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| Case Number | 17/04265/FUL (Formerly PP-06409159) |
| Application Type | Full Planning Application |
| Proposal | Use of former vehicle sales and servicing facility as part storage/distribution, including ancillary retail floor space (Use Class B8), part business (Use Class B1), and part retained as vehicle servicing, including erection of new shop front, demolition of single-storey lean to extension, and alterations to building openings/fenestration |
| Location | 918 - 920 Chesterfield Road Sheffield S8 0SH |
| Date Received | 11/10/2017 |
| Team | South |
| Applicant/Agent | WMA |
| Recommendation | Grant Conditionally |

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

- Red Line Plan received on 13 October 2017 (Ref: 7379/001/P2).
- Site Plan received on 03 January 2018 (Ref: 7379/03/P2).
- Floor Plans received via email dated 24 January 2018 (Ref: 7379/011/P3 & 7379/012/P2).
- Proposed Elevations received via email dated 24 January 2018 (Ref: 7379/021/P3).

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

3. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

4. Before the hereby approved B8 Use (Storage and Distribution) commences, a Delivery Management Plan associated with that use shall have been submitted to and approved in writing by the Local Planning Authority. The B8 Use shall operate in accordance with this Delivery Management Plan thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Other Compliance Conditions

5. Commercial deliveries and collections associated with the B8 Use (Storage and Distribution) shall be carried out only between the following hours:

- Between 07:00 and 21:30 hours Monday to Saturday.
- Between 09:00 and 19:30 hours Sundays and Bank Holidays.

Commercial deliveries and collections associated with the B1 Use (Office) and B2 Use (Vehicle Servicing) shall be carried out only between the following hours:

- Between 08:30 and 18:00 hours Monday to Saturday.
- Between 10:00 and 16:00 hours Sundays and Bank Holidays.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

6. The hereby approved B8 Use (Storage and Distribution) shall only operate between the following hours:

- Between 07:00 and 19:00 hours Monday to Saturday.
- Between 09:00 and 17:00 hours Sundays and Bank Holidays.

The hereby approved B2 Use (Vehicle Servicing) shall only operate between the following hours:

- Between 08:30 and 18:00 hours Monday to Saturday.
- Between 10:00 and 16:00 hours Sundays and Bank Holidays.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

7. The car parking accommodation within the site, as indicated on the approved plans, shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

8. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the section of the building dedicated for vehicle servicing shall not be used for any other purpose within Use Class B2 (General Industry).

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

9. No servicing and/or repair of vehicles shall be carried out in the open air.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

