

## Planning Committee

25 January 2011

**Reference:**  
**APP/10/01104**

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

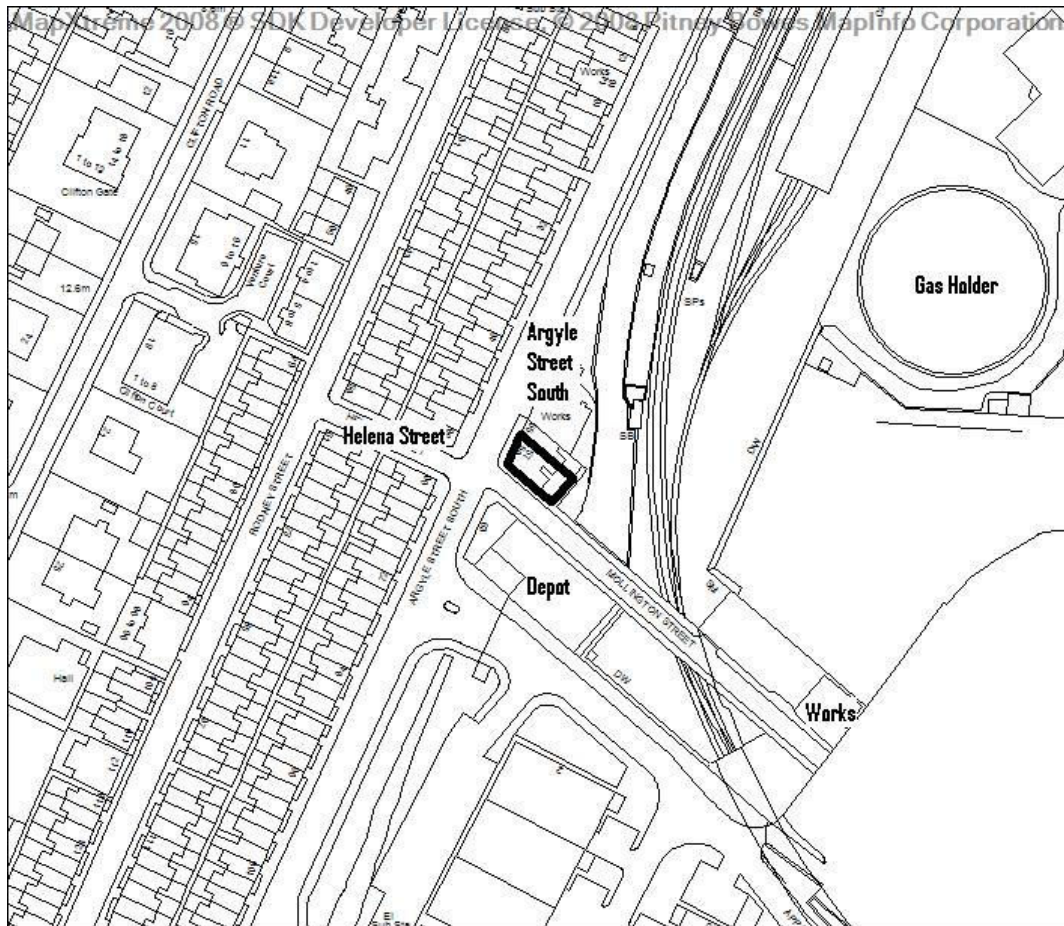
**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Birkenhead and  
Tranmere**

**Location:** 57 ARGYLE STREET SOUTH, TRANMERE, CH41 9DA  
**Proposal:** Change of use to two self contained ground floor apartments with single storey extension and rear staircase

**Applicant:** Mr Harding  
**Agent :** Bryson Design Ltd

### Site Plan:



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### Development Plan allocation and policies:

Primarily Industrial Area  
EM8  
Employment Land Study 2009

### Planning History:

APP/10/00652 - Change of use to flats - Refused

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

### **Representations:**

A site notice was displayed. Letters of notification have been sent to properties in the area. At the time of writing this report no objections have been received.

### **Consultations:**

Director of Law, HR and Asset Management (Environmental Health) - No objections

Director of Technical Services (Traffic Management) No objections

### **Director's Comments:**

Planning Application deferred from Planning Committee on 1 December, 2010 to allow for the submission of further information by applicant.

Councillor Phil Davies has also requested the application be taken out of delegation as he considers the proposals provide suitable disabled residential accommodation.

## **INTRODUCTION**

The proposal is for a change of use of a ground floor workshop to residential. There is currently residential units to the upper floors. This application is a resubmission from a previously refused application for the same proposal.

## **PRINCIPLE OF DEVELOPMENT**

In terms of EM8 the principle of the development is unacceptable as the proposed use does not fall under Use Classes B1, B2 or B8.

## **SITE AND SURROUNDINGS**

The building is a rendered corner plot two-storey unit, to the side of the building is a tile showroom. The site faces residential dwellings but itself is located within the designated Primarily Industrial Area.

## **POLICY CONTEXT**

The proposal is for a non industrial use within a Primarily Industrial Area, if the development does not accord with the development plan policies the proposal will be deemed unacceptable. There is no evidence presented as to why the building should not and can not be used for industrial. Whilst the upper floors have existing residential uses this does not override the current industrial land policies. To allow residential within an identified industrial zone would cause problems to industrial business as well as residential uses as the two do not marry well in terms of use within these sites.

## **APPEARANCE AND AMENITY ISSUES**

The proposal is to introduce two additional residential dwellings into an existing commercial building. In terms of EM8 proposals in this location should consist of Use Classes B1, B2 and B8. The site has also been identified within the Wirral Employment Land study 2009 (site 45).

Non-industrial uses can undermine the vitality and future growth of industrial areas. There is no evidence to show the need for residential or any marketing that has been carried out to justify the loss of these industrial allocated units to residential outside of a Primarily Residential Area. The agent has stated that the property was marketed as commercial from May 2008 and a letter from the previous owner confirming that the property had been for sale with Smith and Sons for a period of 16 months.

The information provided is minimal in terms of justification as to why the site cannot be used as commercial and the Council's position has not changed from that it took on 1 December 2010. It is not satisfied that any information or justification has been put forward that warrants relaxing planning policy in this instance.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

## **CONCLUSION**

The proposal to create residential units within this location is unacceptable. The land is designated as

Primarily Industrial, therefore the proposal does not comply with Wirral's UDP Policy EM8. The Council is not satisfied that any information or justification has been put forward that warrants relaxing planning policy in this instance.

**Recommended      Refuse**  
**Decision:**

**Recommended Conditions and Reasons:**

1. The proposed residential use is unacceptable within a Primarily Industrial Area and is contrary to Policy EM8 of Wirral Unitary Development Plan. There is insufficient information submitted with the application to justify overriding Policy EM8.

**Further Notes for Committee:**

**Last Comments By:** 27/10/2010 10:48:04  
**Expiry Date:** 01/11/2010