

Planning Committee

16 February 2012

Reference:
APP/11/01027

Area Team:
South Team

Case Officer:
Mr K Spilsbury

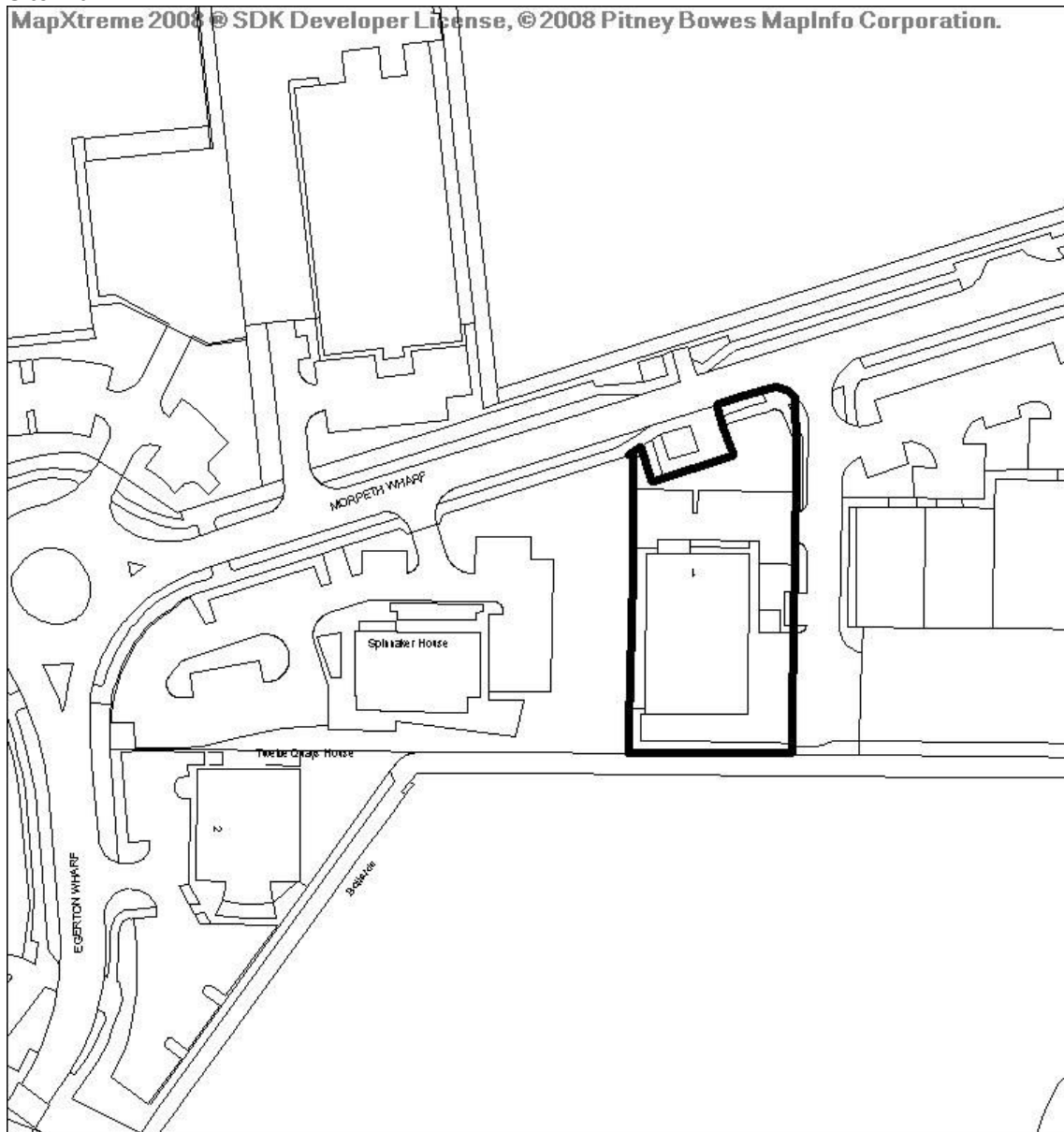
Ward:
**Birkenhead and
Tranmere**

Location: Telescope Technologies, 1 MORPETH WHARF, BIRKENHEAD, CH41 1LE

Proposal: Change of use from office areas into staff facilities to include a gymnasium & fitness area for the exclusive use of employees.

Applicant: Tipo Ltd
Agent : Mr Peter O'Donnell

Site Plan:



Development Plan allocation and policies:

Coastal Zone
Employment Development Site

Planning History:

ADV/99/05397 - Erection of 2 illuminated signs - Approved 29/04/99

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

Having regard to the Councils Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no objections have been received.

CONSULTATIONS

Director of Law, HR and asset management (Pollution Control Division) - no objections

Director of Technical Services (Traffic & Transportation Division) - no objection subject to conditions

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is a departure from the Development Plan and as such is required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

INTRODUCTION

The proposed development is for the change of use of the office areas within the existing industrial unit to staff facilities that includes a gymnasium and fitness area for the exclusive use of employees.

