to the storage and distribution unit from 22 miles (round trip) to less than a mile. This will provide a beneficial effect on both the main transport corridors and the environment. Adequate parking for cars, motorcycles and pedal cyclists has been provided, taking into account the number of staff required to

operate the building and the likely visitor numbers. Vehicle and pedestrian conflict has been reduced by giving pedestrians a dedicated footpath from the site entrance to the building entrance. The pedestrian footpath will also be suitable for disabled persons to use. Areas for car parking have been separated from areas for lorry parking and maneuvering and 7% of car parking spaces are suitable for disabled persons. This is in excess of the 6% disabled parking spaces required by council parking standard. A transport statement and a framework travel plan have been submitted and explain how this development addresses these issues. A condition is recommended for a full travel plan to be submitted once the building is occupied to ensure effective travel arrangements.

#### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The site is located approximately 250 metres from the Mersey Estuary Site of Special Scientific Interest, Ramsar and Special Protection Area. The submitted information and ecology reports have been assessed and confirm that the proposal will not give rise to significant environmental effects and therefore a full Environmental Impact Assessment is not required.

Sustainability is considered throughout this proposal. It will reduce lorry travelling distances dramatically, reduce traffic on local roads and reduce CO2 emissions from lorries. The building itself has been designed to be very sustainable and will achieve a BRE environmental assessment method (BREEAM) rating of "Excellent". One of the key objectives of both national and local policy is for developments to "deliver more sustainable patterns of development, reduce the need to travel especially by car and to respond to climate change". The proposal demonstrates that biological and geological diversity are considered and ecology surveys confirm that there will be no adverse impacts on the nearby Mersey Estuary. The warehouse will produce very little waste, however, an area for the storage and recycling of waste has been provided. A full flood risk assessment for this development has been provided and demonstrates that the development is not at risk from flooding.

#### **HEALTH ISSUES**

The site was previously occupied by a power station and although cleared with some remedial works completed, conditions are recommended to ensure there is no risk of contamination both on site and to watercourses off site.

#### **CONCLUSION**

The proposed development will provide a warehouse facility that supports a local, well established business and provides local employment opportunities. The proposal represents a sustainable form of development in terms of construction, reducing transport movements and environmental/ecological considerations. The proposal is in keeping with the industrial area and will have no detrimental impact on the local environment. The proposal accords with the UDP policies URN1, NC01, LAN1, TR3, TR9, TR12, EM6, EM7 and Policy EM8

#### **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 will provide a warehouse facility that supports a local, well established business and provides local employment opportunities. The proposal represents a sustainable form of development in terms of construction, reducing transport movements and environmental/ecological considerations. The proposal is in keeping with the industrial area and will have no detrimental impact on the local environment. The proposal accords with the UDP policies URN1, NC01, LAN1, TR3, TR9, TR12, EM6, EM7 and Policy EM8

#### **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. 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 in the in the Wirral Unitary Development Plan 2006

3. 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.

**Reason:** In the interests of highway safety and to accord with Policy TR3 in the in the Wirral Unitary Development Plan.

4. Notwithstanding the submitted details, the development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to provide vehicular access from the highway into the development site. The occupation of any part of the development shall not begin until those works have been completed in accordance with the approved details and certified in writing as complete by the local planning authority.

**Reason:** To ensure the provision of a satisfactory, convenient and safe means of access in the interests of highway safety and to accord with Policy TR3 of the Wirral Unitary Development Plan.

5. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works to reinstate to standard footway levels any and all existing vehicle accesses from the highway into the development site that are rendered obsolete by the development hereby approved. The occupation of any part of the development shall not begin until those works have been completed in accordance with the approved details and certified in writing as complete by the local planning authority.

**Reason:** To ensure the provision of a satisfactory, convenient and safe means of access in the interests of highway safety and to accord with Policy TR3 of the Wirral Unitary Development Plan.

6. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an up to date ground contamination risk assessment shall be undertaken and the following components of a scheme to deal with the risks associated with contamination of the site shall each be 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 risks 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 these, an options appraisal and remediation strategy giving full details of the 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 longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Should this assessment identify any unacceptable risks, then a scheme of remediation to render the site suitable for its intended use shall be submitted to and approved in writing by the Local Planning Authority. Any changes to the components set out above 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 on site and to inland freshwaters, coastal waters and relevant territorial waters in accordance with Policy PO5 'Criteria for the Development of Contaminated Land' of the Wirral UDP.

7. A statement giving precise details of the nature and extent of any such remediation together with certification that the site has been made suitable for its intended use shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.

*Reason:* To ensure a safe form of development that poses no unacceptable risk of pollution on site and to inland freshwaters, coastal waters and relevant territorial waters in accordance with Policy PO5 'Criteria for the Development of Contaminated Land' of the Wirral UDP.

8. The development permitted by this planning condition shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) July 2010/ 4378R001/ BCAL Consulting and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the development to 287 litres per second, for events with flow probabilities of up to and including the 1 in 100 year event (including 20% increase in rainfall intensity to allow for the effects of climate change), requiring 951 m<sup>3</sup> of on-site attenuation. Any proposed surface water storage areas must not pose a flood risk to the proposed development or to those neighbouring the site.

*Reason:* To prevent flooding by ensuring the satisfactory storage of, and disposal of, surface water from the site in accordance with PPS25

9. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

*Reason:* To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with the aims of Policy NC01 of the Wirral Unitary Development Plan.

10. Prior to the commencement of the development, the approved scheme and timetable for the eradication of Japanese Knotweed referred to in condition 9 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To eradicate Japanese Knotweed from the site and to prevent the spread of the plant through development works and to accord with the aims of Policy NC01 of the Wirral Unitary Development Plan.

11. The hard and soft landscaping scheme shown on drawing number 001A dated June 2010 shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

**Reason:** In the interests of visual amenity and to comply with Policy LAN1 of the Wirral Unitary Development Plan.

12. The development hereby permitted shall not be carried out except in complete accordance with the details contained within the submitted reports and the details shown on the submitted plans, numbers 4124/01, 4124/SK04P, 4124/SK05E, 4124/SK06E, 4124/SK07E, 4124/SK08C, 4124/SK09, 4124/SK11, 5692A, 1141/10 dRGdRG nO. 001A, D16801/PY/C.

**Reason:** For the avoidance of doubt

**Further Notes for Committee:**

**Last Comments By:** 09/09/2010 12:20:12  
**Expiry Date:** 27/10/2010