

Committee: **PLANNING**

Date of Meeting: **09 February 2011**

Title of Report: **S/2010/1669**
Land And Premises Opposite Millfield
Powderworks Lane, Melling
(Molyneux Ward)

Proposal: Conversion of redundant building to form three Class B1 business units, involving external alterations/renovation, landscaping, parking and access onto Powderworks Lane

Applicant: Samlouis Properties Ltd.

Executive Summary

This application involves the conversion of a disused building in the Green Belt to form 3 Class B1 business units. The main issues to consider include compliance with Green Belt policy, impacts on residential amenity and highway safety, as well as ecological and landscaping considerations.

Recommendation(s) Approval

Justification

The proposal is acceptable in terms of compliance with Green Belt policy, its impacts on residential amenity and highway safety as well as ecological and landscaping issues therefore approval is recommended.

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-2 Materials (sample)
4. L5 Landscaping (scheme)
5. NC-3 Biodiversity enhancement
6. a) Before the development is commenced, a scheme for the disposal of all asbestos-bearing materials shall be submitted to and approved in writing by the Local Planning Authority.
b) The scheme shall then be implemented in accordance with the details approved under (a) above.
7. E-1 Drainage
8. L-4 Landscape Implementation
9. H-6 Vehicle parking and manoeuvring
10. H-7 Cycle parking
11. The adjacent land to the east of the site shall be converted to grazing land in

accordance with the approved plans before any part of the development hereby approved is occupied.

12. No building works shall take place during the period 1st March to 31st August inclusive unless the building has first been checked internally and externally by a qualified ecologist to ensure no breeding birds are present.
13. B-2 (opening hours)
14. B-6 Storage as per plan
15. R-1 Use Classes Limitation
16. R-2 PD removal garages/ extensions/outbuildings
17. R-2 PD removal garages/ extensions/outbuildings

Reasons

1. RT-1
2. RX1
3. RM-2
4. RL1
5. RNC-3
6. To ensure the proper disposal of hazardous waste and to comply with Sefton UDP Policy EP1.
7. RE-1
8. RL-4
9. RH-6
10. RH-7
11. In order to protect the character of the area and to accord with Sefton UDP Policies CS3 and GBC2.
12. RNC-4
13. RB-2
14. RB-6
15. RR-1
16. RR-2
17. RR-2

Notes

1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. Bats may be present in your building. Bats are protected species. If you discover bats you must cease work immediately, contact Batline on 01704 385735 for advice.

3. This development may require a Site Waste Management Plan under the Site Waste Management Plan Regulations 2008, advice on the requirements of the SWMP can be sought from the Principal Policy Officer, Merseyside Environmental Advisory Service, 1st floor Merton House, Stanley Road, Bootle L20 3DL. Tel 0151 934 4958.

Drawing Numbers

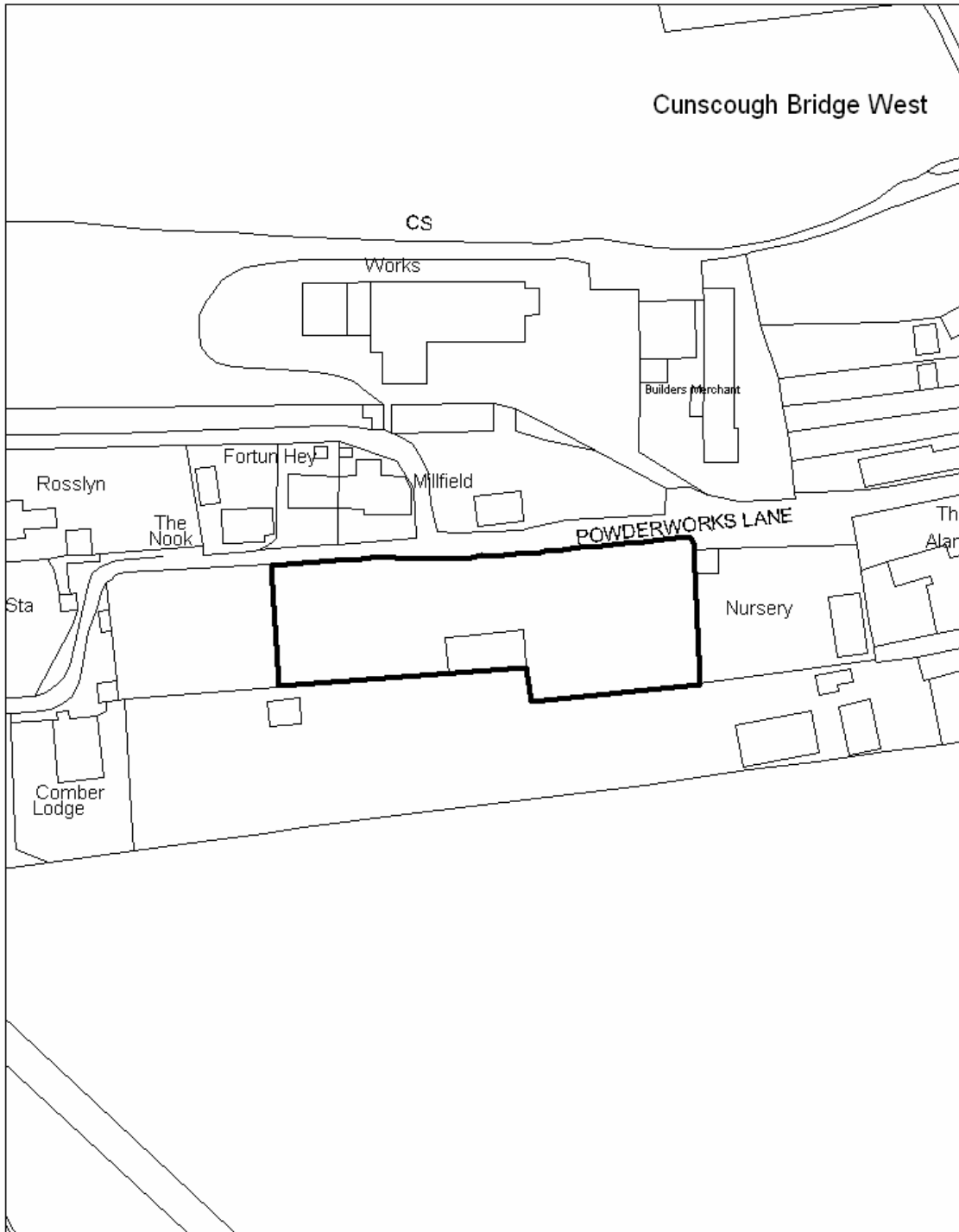
PWL-001 rec 07/01/11, 002 rec 06/01/11, 003 rec 19/01/11 & 004 rev A rec 21/01/11