PRINCIPLE OF DEVELOPMENT

The site is allocated on the Unitary Development Plan Proposals Map as an Employment Development Site and is subject to Proposal EM3 'Land for General Employment Use' which only makes provision for business development within Use Classes B1, B2 and B8. Therefore the proposed use is a departure from Wirral's Unitary Development Plan (UDP) and has been advertised as such.

SITE AND SURROUNDINGS

The site of the development is a large two storey industrial unit located on Morpeth Wharf. There are a number of other industrial units surrounding the site, each with its own car parking and landscaping.

There is a large lorry and trailer parking area located to the north of the site and Morpeth Dock to the south.

POLICY CONTEXT

The area has already been developed with modern industrial units and a number of businesses which generated have generated a number of jobs have become established in accordance with the objectives of UDP Proposal EM3, which makes provision for development Use Classes B1 - Business, B2 - General Industry and B8 - Storage and distribution, subject to general criteria relating to design, amenity, traffic and environmental matter in UDP Policies EM6 & 7.

The main use of building would be retained for storage and distribution and the proposed staff facilities will be located in a small section at the rear of the building occupied by unused offices and a w/c. There will be a slight encroachment within the ground floor of the unit as there will now be a changing facility and free weights room outside of the existing footprint of the offices.

Within the applicants planning statement, it is made clear that the proposed development is intended for the sole use of the employees of the surrounding employment development park under the control

of the landlord of the Unit 1 Morpeth Walk and is in no way for general public use.

Although recreation facilities are listed as main town centre use in National Planning Policy PPS4 'Planning for Sustainable Economic Development', ancillary uses are not subject to the normal sequential and impact tests under Policy EC14. In which case Local Planning Authorities are expected to apply conditions under the terms of Policy EC19 to such uses remain genuinely ancillary to the main development.

Whilst there is no provision in UDP Policy EM3, it is considered that the proposal would not undermine the intended purpose of the existing employment development site or other industrial uses surrounding the site as it would be subsidiary to the existing industrial use offering an ancillary facility for employees of the industrial area. The proposal would otherwise comply with the requirements of UDP Policies EM6 and EM7.

Should members be minded to approve the application a number of conditions should be applied to ensure the facilities remain available for employees of businesses within the area and ancillary to the main industrial use of the site.

APPEARANCE AND AMENITY ISSUES

There will be no adverse impacts upon amenity as the only external alteration will be the insertion of a door in the side elevation of the building to provide a fire escape.

SEPARATION DISTANCES

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

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal as the proposal is for the sole use of existing employees.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

The proposals could facilitate employee health and well-being through regular exercise.

CONCLUSION

It is considered that the proposed development will provide a valuable staff facility which is deemed subsidiary to the existing industrial use and is therefore acceptable subject to conditions.

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:-

It is considered that the proposed development will provide a valuable staff facility which is deemed subsidiary to the existing industrial use and is therefore acceptable subject to conditions.

Recommended Approve
Decision:

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. The gymnasium and studio uses together with their associated facilities (changing rooms etc.) hereby approved shall only be open for use by employees of those businesses located on Morpeth Wharf, Egerton Wharf and Tower Wharf or by individuals employed by Tipo Ltd. The facilities hereby approved shall not be open for use by members of the general public.

Reason: In the interest of the character of the area having regard to policy EM8 of The Wirral Unitary Development Plan

3. The administrator of the site shall maintain an up to date register of the names of all people using the facilities and addresses of their related place of work. The register shall be made available at all reasonable times for inspection by officer of the Local Planning Authority.

Reason: In the interest of the character of the area having regard to policy EM8 of The Wirral Unitary Development Plan

4. Use of the facilities hereby approved shall permanently cease if the associated business premises ceases to be used for employment purposes.

Reason: In the interest of the character of the area having regard to policy EM8 of The Wirral Unitary Development Plan

5. The gym area and free weights area at ground floor level together with the associated changing facilities and the studio at first floor level (as shown on Drawing No. 2 dated August 2011) shall be used for no other purpose other than those shown on the approved plan (including any other purpose within Class D2 of the schedule to the Town & Country Planning (Use Classes) Order 1987 (including amendments at 2005, 2006 & 2010) or any subsequent Order or statutory provision revoking or re-enacting that Order.

Reason: In order to protect the character of the area and its land use allocation having regard to Policy EM8 of the adopted Wirral Unitary Development Plan.

6. The staff facilities hereby approved and shown at ground floor level as a gym and free weights area (together with associated changing facilities) shall be located within the building as shown on the approved plan (Drawing No.2 August 2011) and shall not exceed 164 square metres in area (measured internally) and the studio at first floor level shall also be located within the building as shown on the approved plan (Drawing No.2 dated August 2011) and shall not exceed 72 square metres in area (measured internally).

Reason: In order to protect the character of the area and its land use allocation having regard to Policy EM8 of the adopted Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 31/12/2011 11:49:51

Expiry Date: 09/01/2012