

Planning Committee

03 January 2012

Reference:
APP/11/00954

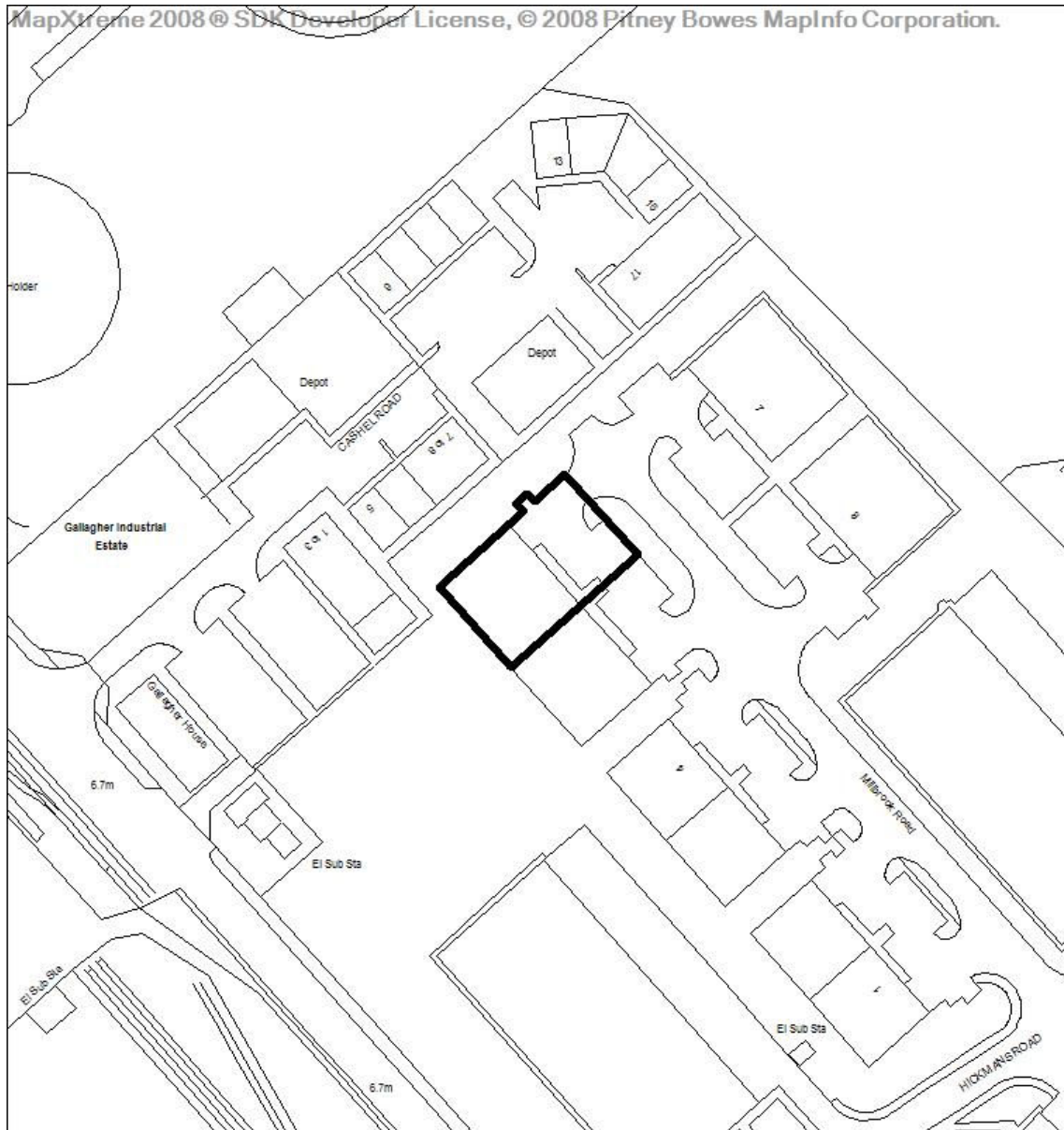
Area Team:
North Team

Case Officer:
Miss K Elliot

Ward:
Seacombe

Location: 6 MILLBROOK ROAD, POULTON, CH41 1FL
Proposal: Change of use from industrial unit to auctioneers - sui generis.
Applicant: Wirral Auction Centre
Agent : Neil Braithwaite Architect

Site Plan:



Development Plan Designation:

Primarily Industrial Area

Planning History:

APP/1990/7240 - Erection of 2 two storey factory units and 6 single storey factory units - Approved 14/12/1990

APP/1976/4856 - Construction of estate road and erection of modern industrial (Use Class III and IV) Building - Approved 14/06/1976

APP/1976/4855 - Construction of estate road and erection of warehouse - Approved 14/06/1976

APP/1978/9113 - Proposed erection of 4 No. Single Storey factory buildings with provision for associated accommodation, complete with statutory services installations, road access and service areas - Approved 14/04/1978

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, ten letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, no representations had been received.

CONSULTATIONS

Director of Technical Services (Traffic & Transportation Division) - no objections to the proposals.

