

Committee: **PLANNING**

Date of Meeting: **09 February 2010**

Title of Report: **S/2010/1503**  
**Central Square, Maghull**  
(Sudell Ward)

Proposal: Partial redevelopment and refurbishment of Central Square comprising: the construction of five new retail units with mezzanine floors after demolition of Units 8 - 16, external refurbishment of Units 1 - 7 and 17 - 33, layout of a new 41 space staff car park to the west of the site, re-configuration of the existing customer car park creating an additional 20 spaces, change of use of Unit 1 from retail (A1) to Café / Restaurant (A3) with outside seating area, alteration and extension to the service yard layout and erection of electricity sub-station to the rear, hard and soft landscaping and new boundary treatments

Applicant: Maghull Investments (Maghull Town Centre) Limited

## **Executive Summary**

The proposal seeks to replace and refurbish units within Maghull Town Centre at Central Square, rationalising car parking and offering public realm improvements.

The scheme meets policy requirements and is recommended for approval.

**Recommendation(s)                      Approval**

## **Justification**

The scheme complies with the aims and objectives of the Sefton UDP, promoting safer and more secure environment, an improved retail offer to enhance vitality/viability, and design and public realm improvements reaffirming Maghull Town Centre as a key destination with the Sefton hierarchy.

In the absence of other overriding material considerations the granting of planning permission is therefore justified.

## **Conditions**

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. S-106 Standard S106
4. P-5 Plant and machinery
5. P-8 Kitchen Extraction Equipment

6. M-2 Materials (sample)
7. M8 Boundary Treatment
8. L-1 Protection of trees
9. L-2 Method Statement
10. L-4 Landscape Implementation
11. L-5 Landscape Management Plan
12. B-2 Hot Food takeaways (opening hours)
13. B-3 Delivery hours
14. P-1 Demolition
15. a) A plan detailing measures for the gating of the rear service yard including other security measures for surveillance shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the new retail units.  
b) The gating shall be implemented prior to the use of the rear service yard in conjunction with the new units as constructed.
16. D-5 Renewable Energy
17. R3 PD Removal - garages/extensions
18. E-1 Sustainable Drainage
19. H-1 Remove existing vehicular/pedestrian access
20. H-2 New vehicular/pedestrian access
21. H-5 Off-site Highway Improvements
22. H-6 Vehicle parking and manoeuvring
23. H-7 Cycle parking
24. H-9 Travel Plan required
25. H-10 Mud on carriageway
26. H-11 Construction Management Plan
27. H-12 Servicing Areas
28. Unless otherwise agreed in writing, Units A-E shall not be occupied until the Traffic Regulation Order (TRO) for the main Central Square car park has been revoked.
29. a) Prior to occupation of Units A-E a Car Park Management Plan must be submitted to and approved in writing by the Local Planning Authority.  
b) The provisions of the Car Park Management Plan shall be required to set out charging, enforcement and a demand management regime alongside the mechanism for daily opening and closing be implemented and operated in accordance with the timetable contained therein and shall not be varied other than through agreement with the Local Planning Authority.
30. M-8 Employment Charter

## Reasons

1. RT-1
2. RX1
3. RS-106
4. RP-5
5. RP-8
6. RM-2

7. RP-1
8. RL-1
9. RL-2
10. RL-4
11. RL-5
12. RB-2
13. RB-3
14. RP-1
15. RM-3
16. RD-5
17. RR1
18. RE-1
19. RH-1
20. RH-2
21. RH-5
22. RH-6
23. RH-7
24. RH-9
25. RH-10
26. RH-11
27. RH-1
28. RH-1
29. RH-1
30. RM-8

## Notes

1. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.
2. Planning permission is granted subject to an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in relation to trees and greenspace.
3. Prior to the commencement of any work that is likely to generate dust, grit or chemicals in solution, there must be suitable and adequate methods in place to minimise any release to atmosphere. Such methods may include sheeting out the work area, utilising water suppression or any other method recognised by the building industry.
4. The applicant is advised of the requirement for a "stopping up order" to any land which forms part of the public highway. For further information please contact the Highways Development Control team on 0151 934 4175.

