

**Planning Committee**

24 April 2012

**Reference:**  
**APP/11/01194**

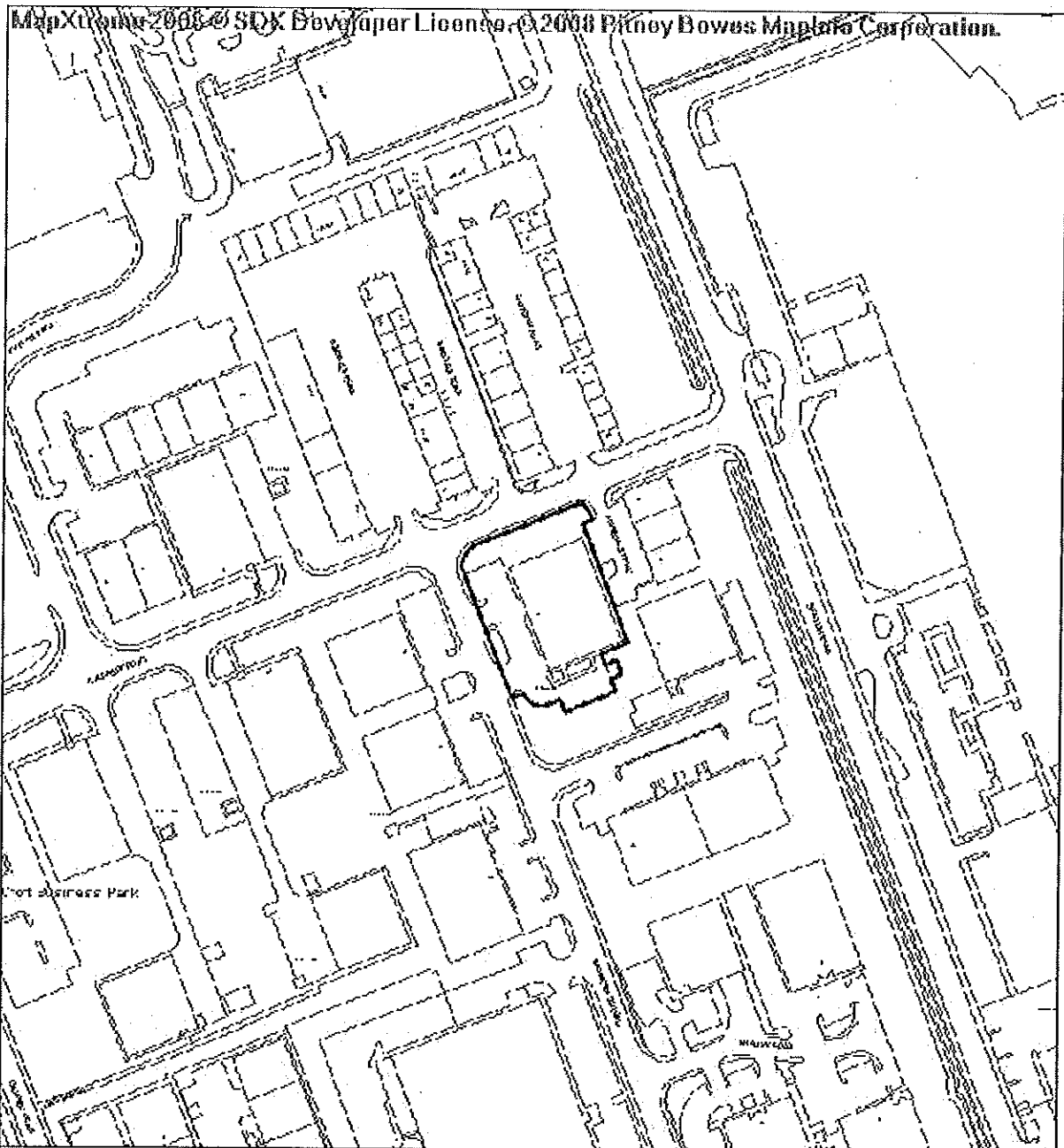
**Area Team:**  
**South Team**

**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Bromborough**

**Location:** 1 BASSENDALE ROAD, BROMBOROUGH, CH62 3QL  
**Proposal:** Change of use to bowling centre from B2 to D2  
**Applicant:** Bowl 300 Ltd  
**Agent :** C W Jones

**Site Plan:**



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**Development Plan allocation and policies:**  
Primarily Industrial Area

### Planning History:

APP/93/06492 Erection of a single storey building, approved 12/11/1993

APP/04/06035 Alterations to existing building including cladding and roller shutters, approved 12/7/2004

### Summary Of Representations and Consultations Received: REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, 14 notifications were sent to adjoining properties. A Site Notice was also displayed and the application was advertised in the Wirral Globe. At the time of writing this report the following representations have been received:

131 emails/letters of support.

