
Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: **S/2011/0798**
 [Car Wash Adjacent to 1 Brenka Avenue, Aintree](#)

Proposal: [Erection of two single storey commercial units including car parking and landscaping after demolition of the existing car wash facility](#)

Applicant: [Redsun Developments](#) **Agent:** [Redsun Developments](#)

Report of: Head of Planning Service **Wards Affected:** [\(Molyneux Ward\)](#)

Is this a Key Decision? [No](#) **Is it included in the Forward Plan?** [No](#)

Exempt/Confidential [No](#)

Summary

The report recommends approval for the erection of a new commercial building for servicing and a tile storage/trade warehouse following the demolition of the existing car wash facility.

Recommendation(s)

Approval

Reasons for the Recommendation:

The scheme will deliver increased employment opportunity whilst securing the removal of a use with limited employment opportunities, also bringing benefits to visual amenity and the amenity of nearby residents. The proposals are consistent with the aims and objectives of the Sefton UDP and, in the absence of all other material planning considerations, the granting of planning permission is therefore justified.

Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

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

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

Email: planning.department@sefton.gov.uk

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

The Site

The site comprises a discontinued car wash and queuing area fronting Ormskirk Road. An elevated railway viaduct runs to the northern site boundary (the railway has been dismantled) and the embankment is heavily landscaped.

The current access is shared by 8 residential dwellings to the east of the site on Brenka Avenue. Around half the site adjacent to no. 1 is grassed over.

The site is surrounded by the Racecourse Retail Park to the north of the viaduct and a fitness club/hot food takeaway to the south on the opposite side of Brenka Avenue.

Proposal

Erection of two single storey commercial units including car parking and landscaping after demolition of the existing car wash facility

History

The history relates to planning applications for the site since the discontinued car wash opened.

- S/2001/0067 – Erection of a two-bay jet wash installation – withdrawn 8 August 2001.
- S/2000/0097 – Erection of a 4 bay car wash centre on the existing site – refused 29 June 2000.
- S/1991/0540 – Erection of a new building to provide a 40 place day nursery with residential accommodation above – refused 15 August 1991.
- S/1988/0584 – Four internally illuminated fascia signs, one internally illuminated directional arrow sign and two internally illuminated combined goal post/arrow signs – approved 7 September 1988.
- S/1988/0283 – Erection of a car wash centre together with the provision of associated vacuum bays – approved 6 July 1988.

Consultations

Highways Development Control - Although Brenka Avenue is an unadopted road, pedestrian access along Brenka Avenue is very poor in that there is a substandard footway for the first 20m only, after that pedestrians must walk in the carriageway.

In order to ensure safe and adequate pedestrian (and vehicular) access into the development site and for the residents of the six houses at the end of Brenka Avenue it will be necessary to construct a 2.0m wide pedestrian footway on the north side of Brenka Avenue directly adjacent to the southern boundary of the development site, together with a nominal section of carriageway, adjacent to the footway.

In addition, in order to improve access for pedestrians it will be necessary to reconstruct the footway/grassed verge at the redundant footway crossing adjacent to the site and the redundant footway crossing within the extent of the nearby bus stop lay-by on the east side of Ormskirk Road. The provision of flush kerbs and tactile paving across Brenka Avenue and the adjacent service access to the racecourse together with some general improvements to the footway between the site and the bus stop on the east side will also be required as well as flush kerbs and tactile paving across the new access where it joins Brenka Avenue.

In order to clearly indicate the priorities at the junction of Ormskirk Road/Brenka Avenue new 'Give Way' carriageway markings will be required along with edge of carriageway markings at the service access to the racecourse and at the gap in the central reservation.

Pedestrian access to the two commercial units has not been adequately catered for. There is no direct, safe and convenient route between the footway and the main entrances of the building. The drawing will need to be amended to incorporate clearly defined, safe and direct pedestrian routes, and may involve the slight reconfiguration of the car parking layout to accommodate this.

The layout and the level of car parking being proposed is acceptable, however, no cycle parking has been shown on the drawings. In accordance with the Supplementary Planning Document 'Ensuring Choice of Travel' at least two secure cycle parking spaces (ideally in an enclosed, lockable shed) for use by staff must be provided. It may also be appropriate to provide a cycle stand outside each unit (ideally a 'Sheffield' stand) for use by visitors.

Built Environment Director – No objection in principle, however, conditions required relating to piling, plant and equipment details, contaminated land and a close boarded fence of minimum density of 10kg/m³ is required to the boundary of the development with 1 Brenka Avenue.

Neighbour Representations

Last date for replies: 15 July 2011

Objections from 2, 3 and 5 Brenka Avenue.

- Access and egress for residents will prove more difficult due to extra traffic impacting on a narrow road,
- Increased deliveries will result in inconvenience,
- Would prefer entrance/exit to Ormskirk Road,
- Residential dwellings being hemmed in by commercial buildings,
- Problems with former car wash building and associated traffic,
- Drainage issues,
- Individuals discarding litter.

Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ5	Sustainable Drainage Systems
EDT18	Retention of Local Employment Opportunities
EDT8	Business and Industrial Development Outside Primarily Industrial Areas
EP2	Pollution
EP3	Development of Contaminated Land
EP6	Noise and Vibration
H10	Development in Primarily Residential Areas

Comments

The proposal seeks to remove the existing discontinued car wash and replace with a new building housing two commercial units.

Design and layout

The building is L-shaped with a newly constructed forecourt for the parking and turning of 24 vehicles. The unit nearest Ormskirk Road would be used for vehicle servicing/MOT, the unit furthest away would be used as a ceramic tiles/distribution warehouse.

The building has an overall floorspace of 790 square metres and is of a monopitch construction with the height varying between 6 and 7 metres.

The buildings are of modern design comprising aluminium panels and cladding. These materials are consistent with the prevailing pattern of development in the surrounding area. The door and frame colourings will be finalised prior to the meeting and the use of brickwork for the lower metre of the building has been agreed to reflect the character of other surrounding buildings. Amended plans will be provided detailing this in full.

Subject to these amendments the scheme is compliant with Policy DQ1 of the Sefton UDP.

Neighbour Amenity

In terms of activity associated with the use, the servicing use is likely to prove less neighbourly than the distribution warehouse. Therefore, the former of these uses is positioned nearest to Ormskirk Road and any noise will be heard against the backdrop of this busy route.

Car parking is contained from residential development by the presence of the buildings themselves and a condition is attached requiring an acoustic fence running the entire length of the side boundary with no. 1 Brenka Avenue.

The building would be in the order of 10 metres from the side elevation of no. 1 Brenka Avenue and is over 5 metres from the side boundary to no. 1 at a point level with the rear elevation of that dwelling. Given the monopitch roof described earlier drops to 6 metres at that point, it is not considered that the built form in itself will cause unreasonable harm to that dwelling. The landscaping plan affords tree planting in the grass verge between the building and the site boundary and it is considered that the overall view and amenity levels for no. 1 will be improved as a result.

Reference is made to the issues associated with the former use of the car wash. There must be considerable sympathy for residents who have been previously accused of queue jumping to get to their own dwellings. However, it is considered this development will not give rise to a similar character of traffic on site, as vehicles will be parking on the site rather than driving through in a pre-determined arrangement.

The plans provide clear opportunity for visitors to the site to park as opposed to queuing and instances of residents being forced to wait on Brenka Avenue should no longer result. It is considered this will present an improvement for those residents.

I consider a planning condition is required to ensure security fencing is provided to either end of the building to reduce potential for crime and anti-social activity to the rear of the building adjacent to nearby residential dwellings.

It is considered that the scheme complies in these respects with UDP Policies EDT8, DQ1, EP6 and H10.

Highway Safety

Access to the proposal would be derived via the existing arrangement off Ormskirk Road. It is considered that the introduction of a new access as suggested would be harmful to highway safety. There would be no right turn facility for the access and there would be a considerable likelihood of vehicles approaching the next turn along and performing an illegal U-turn.

The improvements to the existing access as required by planning condition, which include improved pedestrian facilities for users of Ormskirk Road, are regarded as acceptable and will provide significant benefit. The applicant has undertaken a number of amendments to the drawing that address the concerns of the Highways Development Control team.

The present access arrangements have for an extended period served the established car wash use known to have a continual turnover of visitors on a short-stay/drive through basis.

Comments have been made in objection regarding the alternative option of a new vehicular access directly off Ormskirk Road. This is unacceptable as it would prevent vehicles travelling northbound along Ormskirk Road from making a right turn into the site or indeed a right turn out of the site.

This is likely to result in significant u-turn manoeuvres being performed at the next available gap in the central reservation. This is significantly less safe than performing a right turn into or out of Brenka Avenue. In addition, it would result in an unnecessary extension to journeys.

The scheme brings highway safety improvements and accessibility benefits and therefore complies with UDP Policies DQ1 and AD2.

Landscaping

The proposal requires the planting of 24 trees, on the basis of each new parking space being provided. These are all accommodated on site; however, an amended plan has been requested to deliver some smaller trees to be planted on the Ormskirk Road elevation of the site, to assist in softening the impact of parked vehicles.

The scheme complies with UDP Policy DQ3.

Other Matters

Existing drainage issues are not a matter for the application. However, in line with UDP Policy DQ5, a condition is attached requiring a Sustainable Drainage System in order to contribute towards a reduction of surface water run off.

The site may be subject to contamination from previous uses and the full range of conditions is attached to deal with this issue, therefore ensuring the scheme is compliant with UDP Policy EP3.

In order to allay concerns regarding retail sales from Unit 2, a specific condition is attached restricting the extent of sales to tiles, tile products and floor coverings. This preventing any possibility of the site being used for open retail purposes and compliant with UDP Policy R9.