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 <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>	S/2010/1669 Land And Premises Opposite Millfield Powderworks Lane Melling		Standard Site Plan Scale: 1:1250 Date: 23/12/2011 Drawn By: BEERTON
	OSGR: 340275, 403054	Sheets: 2/166	Area: 3515 sqm

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 Planning & Economic Regeneration Department using MapInfo
 Sefton Council Licence No. 1000181921

The Site

The site is located on the south side of Powderworks Lane within the Green Belt. It comprises the former pumphouse site and is currently vacant and partly overgrown. There are two buildings on the site comprising a brick/rendered building with a steel roof and an open fronted timber workshop building.

There is rough ground to the east of the site, which is within the applicant's control, with open fields to the south and west. Residential properties are situated on the opposite side of Powderworks Lane to the north of the site and there are also business uses, including a builders' merchant, close by.

Proposal

Conversion of redundant building to form three Class B1 business units, involving external alterations/renovation, landscaping, parking and access onto Powderworks Lane.

History

S/2007/0242 Outline application for the erection of 5 light industrial units including new access and parking. Refused 4/5/07. Appeal dismissed 8/10/07

S/2005/1261 Outline application for the erection of 7 light industrial units including new access and parking. Refused 16/3/06. Appeal withdrawn.

S/2003/1042 Conversion of the existing building to form one dwellinghouse. Refused 27/11/03

Consultations

Environment & Technical Services Director – no objections.

United Utilities – no objections.

Environment Agency – formal response not required.

MEAS – the existing building may provide habitat for nesting birds and condition required to protect breeding birds during construction; condition required to ensure provision of at least 3 bird nesting boxes; bat report is acceptable and the Council does not need to undertake an assessment against the 3 tests set out in the Habitats Regulations 2010 as no evidence of bats using the building was found; bat informative required; condition required to ensure bat bricks/boxes are incorporated into the buildings; barn owl survey not required in this instance; Site Waste Management Plan may be required; Sustainable Urban Drainage Scheme (SuDS) should be incorporated into the scheme.

Highways DC – no objection to the proposal to convert the existing building into 3 B1 business units. The existing vehicular access off Powderworks Lane will be retained for use in connection with the 6 space car park. The car parking layout is acceptable and some indicative cycle storage has been shown on the site plan.

Powderworks Lane is unadopted for most of its length, except for the first 30 metres from the junction with Prescott Road (B5197) and the junction of Prescott Road (B5197)/Powderworks Lane can easily accommodate the additional traffic that is likely to be generated by this development.

The location of development, being close to the motorway network, provides good access to the wider region, however it is also accepted that it does not offer a realistic choice of travel as walking, cycling and public transport links are poor.