A qualifying petition of support containing 844 signatures has also been received.

Merseyside Cycling Campaign - objection on the grounds that there is no cycle parking provision

Councillor Steve Niblock has requested that the application be taken out of delegated powers for the following reasons:

1. The building has been under used for some time and given the current economic climate is unlikely to provide employment given its current B2 designation.
2. The application to change to D2 use will result in the protection of jobs with the possibility of additional jobs being created.
3. The current bowl provision which is due to close would result in the loss of amenity to the Bromborough community and the loss of a number of jobs.
4. The current provision is also regionally recognised and has hosted international competitions. Indeed I had the honour to hand out medals for part of the bowling competition as part of the World Firefighter Games.
5. Many young people use the current site and would continue to use the Bassendale Road site as it is only a very short distance away. The provision of bowling in Bromborough provides young people with a physical activity and also engages them in a sport which if not available would reduce their health and wellbeing and could result in more anti social behaviour in the area.
6. I understand that a number of other vacant premises have been considered and discounted and therefore I believe that this application passes the sequential test.
7. I ask that the Planning Committee approve the application on the grounds that it will increase employment prospects, protect current jobs and ensure that the amenity continues to be available the local, Wirral and regional communities.
8. Suitable conditions can thus be applied to the application to return the building to B2 use should the business fail or change.

Councillor Irene Williams states: I have a copy of a letter to you from the operators of the Bowl in which it is clear that contrary to what is said in the report, the Bowl operators do not wish to remain trading at Croft Retail and Leisure Park, as it is not financial viable. They want to move to the site in Bassendale Road, where their overheads would be cheaper and they may be able to turn over a small profit, whereas now they are running at a loss. I would support this as I have seen the calculations.

## **CONSULTATIONS**

Director of Law, HR and Asset Management (Pollution Control) - no objections

Director of Technical Services (Traffic Management Division) - Concern raised over the potential overspill parking associated with the change of use to a Bowling Alley in an existing industrial/business area, however no objection subject to a condition.

## **DIRECTORS COMMENTS:**

### **REASON FOR REFERRAL:**

Councillor Niblock has requested that the application be taken out of delegation.

## **INTRODUCTION**

The proposed development is for the change of use of the vacant industrial unit at 1 Bassendale Road from its current B1, B2, B8 Use to a bowling centre (D2 Use), as an alternative premises for the existing ten pin bowling centre presently located at the Croft Retail and Leisure Park.

The applicants have indicated that it is not viable to remain trading at the Croft Retail and Leisure Park, where the site owners are seeking to gain planning permission for additional retail outlets, which is subject to a separate application on tonight's Planning Committee agenda (see APP/11/00874).

## **PRINCIPLE OF DEVELOPMENT**

The National Planning Policy Framework makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. The economic aim is to ensure sufficient land of the right type is available in the right place at the right time to support growth and innovation. Indoor bowling centres are identified as a main town centre use and are subject to a sequential test whereby preference should be given to accessible sites that are well connected to a town centre only if suitable town or edge of centre sites are not available.

The site is designated as a Primarily Industrial Area in the Unitary Development Plan (UDP) and there is no provision D2 uses under UDP Policy EM8. The area was also previously identified by the North West Regional Development Agency as a Strategic Regional Site. Regional Spatial Strategy (RSS) Policy W2 indicates that sites for regionally significant economic development should not be used for development that could be accommodated elsewhere and they should not be developed piecemeal. It should be noted that the Government intends to abolish RSS, subject to the outcome of consultation on Strategic Environmental Assessment. RSS will remain part of the statutory development plan until formally revoked. The proposal is a departure from the Development Plan and as such the principle of this development is not considered to be acceptable.