## **Drawing Numbers**

7267-80C, 81C, 82B, 83B, 84B, 85B, 86B, 87A, 88E, 89B, 90B, 91C, 92B, 93B, 94A, 95L, 97B, 100;

Refuse Vehicle Tracking Diagram 26 January 2011, 1189-01A, 02K, 03D, 04D, 05C, 06A, External Works Image Sheets 1, 2, 3.

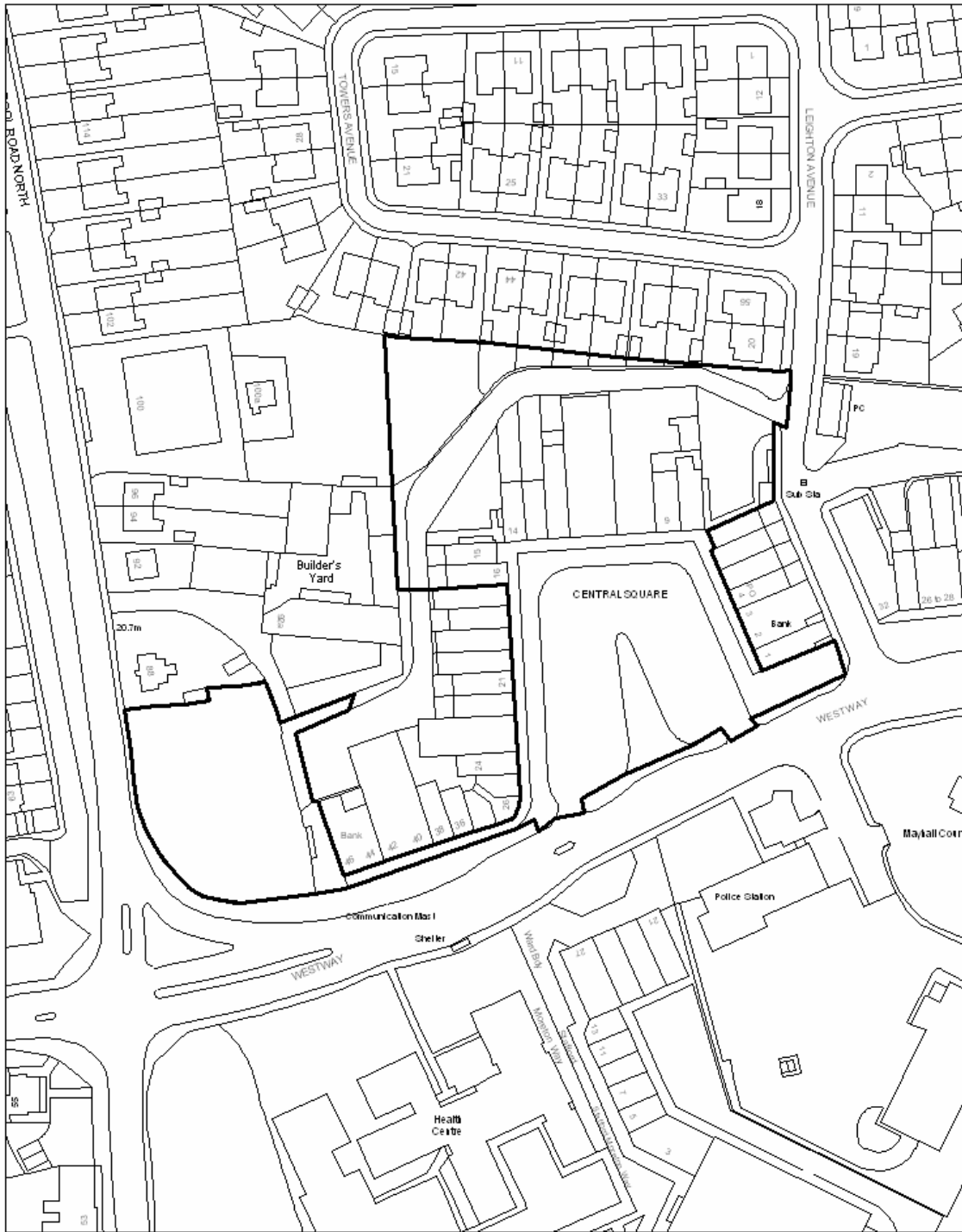
Flood Risk Assessment, Planning Statement, Phase I Desktop Study, Transport Statement.

