

Committee: **PLANNING**

Date of Meeting: **09 February 2011**

Title of Report: **S/2010/1692**
Chapel House Liverpool Road, Ainsdale
(Ainsdale Ward)

Proposal: Demolition of existing car showroom, vehicle workshops and residential dwelling and erection of replacement building providing showroom, service reception and ancillary office uses, together with improved external vehicle display and car parking provision

Applicant: Chapel House (Southport) Ltd

Executive Summary

The proposal is seeking consent for the demolition of existing car showroom, vehicle workshops and residential dwelling, and erection of replacement building providing showroom, service reception, and ancillary office uses, together with improved external vehicle display and car parking provision.

The main issues for consideration in the assessment of this application are the principle of development, design and visual impact on the street scene and character of the area, impact on residential amenity and highway safety issues.

Recommendation(s) Approval

Justification

The proposal is not considered to have a significant detrimental impact on residential amenity in terms of overlooking or a loss of outlook and the boundary treatments with No. 619 Liverpool Road, along with the proposed management of the site, will seek to reduce potential noise impact and previous difficulties of access and parking in and around the site. The design of the new building will make a positive contribution to its surroundings and the proposal therefore complies with policies H10, DQ1, DQ3, EP6 and EDT8 of Sefton's Adopted UDP.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. M-6 Piling
4. The proposed development shall not be brought into use until the existing vehicular crossing has been altered in accordance with plans to be approved in writing by the Local Planning Authority.

5. No part of the development shall be brought into use until areas for pedestrian access, parking, turning and manoeuvring have been laid out, levelled and surfaced in accordance with plans to be approved in writing and these areas shall be retained thereafter for that specific use.
6. No part of the development shall be brought into use until all vehicular accesses on Liverpool Road (with the exception of the main northern vehicular access) have been removed and the footway reinstated in accordance with plans to be approved in writing by the Local Planning Authority.
7. The proposed vehicular access shall not be brought into use until a Traffic Regulation Order (TRO) to introduce a loading bay and restrict parking along Liverpool Road has been made and implemented in full
8. Con-1 Site Characterisation
9. Con- 2 Submission of Remediation Strategy
10. Con-3 Implementation of Approved Remediation Strategy
11. Con-4 Verification Report
12. Con-5 Reporting of Unexpected Contamination
13. Prior to the installation of any external plant and equipment, details of sound power levels (SWL) should be submitted to and approved in writing by the Local Planning Authority.
14. Prior to the first use of the revised parking areas and building erected, a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be subsequently implemented at all times during the operation of the proposal.
15. No part of the proposal shall be brought into operation until the acoustic fence and landscape strip along the southern boundary of the site with 619 Liverpool Road has been erected / planted in accordance with the approved plan.
16. X1 Compliance

Reasons

1. RT-1
2. RM-2
3. RM-6
4. RH-6
5. RH-6
6. RH-6
7. RH-6
8. RCON-1
9. RCON-2
10. RCON-3
11. RCON-4
12. RCON-5
13. RP-6
14. RP-4
15. RP-4
16. RX1

Notes

1. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions...(Con-1 to Con-5) above have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition Con-5 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.
2. 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 for further information.