## **SITE AND SURROUNDINGS**

The site is a large clad industrial unit with parking provision for 39 cars.

The site is located within an established industrial area where similar units are used for industrial purposes within Use Classes B1, B2 and B8.

## **POLICY CONTEXT**

National Planning Policy Framework (NPPF), paragraph 21 indicates that Local Plans should identify strategic sites for local and inward investment and identify priority areas for regeneration.

This application is contrary to UDP Policy EM8 (Development within Primarily Industrial Areas), which only makes provision for industrial development within Use Classes B1, B2 and B8 uses and for expansion of existing businesses.

It is also contrary to RSS Policy W2 (Locations for Regionally Significant Development), which seeks to protect strategically important land for significant economic development.

The Wirral Employment Land and Premises Study 2009, approved by the Council on 2<sup>nd</sup> November 2009 (minute 49 refers) for use in planning decisions indicates that this industrial area is fit for purpose and will have a clear economic role now and over the next 20 years. However, the study

concluded that Wirral International Business Park has finite boundaries and recommended that the Council accepts that there will be a need to identify a replacement location in the medium to long term.

The latest evidence suggests that Borough faces a shortfall in the future supply of employment land and in terms of future local planning policy, the Council's Preferred Option for the Local Development Framework Core Strategy is to resist the loss of designated employment land to non employment uses, unless a Borough wide review shows it is no longer viable and surplus to requirements.

### ***The Applicant's Case***

The applicant states the proposed relocation of the bowl is a direct response to the proposed closure of the existing ten pin bowling facility by the owners of Croft Retail and Leisure Park and their desire to maintain the existing customer base who use the current bowling facilities.

The prospects of using town centre sites were considered by the applicants, but they were unable to find suitable premises in the centres of Bromborough or Bebington and concluded that any significant move to the north or south of Borough would have a negative effect on their existing customer base and on the other bowling facilities at New Brighton, Cheshire Oaks and Chester.

In addition to this, the applicant contends that are a number of special circumstances that weigh in favour of the proposed scheme, these include:

- The Bowl facility provides coaching to international standards and has a regular customer base from league teams (youth and senior), disabled persons and special needs groups, and the police including the Wirral Youth Inclusion Programme and would wish to stay in the leisure area, but it cannot afford rental levels, which a large commercial retail business would be prepared to pay
- A new build development would be beyond the means of the applicant and as such the bowl would need to be an existing industrial/commercial unit.
- UDP Policy EM8 & 9 do not rule out other uses.
- Two other planning applications for D2 uses have been approved by Planning Committee within Primarily Industrial Areas.
- The relocation of the bowling business will ensure 25 jobs are saved in a period of high youth unemployment
- The site has been marketed in excess of 6 years with no serious interest
- The high number of vacant premises in the immediate area for employment use in addition to the fact that there is no evidence base to demonstrate that these current circumstances are likely to change.
- Since the Employment Land Study Report, changes within National and Global economic situations in recent years have resulted in further vacant premises within the area as well as a further decline in manufacturing employment.

### ***Officer Comments***

Although there are number of sites in and around the edge of the Birkenhead Town Centre, such as land at Europa Boulevard, capable of accommodating a new bowling facility, it is accepted that these are not viable prospects for this particular applicant. Submissions by the applicant, and in the separate application to convert the existing bowling facility to retail outlets (APP/11/00874), indicate that there is no prospect of the current operators of The Bowl being able to make the current operation economically viable, even on a subsidised rental basis and relocation of the bowling business could save 25 jobs. However, members should be aware there will be financial implications for the applicant in moving or installing specialised bowling equipment, which have not been quantified, and there is no guarantee that The Bowl could operate on a viable basis by relocating to industrial property.

Members may recall that Planning Committee granted planning permission with the neighbouring industrial area for an indoor cricket centre with courts to accommodate hockey, bowls volleyball and football at Candy Park on 12 March 2010 (09/06553 refers) and an indoor football academy adjacent to 6 Bassendale Rd on 27 October 2009 (09/05686) against officers recommendation. The indoor cricket centre is the only permission implemented to date.

There is support for the proposal in letters submitted with the application in addition to the letters received during the consultation process and a further petition containing 844 signatures from across the Borough, Liverpool, Cheshire and the North West. However, the local consultation carried out prior to the separate application to convert the existing bowling facility to retail outlets (APP/11/00874) showed 54 out of 66 responses were against the bowl closure at Croft.