## Financial Implications

<b>CAPITAL EXPENDITURE</b>	<b>2006/ 2007 £</b>	<b>2007/ 2008 £</b>	<b>2008/ 2009 £</b>	<b>2009/ 2010 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b>REVENUE IMPLICATIONS</b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

## List of Background Papers relied upon in the preparation of this report

History referred to  
Policy referred to



<b>Sefton Council</b> Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning &amp; Economic Regeneration is part of the          Regeneration &amp; Environmental Services Directorate</small>		S/2010/1503 Central Square Maghull OSGR: 337499, 402616    Elevation: 193C, 193A    Area: 10967 sqm		Standard Site Plan Scale: 1:1250 Date: 2/12/2010 Drawn By: EBERT on	
<small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Licence No. 1000181921</small>		<small>Created by Sefton Council Planning &amp; Economic Regeneration Department using MapInfo</small>		Ward(s): Sudell Postcode Sector(s): L31 0, L31 2 Polling District(s): A4 Parish(es): Maghull Cp	

## **The Site**

The site comprises a 1960s purpose built shopping development, with central parking provision. There is a builders yard and a mix of other commercial/residential properties in the near vicinity. The A59 runs north-south to the eastern side of the centre.

## **Proposal**

Partial redevelopment and refurbishment of Central Square comprising: the construction of five new retail units with mezzanine floors after demolition of Units 8 - 16, external refurbishment of Units 1 - 7 and 17 - 33, layout of a new 41 space staff car park to the west of the site, re-configuration of the existing customer car park creating an additional 20 spaces, change of use of Unit 1 from retail (A1) to Café / Restaurant (A3) with outside seating area, alteration and extension to the service yard layout and erection of electricity sub-station to the rear, hard and soft landscaping and new boundary treatments

## **History**

Properties within the site have been subject to many applications in recent years mostly for advertisement consent. None have a direct bearing on these proposals.

## **Consultations**

*Highways Development Control* - comment as follows:

### Traffic Generation and Impact

The Transport Statement submitted with this application includes estimates of the additional vehicular traffic likely to be generated as a result of this development, established by analysing the TRICS 2010a database.

In the busiest hour on a weekday it has been estimated that an additional 21 and 20 vehicles respectively would arrive and depart the site and on the busiest hour on a Saturday an additional 27 and 28 vehicles respectively would arrive and depart the site. This would equate to approximately 1 or 2 additional vehicles entering or leaving the site per minute. As such, the proposed development will not result in any significant impact on the operation of the surrounding highway network.

### Vehicular Access

The two vehicular accesses off Westway (one IN only and one OUT only) which serve the customer car park will remain as existing. There is a right turn lane on Westway so that traffic waiting to turn into the car park does not block traffic travelling in a westbound direction

There is a separate vehicular access off Leighton Avenue for servicing/delivery vehicles and staff car parking which will be widened and improved as part of the proposed development.

### Parking

A total of 105 car parking spaces (including 9 marked out for use by disabled persons and 4 'parent & child' spaces) are proposed in the customer car park. In addition a new staff car park containing 40 spaces is proposed.

The overall level of car parking is within the maximum standards for a development of this type and size as set out in the Supplementary Planning Document "Ensuring Choice of Travel".

Four additional cycle stands for use by customers are located in the corner of the main car park and separate secure cycle parking for staff is provided in the form of a new 14 space cycle shelter. This is also in accordance with the requirements of the SPD.

### Servicing

All of the existing and proposed retail premises have the capability of being serviced from the rear which eliminates any potential difficulties that servicing traffic would cause by manoeuvring within the customer car park. Drawings showing a tracking output for both articulated and rigid delivery vehicles have been submitted which demonstrate that the existing and proposed retail premises can be serviced without the need for excessive manoeuvring within the service yard/access road.

### Accessibility for non-car modes

#### *Pedestrians*

There are safe crossing facilities for pedestrians in the form of a 'Puffin' crossing across Westway and a subway under Northway, which is in a well maintained condition and as such is well used. The provision of flush kerbs and tactile paving either side of both accesses to the customer car park and either side of the junction of Westway/Leighton Avenue will further enhance pedestrian accessibility.

#### *Cyclists*

Leighton Avenue forms part of the strategic cycle network and adequate cycle parking will be provided as part of the development.