Drawing Numbers

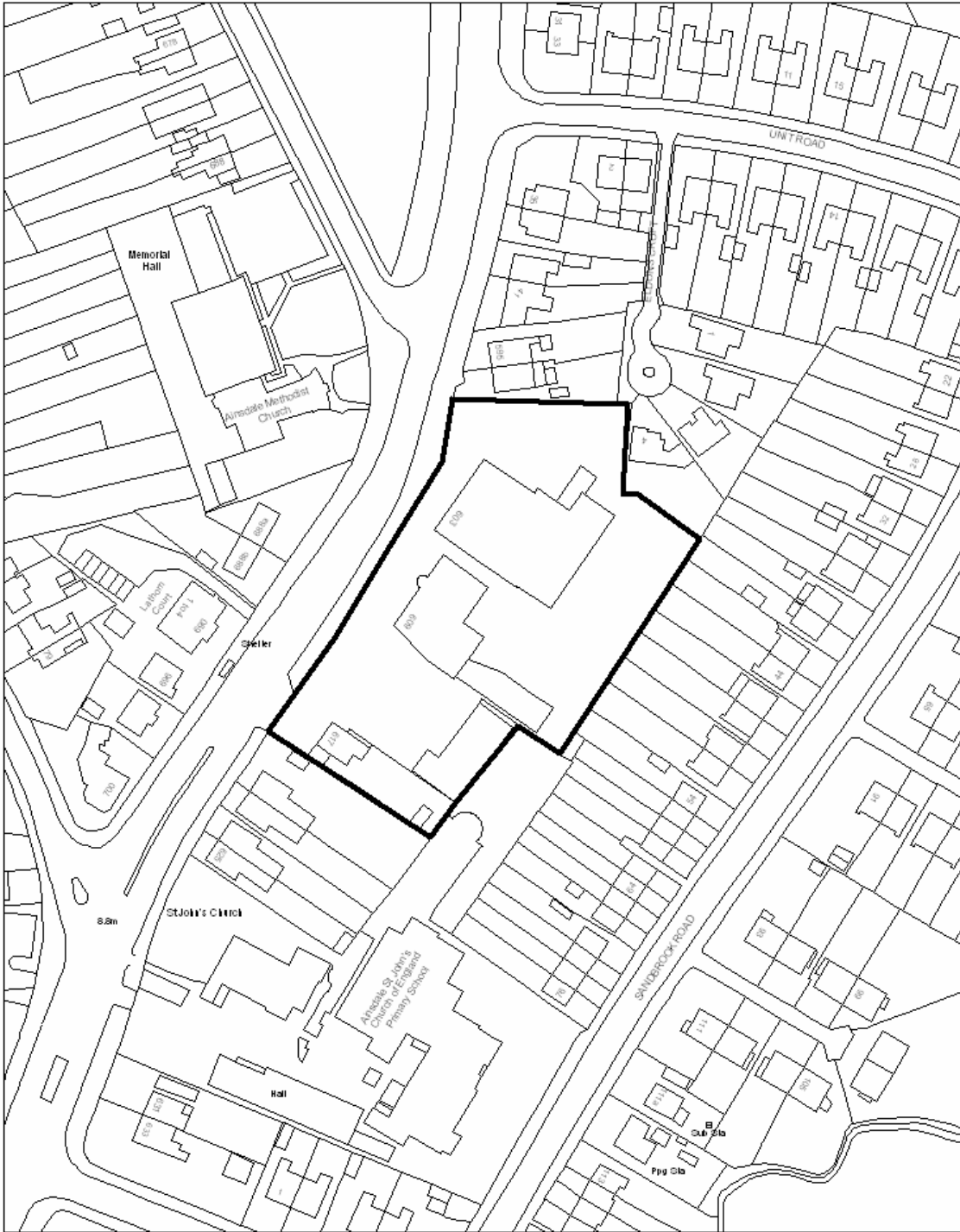
05; 06; 07; 08; 11; 12; 13

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
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



Sefton Council
Planning & Economic
Regeneration Department
 Andy Wallis - Director
 Planning & Economic Regeneration is part of the
 Regeneration & Environmental Services Directorate

S/2010/1692
 Chapel House
 603-607 Liverpool Road
 Ainsdale
 PR8 3NG
 OSGR: 331730, 411970 Sheets: 367C, 367D Area: 6396 sqm

Standard Site Plan
 Scale: 1:1250
 Date: 23/12/2011
 Drawn By: BEERTON

Ward(s): Ainsdale
 Postcode Sector(s): PR8 3
 Polling District(s): RA, R6
 Parish(es): None Found

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The Site

The site comprises an existing car sales dealership and two storey dwelling on the eastern side of Liverpool Road, Ainsdale.

Proposal

Demolition of existing car showroom, vehicle workshops and residential dwelling and erection of replacement building providing showroom, service reception and ancillary office uses, together with improved external vehicle display and car parking provision

History

Lengthy history in terms of overall site including adverts and extensions. Most relevant to this application:

- S/03920 Erection of single storey motor vehicle showroom on vacant land at rear of existing petrol station and car showroom. Granted 29/06/1976.
- S/14504 Erection of two single storey buildings for car servicing and valeting within cartilage of petrol station. Granted 23/07/1980.
- S/19995 Erection of single storey car valeting building in connection with existing garage at 609 Liverpool Road. Granted 02/03/1983.
- S/19550 Use of land for display of cars in connection with garage at 609 Liverpool Road. Granted 17/11/1982
- N/1988/0066 Erection of part single part two storey building for use as additional car showroom after partial demolition of existing. Granted 06/07/1988.
- N/2007/0396 Demolition of existing showroom and parts store, erection of extensions and internal alterations to existing workshops, to form vehicle service bays, parts office and parts store. Granted 21/06/2007.
- S/2010/0471 Extension of time application to above (N/2007/0396). Granted 03/06/2010.