National Planning Policy Framework, paragraph 74 enables alternative substitute facilities in a suitable location to be considered. However, it is reasonable to expect that any new facility should be as accessible to current and new users as the existing bowling centre.

Planning Officers have sought to obtain an amendment to the layout of the proposed retail floorspace in the separate application at Croft (APP/11/00874), which would have facilitated retention of ten pin bowling in a modified form within the leisure area of the park. However, retention of the Bowl within the leisure area was rejected by the owners of Croft.

While the applicant claims the site has been marketed since 2006, it is considered that this and the presence of vacant units elsewhere does not in itself set a precedent for non-conforming development. This proposal would result in the loss of an industrial unit for employment uses, which can have a detrimental impact on the industrial nature of the area and could set a precedent that could lead to the erosion of the Council's employment land supply.

The proposed relocation of The Bowl to the site at Bassendale Road is contrary to the designation in UDP as a Primarily Industrial Area and not as accessible as the existing ten pin bowl facility. With a floor space of 1,300m<sup>2</sup> this building would be capable of accommodating 36 jobs if used for general industry (B2) or 130 jobs if used as an office (B1) according to the HCA employment density guidelines. Wirral International Business Park is identified as a key employment asset for the Borough, which the Council intends to reserve for large and medium scale industrial and campus style offices in the Core Strategy Preferred Options Report (November 2010) and it should not be used for development that could be accommodated elsewhere and should not be developed piecemeal.

#### **APPEARANCE AND AMENITY ISSUES**

There would only be minor changes to the exterior of the building which include the change of one roller shutter loading door on the front elevation to a glazed double door, with glazed surround and two fire escape doors to the south and east elevations. All other alterations would be internal, with exception of signage that would require separate advertisement consent.

#### **SEPARATION DISTANCES**

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

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Director of Technical Services - Traffic Management has raised a number of concerns with regard to the additional traffic movements at the junction of Caldbeck Road/Bassendale Road, pedestrian movements between the application site and the main retail leisure area and possible over spill parking in the industrial area creating a highway safety issue. As a result a transport statement was prepared by the applicant. Following review of the document the Director of Technical Services - Traffic Management states; I have considered the Transport Statement submitted with the application and, whilst I am now satisfied that vehicle and pedestrian movements associated with this development will not have a demonstrable negative impact on highway safety, I still have some concern that there is likely to be some over spill parking associated with the change of use to a Bowling Alley in an existing industrial/business area. The site car park accommodates 19 spaces less than the maximum allowed under SPD4 and it is considered that this will contribute to additional parking taking place at the junction of Caldbeck Road with Bassendale Road extending past the proposed site accesses. This overspill of parking would be detrimental to highway safety at this location but could be mitigated through a condition to ensure waiting restrictions are introduced around the junctions and accesses at and by the site.

#### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The National Planning Policy Framework makes it clear that the purpose of the planning system is to

contribute to the achievement of sustainable development. Paragraphs 18 to 219 taken a whole constitute the Governments view of what sustainable development in England means in practice for the planning system. This report has highlights conflict with policies for town centres and employment, sport and recreational buildings.

#### **HEALTH ISSUES**

There are no health implications relating to this application.

**Recommendation      Refuse**

**Decision:**

#### **Recommended Reason:**

1. The Local Planning Authority considers that the site is in an unsuitable location for the proposed use; it is designated as a Primarily Industrial Area in the Wirral Unitary Development Plan (UDP), and was identified as a Strategic Regional Site by the Northwest Regional Development Agency. The application is contrary to UDP Policy EM8 – Development with Primarily Industrial Areas, which only makes provision for development within Use Classes B1, B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 and Policy W2 – Locations for Regionally Significant Development in the Regional Spatial Strategy, which indicates that site should not be used for development that can be accommodated elsewhere and should not be developed in a piecemeal manner. It also contrary to the National Planning Policy Framework, paragraphs 24, 27 and 74. No material considerations have been identified sufficient to warrant overriding the statutory development plan designation and the proposal would have a detrimental impact on the purpose and character of the Primarily Industrial Area.

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

**Expiry Date:** 02/12/2011