#### *Public Transport*

The location of the proposed development provides excellent access to public transport facilities. There are two bus stops adjacent to the development site on Westway, one on each side of the road. These will be improved with access kerbs, raised footway areas and enhanced carriageway markings.



### *Travel Plan*

A Travel Plan has been submitted and is generally acceptable include specific measures to encourage sustainable travel choices by both employees and customers. The implementation and development of the Travel Plan will be secured by condition.

As identified in the comments above, a modest package of off-site highway improvements will be required. To summarise this will consist of:-

- a. Scheme of traffic signs indicating IN, OUT, NO EXIT, NO ENTRY in accordance with diag. 833, 834, 835 & 836 to be located at the access and egress to the customer car park;
- b. Upgrade of two existing bus stops on Westway with access kerbs, raised footway areas and enhanced carriageway markings incorporating a bus stop clearway;
- c. Flush kerbs and tactile paving either side of both accesses to the customer car park and either side of the junction of Westway/Leighton Avenue; and,
- d. Take down double sided traffic signs and post indicating 'Car park' at the junction of Westway and Leighton Road.

### 'Stopping up' and Traffic Regulation Orders

As a result of the developer taking control of the car park and the intention to introduce an outdoor seating area adjacent to Unit 1, a 'Stopping up' Order will need to be made. There is some street furniture within the area to be 'Stopped up' which will need to be removed/relocated, including a telephone call box, public information pillars, street lighting columns, traffic signs and posts, planters, a information boards, seating bench and 'Sheffield' cycle stands.

In addition, all Traffic Regulation Order (TRO) covering the main Central Square car park will need to be revoked.

*Environmental Protection Director* – no objections subject to specific conditions.

## **Neighbour Representations**

Last date for replies: 24 November 2010.

Representations have been received from 46, 48, 56 Towers Avenue, 13 Leighton Avenue, and 34 Green Lane. These raise the following issues:

- Query over land used for staff parking – within applicant's ownership?
- Query over land ownership to rear gardens.
- Increased traffic from service vehicles and increased pedestrian movements causing loss of privacy.
- Concern over landscaping adjacent to the service road at the rear and possible anti-social behaviour.
- Potential parking problems and congestion in nearby residential areas – the possibility of residents parking should be considered, or double yellow lines, in accordance with full consultation strategy.

- Will works cover rear of buildings facing Leighton Avenue?
- Concern that no windows be inserted to the rear of buildings facing Towers Avenue.

Maghull Town Council comment on a variety of matters:

- Size of car park too large and oppose it,
- Difficulties of crossing Leighton Avenue next to junction with Westway,
- Close working requested with 'Maghull in Bloom',
- Management of all car parks in area required to be consistent,
- Consideration of existing businesses and tenants in move,
- Consideration of potential development elsewhere,
- Secure car parks,
- Larger bus shelter,
- Use of vacant shop unit to inform public of plans.

## Policy

The application site is situated in an area allocated as Town Centre on the Council's Adopted Unitary Development Plan. The portion to the south west corner is Urban Greenspace.

AD1	Location of Development
AD2	Ensuring Choice of Travel
AD3	Transport Assessments
AD4	Green Travel Plans
CS1	Development and Regeneration
CS2	Restraint on development and protection of environmental assets
CS3	Development Principles
DQ1	Design
DQ2	Renewable Energy in Development
DQ3	Trees and Development
DQ4	Public Greenspace and Development
DQ5	Sustainable Drainage Systems
EP6	Noise and Vibration
G1	Urban Greenspace Systems
R1	Retail Development Strategy
R6	Development in District and Local Centres

## Comments

The proposal seeks to refurbish two sides of the Square, with the other (rearmost) being demolished to make way for new retail units. The frontage car parking would be reorganised and staff parking would be provided at the junction of Liverpool Road North and Westway. There are other public realm improvements proposed.

The principle of retail development is acceptable. The proposal also seeks to revert 1/1a Westway to an A3 restaurant, incorporating outdoor seating. The first floor is in the ownership of the ground floor user and therefore no issue arises with regard to amenity of the first floor occupier.