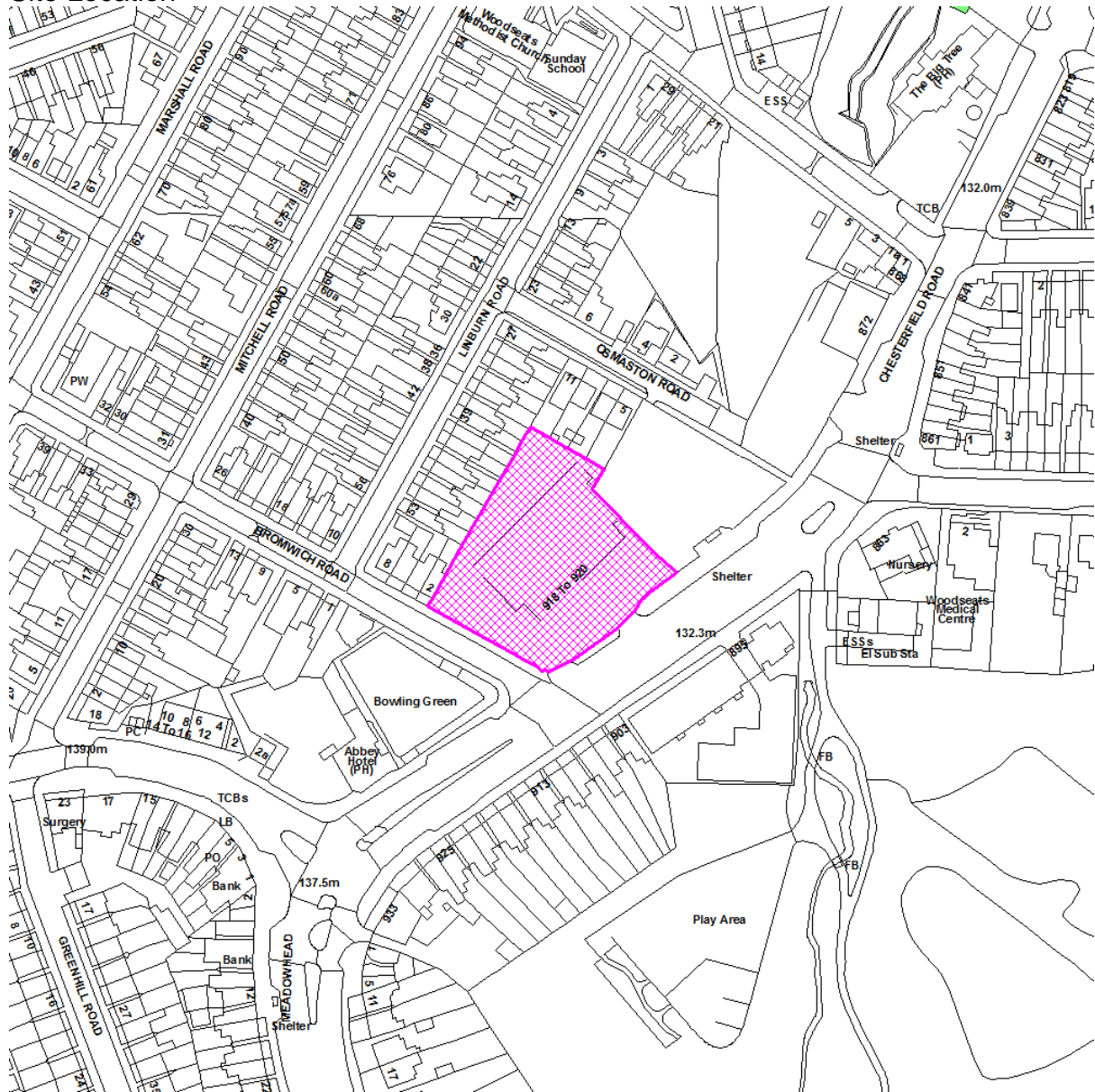
10. No goods or equipment associated with any of the hereby approved uses shall be stored outside of the building.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

This application relates to a recently vacated commercial building that has a principal frontage onto Chesterfield Road, which is set to the east. The building was formerly occupied by the Sheffield Honda dealership as a car showroom and vehicle servicing operation and ranges in height between single and two storeys.

As well as fronting Chesterfield Road, the site is also bounded by Bromwich Road to the south, which is a secondary street. Residential properties are set to the west and north and share common boundaries with the application site. Part of this western boundary is also shared with the recently constructed Woodseats Library and Medical Centre. Further residential units are set across Chesterfield Road.

The applicant is seeking planning permission to undertake some external alterations and split the unit into three distinct uses. The proposed uses are broken down as follows:

- Approximately half of the ground floor would be retained for vehicle servicing, which is one of the two uses already established on the site.
- Approximately half of the ground floor would be occupied principally as a Storage and Distribution Use (Use Class B8), but would also include some ancillary retail space.
- The first floor would provide approximately 129 square metres of office accommodation (Use Class B1).

The external alterations are relatively minor and are as follows:

- The demolition of some existing single storey elements that flank the north elevation.
- The insertion of some additional glazing and an access ramp to the Chesterfield Road elevation.
- The blocking up and creation of new doors/roller shutters at various points along the side and rear elevations.

RELEVANT PLANNING HISTORY

Whilst the site does have a history of planning applications it is not considered that they are of relevance to the current proposals.