Director of Law, HR & Asset Management Division (Pollution Control Division) - no objections to the proposals.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application was removed from delegation by Councillor Salter who supports the application on the grounds that the applicant has had the business in the locality for almost ten years, only allows the general public in to the premises once a week and does not cause parking problems for neighbouring businesses.

INTRODUCTION

The proposal is for the change of use of the premises to an auctioneers (sui generis). The application is retrospective and the unit is already in use.

PRINCIPLE OF DEVELOPMENT

The principle of the development is contrary to Policy EM8 of Wirral's Unitary Development Plan and National Planning Policies PPS1, PPS4, PPG13 and RSS Policies DP5 and RT2. The proposal therefore represents a departure from the Unitary Development Plan (UDP).

SITE AND SURROUNDINGS

The site comprises an existing unit on an established industrial estate, which is demonstrated by the planning history of the site. Vacancy rates in the immediate vicinity appear relatively low. The site lies within a wider Primarily Industrial Area, set back from Dock Road. There is allocated parking in front of the unit and there are a variety of industrial uses mainly comprising storage and distribution in the surrounding area.

POLICY CONTEXT

Policies EM6, EM7 and EM8 of Wirral's Unitary Development Plan and National Planning Policies PPS1, PPS4, PPG13 and RSS Policy DP5 and RT2 are relevant. It should be noted that the Government intends to revoke RSS, subject to the outcome of consultation on Environmental Assessment. RSS will remain part of the statutory development plan until formally revoked.

APPEARANCE AND AMENITY ISSUES

The application site is located on land designated as a Primarily Industrial Area under Wirral's Unitary Development Plan. The uses supported in such areas are those within use class B1, B2 and B8. The proposed use of the unit is sui generis and is not specifically provided for within the UDP. It is considered that this type use, which sells a fairly wide range of household goods to the general

public, should be located in a more sustainable and easily accessible location such as in or on the edge of a town centre..

The Council resolved in November 2009 that the Employment Land and Premises Study would be material in the determination of planning applications. This shows a shortage in the long term supply of employment and industrial land in the Borough. Approving non-industrial uses in Industrial Areas would result in a loss of suitable sites for B1, B2 and B8 uses, potentially pushing such uses outside the designated areas into unsuitable and, in some instances, unsustainable locations. As outlined in the study, there is still significant demand for industrial and employment land, particularly along the Dock Road Corridor in Wallasey where the application site is located. There is therefore a general presumption against uses other than those relating to B1, B2 and B8.

Additional information was requested and subsequently submitted by the applicant in support of the application. It was confirmed that the variety of goods auctioned at the premises includes mostly household clearance items which vary in size. Larger goods, including cars, appear rarely which in turn fails to support the need for the use to be in such a large industrial unit. There are between 8 and 14 deliveries of goods per week, culminating in one public auction a week at 5pm, when most neighbouring businesses have closed. The remainder of the time the unit functions mainly as an office and storage and is not accessed by the general public. Officers visited the site at the time of an auction and it was found that although parking in the vicinity had increased, it could not be said to be at a level which impacts on neighbouring businesses or how they operate and neither does it impact on the adopted highway.

National Policy PPS1 indicates that development which attract large numbers of people should be focussed on existing centres. PPS4 and PPG13 reinforce this view in that accessibility, including walking, cycling and public transport needs, should be assessed along with the impact on regeneration and local employment. The application site is not readily accessible by public transport cycling or walking; it is therefore not considered to be in a sustainable location. In conclusion, it is considered that neither the use or the location are acceptable for the auction house. Whilst it is not considered to inconvenience neighbouring uses, insufficient information has been provided to justify the further loss of industrial land to a use which should be more centrally located. The proposal conflicts with the objectives of Policy EM8 of Wirral's Unitary Development Plan and National Planning Policies PPS1, PPS4, PPG13, RSS Policy DP5 and is therefore recommended for refusal.

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.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

There has been insufficient information provided to demonstrate that the site presents a suitable location for the auction facility and that there are no more accessible locations for the use. As such the proposed use is contrary to Policies EM6, EM7 and EM8 of Wirral's Unitary Development Plan and National Planning Policies PPS1, PPS4 and PPG13.

Recommended Decision: **Refuse**

Recommended Conditions and Reasons:

1. The site designated as part of the Primarily Industrial Area in the Wirral Unitary Development Plan (UDP) and use of the premises for the sale of goods by auction to the

general public is contrary to Policy EM8 of the Wirral Unitary Development Plan, which only makes provision for employment uses within Use Class B1, B2 and B8 of the Town & Country Planning (Use Classes Order) 1987. No material considerations sufficient to outweigh the provision of statutory development plan have been identified.

- 2 The site is not in a location easily accessible by a choice of transport, including walking cycling and public transport. Thus use of the premises for the sale of goods by auction to the general public could set a precedent that can lead to unsustainable patterns of development within the Borough. This is contrary to the objectives of RSS Policies DP5 and RT2, and National Planning Policies PPS1, PPS4 and PPG13.

Last Comments By: 30/09/2011 10:31:37

Expiry Date: 28/09/2011