The rebuilt shops would be positioned around 7 metres further from the rear elevations of Towers Avenue than those existing. It is slightly closer to the side elevation of a dwelling on Leighton Avenue but there is adequate separation. The existing arrangement comprises an undistinguished mix of flat roof buildings between 8 and 11 metres in height. The new building will comprise a ridge of 9.2 metres and eaves of 7.5 metres. Generally the impact will be better in terms of sunlight and general outlook for residents.

The new buildings will provide a fresh and vibrant retail offer and be a major catalyst for future investment. The design is lively and contributes a very active retail frontage.

Garden areas for residents on Towers Avenue are reduced to varying degrees to afford improved servicing arrangements, but these were on lease to those residents and are in the full ownership of the applicant.

There are no identifiable impacts on highway safety. Existing accesses are utilised in the main and the car park layout will be much improved. Conditions are attached to ensure appropriate parking provision and a car parking traffic management plan will ensure that 2 hours free parking is available for all centre users.

Servicing is currently unrestricted. The applicant has agreed that a number of rear areas require better security and to this end has agreed in principle to gating of the service yard and the gate off Westway which will still enable those requiring access to remaining flats to do so. The full details to be subject to planning condition.

An acoustic fence will be constructed to the rear of Towers Avenue, at the applicants expense, and agreement has been reached for servicing between 0600-0700 to be restricted to smaller refrigerated vehicles. A finalised specification for this is currently under discussion.

Moreover, the loading/unloading areas are to be marked out directly adjacent to the buildings. Given the current situation is unrestricted entirely, whilst the service road is nearer to the rear of premises at Towers Avenue, there is far more control over vehicle deliveries and a more secure environment for those occupiers. Overall it is considered that the servicing arrangements are acceptable.

Defensive planting is provided to reinforce the rear boundaries of these properties and maintain distance between the new fence and vehicular movement.

The proposal includes specific provision for 40 staff parking spaces to the junction of Westway and Liverpool Road North. This layout has been amended to increase the landscape buffering to the latter in the order of around 15 metres.

57 trees would be removed from this corner, but the landscape structure remains fully intact. The parking will have no substantive impact on landscape character and will assist in a coherent and organised parking format for the centre.

The area in question is a small quadrant of public greenspace and the area affected is in the order of 700 square metres. A compensatory provision of £22,075.45 is to be secured via Section 106 towards improving public greenspace locally. There is an area adjacent to the development site on which this may be spent.

The overall tree provision is 187 trees based on 114 to be replaced plus 73 calculated from total new floorspace. Revised plans have been produced to secure all the necessary tree planting on site.

There are excellent public realm works proposed including a sculpture and feature seating. Their implementation is covered by condition. Provision is also made for the Christmas Tree over the festive period. It is felt that these works acceptably offset the sum of £24,283 that would have been required under the floor space criteria.

The plans have been discussed at a meeting of the Sefton Access Forum and the applicant has agreed some of the suggestions; there will now be nine car parking spaces (five existing for disabled users). Staff will be given the chance to use these disabled spaces adjacent to the new shops. Where mezzanines are taken up by new occupiers within the scheme, platform lifts will be required in accordance with Building Regulation/DDA requirements. Discussion is ongoing relating to the need for colour coded tactile materials around the car park to assist the visually impaired.

### **Response to representations**

No works to the rear of existing buildings other than that required to accommodate existing first floor occupiers are proposed, however, the applicant has advised that further survey work is required to inform on the level of refurbishment to be carried out and this will form part of a separate application.

The scale of the staff car park has been reduced to reflect comments made by Maghull Town Council. The applicant has also agreed to maintain free parking for 2 hours. This would remove any need to pursue residents parking on Towers Avenue or Leighton Avenue (the number of spaces increases by around 40 on the existing), but the applicant is content that the management plan will allow the possibility to remain open for review post-completion, which is considered a more than fair compromise.

It is expected that the required servicing, landscape car park management plans will promote better security and an overall safer environment than at present. The scale of investment in itself demands that this be achieved.

It is not possible to assess the development in the context of future potential nearby proposals; each must be assessed on their own individual merits.

Issues of land ownership are not a matter for the application; the applicant has confirmed that they have served the correct certification. This must be resolved through independent legal adjudication.

Contact Officer:                   **Mrs S Tyldesley    Telephone 0151 934 3569**

Case Officer:                       **Steve Faulkner     Telephone 0151 934 3081**