Consultations

Environment Agency – No objection in principle but would make the following comments. We concur with the conclusions of the letter of Matt Gardner of 3rd November 2010 of Capita Symonds with regard to risks of pollution from contaminated land to inland freshwater, coastal water and relevant territorial waters (controlled waters) only, but would advise that it is possible that the main source of heating for property 617 Liverpool Road or the associated building could have been derived from Heating Fuel. This may have been stored in a tank on the site. It should therefore be borne in mind that unexpected pollution might be possible from the property. We would therefore advise that a condition be applied to any decision

notice that if during development any contamination not previously found is present, no further development shall be carried out until the developer has submitted, and obtained written approval from the LPA, for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

United Utilities – No objection.

Merseytravel – Note the extra 28 car parking spaces and would wish to be assured that Sefton Council are satisfied that all traffic likely to be generated by such a car parking provision together with all other traffic likely to emanate from the car showrooms could be accommodated within the local highway network without resulting in congestion that could impede the passage of bus services on Liverpool Road and Station Road. Merseytravel would not wish to see approval granted for this application until such time as Sefton Council are satisfied the development would meet the above criteria and that the developer ensures that both during demolition and construction phases, the passage of bus services along this road are not impeded.

Environmental and Technical Services – No objection in principle subject to contaminated land and piling conditions. Details of any external plant and equipment including sound power levels (SWL) should be submitted for approval prior to installation. All plant and equipment should be able to operate within the noise criteria recommended in the Noise Assessment Ref R0326 – REP01 – DRG. The recommendation of the above Assessment Section 9 relies on the management of the site to control the noise impact on nearby dwellings. Therefore I would recommend that a noise management plan is submitted for approval and subsequently implemented during the operation of the proposal.

Highways Development Control – There are no objections in principle to the proposed development as it is deemed to be an improvement to the current internal management of the site.

Access – According to the proposed site layout, the applicant is proposing to retain the northern access only, resulting in a single vehicular access serving the entire site. As a result the remainder of the footway directly adjacent to the site on Liverpool Road will need to be reinstated, with all other existing vehicular access leading to the site removed. I would also require a suitable boundary treatment to be installed along the entire site boundary 'except the singular site access' to obstruct the potential for vehicles to cross over the footway and enter the site illegally.

Parking – There are no objections to the increase in car parking provision for customers and staff within the site, with the potential for excessive manoeuvring being reduced, in comparison to the existing site layout. The applicant also needs to be aware that despite a contract being agreed between the applicant and Ainsdale Methodist Church, this provision of staff car parking cannot be taken into account, as it is outside the site boundary as well as the potential for the agreement to cease and no longer be in operation in the future.

Site layout – The Design and Access Statement highlights the existing situation at the site, where a number of customers will park on Liverpool Road adjacent to the

site, despite the possibility of spaces being available, due to the informal arrangement of the site and the excessive manoeuvres that may be required to enter and leave the site. The arrangement improvements within the site and the slight increase in customer car park spaces should reduce this problem.

Traffic Regulation Orders – Although the increase in customer and staff parking provision within the site should reduce the need for car parking off site, it is recommended that a scheme of TROs be introduced on Liverpool Road. The extent and specific details of the TRO would be agreed through consultation with Traffic Management. It is recommended that a scheme of TROs should include replacing the existing parking bay with a loading bay, to improve the current difficulties by the applicant when loading / unloading vehicles on/off large car transporter vehicles in Liverpool Road. Despite this I still recommend a scheme of TROs to restrict parking along Liverpool Road. The extent of the TRO would require consultation with Traffic Management.

Despite the applicant trialling a new system for the delivery of new stock, the applicant will be unable to ensure the system is maintained and continues as efficiently as it currently does. This emphasises the requirement for a loading bay to be installed directly opposite the site.

In view of the above, there are no objections to the application on the grounds of highway safety subject to conditions and informatives being applied to any permission.

Neighbour Representations

Last date for replies: 29 December 2010

Received: Letters of objection received from 597, 621, 625 Liverpool Road raising the following concerns:

- Site is within primarily residential area where non-residential uses are limited by policy EDT8.
- 2007 application was refused on basis that further encroachment into residential area and intensification of use in residential area would be detrimental to amenity.
- Loss of dwelling reduces screening of site. Site could be rationalised without loss of dwelling.
- One access instead of 2 will encourage cars to park onsite but will also cause cars to slow down more than they would if just stopping at side of road.
- One resident does not object to the principle but has concerns due to cars being parked on pavement in past and the business informally spilling into areas outside the site.
- Chapel House does not have any legal entitlement or ownership which would allow them to use the carriageway as part of their business.
- Disruption during construction.