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-2 Materials (sample)
4. L-1 Protection of trees
5. H-5 Off-site Highway Improvements
6. H-10 Mud on carriageway
7. H-11 Construction Management Plan
8. P-5 Plant and machinery
9. a) A scheme of security fencing and/or gating preventing direct public access to the rear of the building shall be submitted to and approved in writing by the Local Planning Authority.

b) The agreed fencing shall be installed prior to the development first being brought into use and retained thereafter.
10. Con-1 Site Characterisation
11. Con- 2 Submission of Remediation Strategy
12. Con-3 Implementation of Approved Remediation Strategy
13. Con-4 Verification Report
14. Con-5 Reporting of Unexpected Contamination
15. M-6 Piling

16. a) Prior to the development being brought into use, a 2 metre acoustic close boarded wooden fence with a specific surface density of not less than 10kg/m³ shall be erected to run the length of the boundary with 1 Brenka Avenue. The fence shall be maintained thereafter.
b) The fence shall be dark stained within one month of its erection.
17. H-1 Remove existing vehicular/pedestrian access
18. H-2 New vehicular/pedestrian access
19. H-6 Vehicle parking and manoeuvring
20. H-7 Cycle parking
21. H-12 Servicing Areas
22. L-4 Landscape Implementation
23. B-7 No outside storage/sales
24. Unit 2 as shown on the approved plans shall only be used for the storage, distribution and sale of tile, tile products and floor coverings to the trade and general public or for B8 uses of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, and for no other purposes.
25. No car repairs or servicing works shall take place outside the building hereby permitted at any time.

Reasons

1. RT-1
2. RX1
3. RM-2
4. RL-1
5. RH-5
6. RH-10
7. RH-11
8. RP-5
9. RM-3
10. RCON-1
11. RCON-2
12. RCON-3
13. RCON-4
14. RCON-5
15. RM-6
16. RB-4
17. RH-1
18. RH-2
19. RH-6
20. RH-7
21. RH-1
22. RL-4
23. RB-7
24. To safeguard the vitality and viability of existing retail centres and to comply with Sefton UDP Policy R9.
25. RB-4

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 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.
3. 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

3.000, 3.001 Rev A, 3.002, 3.003, 3.004, 3.005,

Existing site plan



Sefton Council
 Department of the
 Built Environment
 Jane Gowing
 Head of Planning Services

S/2011/0798
 Car Wash Adjacent to 1
 Brenka Avenue
 Aintree
 Erection of two single storey commercial units includin
 OSGR: 336801, 398246 Sheets: 1/120 Area: 2525 sqm

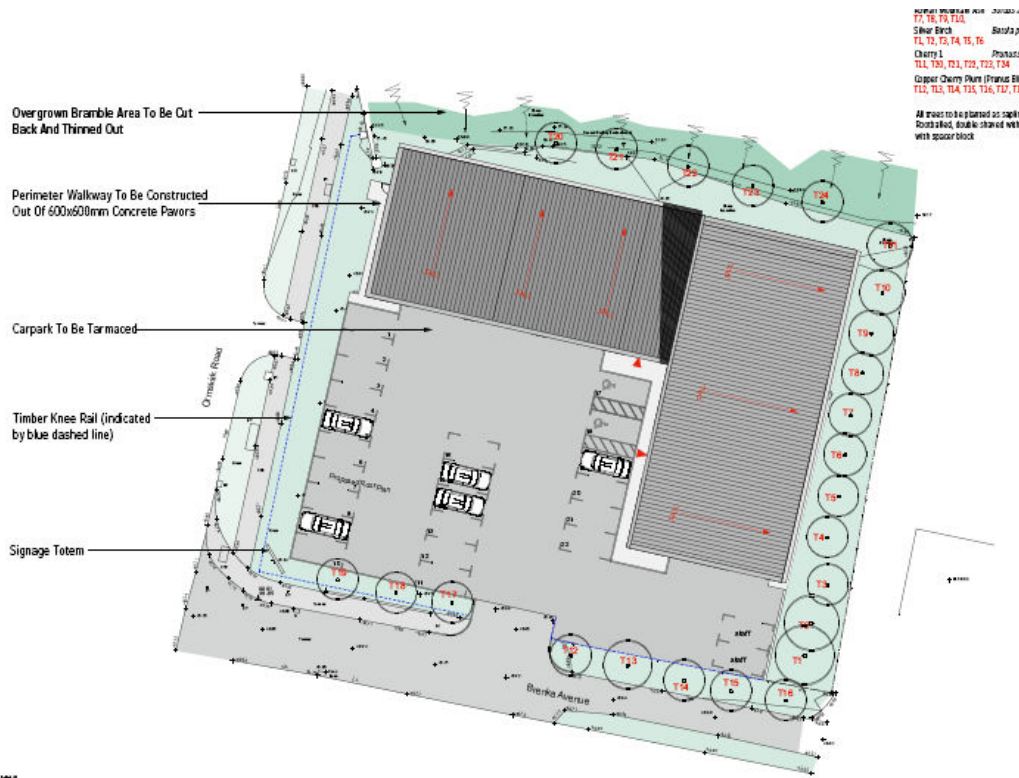
Standard Site Plan
 Scale: 1:2250
 Date: 11/8/2011
 Drawn By: ROBIDON

Ward(s): *Molyneux*
 Postcode Sector(s): *L9 5*
 Polling District(s): *C5*
 Parish(es): *Aintree Village Cp*

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Proposed site plan



TYPICAL SURFACE DETAILS