The following conditions and informatives should be added to any approval notice:-

- H-6 - Vehicle parking and manoeuvring
- H-7 - Cycle parking
- I-1 - Addresses

Neighbour Representations

Last date for replies: 23/12/10 (neighbours)
14/12/10 (site notice)
6/1/11 (press notice)

Letter of objection received from The Nook, Powderworks Lane. Grounds of objection include lane is already congested with traffic; noise from existing units is unbearable; vacant units are available; some residents have to pay for road repairs caused by business vehicles.

Policy

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

- AD2 Ensuring Choice of Travel
- CS2 Restraint on development and protection of environmental assets
- CS3 Development Principles
- DQ1 Design
- DQ3 Trees and Development
- EDT8 Business and Industrial Development Outside Primarily Industrial Areas
- EP6 Noise and Vibration
- GBC2 Development in the Green Belt
- NC2 Protection of Species
- NC3 Habitat Protection, Creation and Management

Comments

The main issues to consider are compliance with Green Belt policy, impacts on residential amenity and highway safety as well as ecological and landscaping considerations.

Green Belt

PPG2, UDP Policy GBC2 and Sefton's SPG on Development in the Green Belt all permit the re-use of existing buildings in the Green Belt provided certain criteria are met as follows:

- the converted building must not have a significantly greater effect than the present use on the openness of the Green Belt and the reason for including land in the Green Belt – the proposal does not include any extensions to the existing buildings and external hard surfaced areas are not excessive comprising an access, turning space and 4 car parking spaces – complies
- the nature and size of the proposed use must be appropriate for the building and its curtilage – the scale of the proposed business/office units are limited by the modest size of the building and a condition can be imposed to restrict the use of the units to uses within Class B1 of the Use Classes Order as uses within Class B2 (general industrial) would be out of character with this rural location which also contains residential properties close by – complies
- The building must be of a permanent and substantial construction and capable of being converted without being mainly or completely rebuilt – a structural survey has been submitted with the application and this shows that the main building, which is of permanent and substantial construction and is to contain the 3 studio business units, is capable of conversion with no rebuilding works except for a new slate roof to replace the existing metal corrugated roof covering. Amended plans have been received showing the open fronted timber workshop building retained as an open fronted structure with new timber clad walls and a new roof. This building will be used for storage purposes and will house 2 car parking spaces at the front – complies
- The proposal must keep and improve the form, bulk and general appearance of the building and curtilage – the existing buildings are of little architectural interest and the proposals do retain their simple form and appearance with limited alterations to window and door openings. The proposals also involve improvements to the land immediately to the east of the site which is presently in a poor condition but is proposed for grazing land – complies

Overall, the proposal is considered to comply with Green Belt policy in respect of the conversion of existing buildings.

Residential Amenity

One of the local residents has raised concerns about noise and disturbance. The proposed units are modest in size and conditions can be imposed to restrict the uses to Class B1, to control the hours of use and to prevent outside storage. On this basis, it is considered that the proposal will not have a significant harmful impact on residential amenity.

Highway Safety

The proposal includes 4 external car parking spaces as well as 2 car parking spaces and cycle parking within the open fronted former workshop building. It also utilises an existing access off Powderworks Lane. Highway Development Control raise no objections to this arrangement.

It is acknowledged that Powderworks Lane is unadopted for most of its length except for the first 30m from the junction with Prescott Road and Highways Development Control are satisfied that this junction can easily accommodate the additional traffic likely to be generated by the development.

Whilst the location of the development provides good access to the wider region due to its proximity to the motorway network, it is accepted that the site's location does not offer a realistic choice of travel as walking, cycling and public transport links are poor. However, it is not considered that this would justify refusal of the application.

Ecology

MEAS have advised that the existing building may provide habitat for nesting birds. Conditions are recommended in order to protect breeding birds by providing a minimum of 3 nest boxes and preventing works during the bird breeding season.

The application includes a bat survey which found no evidence of bats using the building. MEAS therefore advise that the Council does not need to undertake an assessment of the proposals against the 3 tests set out in the Habitats Regulations 2010. However, the standard bat informative should be added to any approval together with a condition requiring the provision of bat bricks/boxes in order to maximise the development's contribution to biodiversity and sustainability.

MEAS advise that a barn owl survey is not required in this instance as barn owls are not considered to be present in the building.

MEAS also advise that a Site Waste Management Plan may be required (under separate legislation). Conditions are also recommended in order to secure the safe disposal of asbestos-bearing materials and the provision of a sustainable urban drainage system (SuDS).

There are therefore no objections to the scheme on ecological grounds provided conditions are imposed to cover the above issues.

Landscaping

The proposal includes perimeter landscaping, including new tree planting, as well as new boundary fencing. Full details have not been provided and these can be required by condition in order to ensure that the fencing and landscaping details are appropriate for this rural Green Belt setting.

A condition can also be imposed to ensure that the adjacent land is upgraded to provide an area of grazing land, in accordance with the submitted proposals.

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

Case Officer: **Mrs D Humphreys Telephone 0151 934 3565
(Tue, Thu & Fri)**