A petition of objection is expected to be submitted but has not yet been received.

Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
H10	Development in Primarily Residential Areas
EP6	Noise and Vibration
EDT8	Business and Industrial Development Outside Primarily Industrial Areas

Comments

Main issues – principle of development, design and visual impact on the street scene and character of the area, residential amenity, highway safety.

Principle

The proposal seeks consent for the demolition of the existing car showroom, vehicle workshops and residential dwelling, and the erection of a replacement building providing a showroom, service reception and ancillary office uses, together with improved external vehicle display and car parking provision.

The site lies within a primarily residential area and so the main issue is the expansion of a commercial use within a residential area. The existing commercial use will be extended further into the residential area following the demolition of the dwelling at 617 Liverpool Road. This dwelling has no architectural merit and so its retention is not critical. As the redevelopment relates to an existing established use it is considered that the small extension of the site will not have a material impact on the character of the area. The principle of development is therefore acceptable.

Design, Visual Impact, Character of the Area

The new building to be erected is part single storey and part 2 storey and will provide a new showroom, service reception and ancillary office use. The proposed showroom, with a 4.5m eaves height, will be lower in height than the existing dwelling, no. 617, which has a 5m eaves height, and is set much further back on the site. The scheme involves an overall reduction in floorspace of buildings on the site by approx 30 sq m.

The proposed building is appropriate in scale and, given its position set well back on the site, will not therefore be overly prominent or harmful within the street scene. The two storey element of the proposed building is positioned more centrally within the site, away from the dwelling at 619 and as such has limited impact on surrounding properties in terms of loss of outlook or overlooking. This is assessed below in terms of residential amenity. The existing building is unattractive and its replacement will bring an overall visual appearance to the street which is welcomed and accords with policies DQ1 and EDT8.

The demolition of the existing two storey detached dwelling will not have a significant detrimental impact on the street scene on the basis that it is a different, and more modern style to the majority of dwellings on this part of Liverpool Road which are largely Victorian. The dwelling has little architectural merit and its loss is not considered to be significant as is the case for the existing showroom also to be demolished.

Trees

In terms of trees, the amended site plan shows that 1 existing tree will be removed and these are to be replaced on a 2:1 basis in accordance with policy DQ3. Furthermore, policy DQ3 requires 1 new tree to be planted on site per 50 sq m of new floorspace created. In this case 18 new trees are required to be planted on the site and these are shown on the amended landscape plan submitted.

Residential Amenity

No windows are proposed on the new building on the rear elevation or side elevations adjacent to residential dwellings and the building is sufficient distance from dwellings fronting Sandbrook Road to prevent any overlooking or loss of outlook issues arising for these dwellings.

The greatest potential impact on residential amenity is recognised as being on No. 619 Liverpool Road given that the site will be extended to be adjacent to their boundary where previously there was a two storey residential dwelling. However, 619 has a large detached double garage with a maximum ridge height of 3.8 metres which is situated between the dwelling and the proposed site. The gable of the dwelling itself is therefore some 8.8metres from the site boundary with the outrigger section being approx 11.3 metres away. This degree of physical separation between the dwelling and the extended site is considered to help in retaining reasonable levels of amenity for the occupants of 619.

Furthermore, a new 2 metre high timber close boarded acoustic fencing is proposed to parts of the site, namely the south-western boundary with 619 Liverpool Road which also extends round the rear of the proposed building and site. This fencing is teamed with a 2 metre wide strip of landscaping which will provide a buffer along the boundary with the residential dwelling at 619 and the school field to the rear. This is in accordance with policy EDT8.

In terms of noise, the Noise Assessment submitted states that maximum noise levels would be below the existing maximum noise levels due to vehicles passing along Liverpool Road. Potential noise would be more than 10dB below the existing background noise level. Environmental Protection have confirmed that there are no objections to the proposal subject to sound power levels of any external plant and equipment to be installed being submitted for approval prior to their installation. It is considered prudent, to ensure that the noise impact on neighbouring dwellings is kept to a minimum, that a noise management plan be submitted for approval and subsequently implemented. This is on the basis that the recommendation of section 9 of the noise assessment relies on the correct management of the site. The applicant has carried out a pre-application consultation exercise with residents and,

according to the applicant, concerns raised have been addressed within this submission.

It is also important to note that the new building has no workshop element / functions taking place. Whilst the site is closer to No 619, it partly replaces existing open-fronted workshops which generate greater potential noise impact than the new building would.

Commercial uses in a residential area can cause problems in terms of noise and disturbance. On the basis that this use is existing, the main consideration is whether the increase in size of the site and buildings proposed will have a detrimental impact on amenity over and above the current situation. The applicant states that the greatest improvement resulting from this scheme is the general access and highway improvements that are proposed, including the widening of the main access and an increase in on-site parking provision, which is also in accordance with the requirements of policy EDT8.

Objections received refer to an application in 2007 which was refused. This application was actually withdrawn, not refused and so is not relevant to this application.

Given the proposal includes a management plan for the operation of the site which states that measures will be taken to ensure the site operates in such a way to limit noise and disturbance, it is considered that the proposal will not result in significant detrimental harm to residential amenity and will potentially improve existing amenity levels. The proposal therefore complies with policy H10.

Highway Issues

A major part of the redevelopment of this part of the site is the rationalisation of the car parking and access. The demolition of the existing buildings and removal of the southern access allows the site to become operationally more simplified, particularly for vehicles and pedestrians using the site.

The parking alterations will provide 19 additional service bays and staff demonstrator spaces, 1 additional disabled space, 4 additional cycle spaces, 2 additional motorcycle spaces. The proposed layout of the site is considered largely acceptable in terms of parking and access. There are currently two access points to the site, one serving the southern part and one the northern part. The northern access will be widened to 5 metres allowing two-way traffic flows and dedicated areas for sales vehicles, demonstrator and staff vehicles are provided to the front of the proposed building. Dedicated customer parking will be positioned centrally within the site and away from the boundary with 619, thus limiting the level of activity which would potentially cause harm to amenity.

The reconfiguration within the site assists in the internal operation of the site and also addresses the important issue of deliveries and the interaction of the site with traffic movements on Liverpool Road. Historically many cars have been parked on the pavement which has caused obstruction problems for pedestrians and this, in

addition to deliveries of vehicles via large transporters, has hampered visibility and movements in and around the site.

The proposal seeks to provide a parking / loading bay on Liverpool Road which will be created via Traffic Regulation Orders for both the loading bay and also to provide parking restrictions along the stretch of Liverpool Road between Unit Road and Staveley Road (double yellow lines). These will ensure that the bay will remain free of traffic and allow for safe and efficient off-loading and loading of vehicles onto the transporters used for deliveries. This will be achieved via conditions which will ensure the applicant agrees a satisfactory scheme with the Council prior to development commencing. Furthermore, the applicant has stated that they intend to reduce the frequency of deliveries, although this is clearly difficult to enforce in busier periods for example.

The provision of a boundary wall along the front of the site between the footway and the parking areas for the display of sales vehicles will prevent these vehicles encroaching onto the footway which has caused problems previously. Pedestrian routes will be retained without obstruction and visibility into and out of the site retained.

It is therefore considered that the overall scheme will bring benefits to the operators of the site but also for the surrounding area in terms of a simplified access arrangement, more comprehensive parking provision, a dedicated loading bay to the front of the site on Liverpool Road and parking restrictions along the stretch of Liverpool Road in front of the site. The erection of a boundary wall to the front of the site will also prevent sales vehicles being parked unlawfully on the footway and causing pedestrian obstruction.

Ecological surveys submitted have concluded that there is no residual negative impact on any protected species, plants or animals and no loss of any important habitats.

Conclusion

The overall increase of the site is 0.65 hectares and will extend an existing commercial use within a residential area. The proposal will, however, allow a more coherent layout of the site than the existing disjointed layout which will improve the operation of the site and have less potential detrimental impact on residential amenity. The rationalised access, parking areas and demolition of existing buildings and siting of the new building will have a positive impact on the surrounding area by creating additional parking for customers and generally improving the appearance of the site. Traffic restrictions will be put in place to ensure the successful delivery of vehicles with minimum detrimental impact. The proposal is not considered to have a significant detrimental impact on residential amenity in terms of overlooking or a loss

of outlook and the boundary treatments with No. 619 Liverpool Road will seek to reduce potential noise impact. The design of the new building will make a positive contribution to its surroundings and the proposal therefore complies with policies H10, DQ1, DQ3, EP6 and EDT8 of Sefton's adopted UDP.

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

Case Officer: **Andrea Fortune Telephone 0151 934 2208
(Tues- Fri)**