SUMMARY OF REPRESENTATIONS

- Petitions

A petition has been placed on the Sheffield City Council website objecting to the proposal and this has received 33 signatures. The wording accompanying this petition is as follows:

'We object to the planning application 17/04265/FUL for a Tool Station in Woodseats in the former Woodseats garage as this development would affect many local shops and ruin the nearby Greenwoods DIY shop, an independent family run business which has been on site for over 40 years. We want the council to show their support for local businesses in Sheffield and refuse this planning application.'

A second petition has been submitted objecting to the proposal and this has received 34 signatures. This petition states that:

'We support local independent shops in Sheffield and we do not want the Council to allow a national chain to come into Woodseats District Shopping Centre ruining local family businesses. We object to the planning application for a Tool Station in Woodseats at the Old Woodseats Garage as this shop would ruin the nearby Greenwoods DIY Shop, an independent family run business which has been on site for over forty years. We want the Council to show their support for local businesses in Sheffield and refuse this planning application.'

- Representation from Member of Parliament

A representation has been received from Louise Haigh who is the Member of Parliament for Sheffield Heeley.

This representation states that 'My constituent has raised concerns to the application on the grounds of the extra traffic in an already congested area and negative impact of allowing a national chain into a district shopping centre.

I would be grateful if you could ensure that these are given full and proper consideration, in line with the appropriate rules and Local Development Framework.'

- Representation from Councillor Sue Auckland & Councillor Steve Ayris

A joint representation has been received from Councillor Auckland and Councillor Ayris and this raises the following points of objection:

- The need to regenerate city and district/local centres while protecting the vitality of locally, independent businesses and enterprises forms a key theme within planning policy. The occupation of the unit by a national chain will have a negative impact on the vitality of neighbouring local and independent businesses, which is contrary to these aims.
- The issue as to whether the proposed retail element of the proposals is ancillary is in fact subjective and it should therefore be considered on its own merits.
- The encouragement of additional traffic on to these local roads is not reasonable and the impact will be greater than predicted. These journeys will lead to increased noise and disturbance for surrounding residents, while also exacerbating parking and congestion issues.
- It is also noted that as the site will be occupied by three end users and they will operate for longer hours in comparison to the existing. As such, the above issues will be intensified in comparison to the previous use.

- Representations from Local Residents/Businesses

There have been nine individual representations from local residents/businesses that raise the following points/objections:

- The proposed storage and distribution/retail element of the scheme would create direct competition for several local businesses. Approving the application to allow a national chain to operate from the site would not support local business and it should be refused on these grounds. This would conflict with least one of the core priority values of the Sheffield City Council, namely "Thriving Neighbourhoods and Communities".
- The competition created will lead to the closure of many existing shops and this will be detrimental to the vitality of the shopping centre.
- The description of the application does not make it clear that there is a retail element to the proposals.
- No public notices have been put up around the site.
- A letter has not been sent to the residents at 6 Bromwich Road or Greenwoods DIY on Abbey Lane.
- Owing to this lack of consultation have the minimum statutory requirements have been met under Article 15 of the Development Management Procedure Order.
- Parking in the area is already very problematic with residents struggling at times to be able to park. This issue is exacerbated by the recently erected medical centre and library, as well as people visiting Woodseats shopping centre.
- The parking and congestion issue lead to safety issue, which includes endangering children as they walk to school.
- Given the site will now house three businesses compared to the previous one business these parking issues will be made worse.
- How is the parking across the site being allocated for each unit?
- On what basis were the estimated parking spots calculated in the 'Supplementary Plan' document?
- A parking permit scheme should be introduced in the area.
- The Chesterfield Road/Bromwich Road junction is already very busy due to matters such as a bus lane and queueing traffic, this proposal will make this junction even busier and therefore more dangerous.
- The proposals will create increased pollution and congestion.
- The proposed increase in opening hours compared to the previous use will lead to increased noise and disturbance for local residents.
- The proposed servicing hours were not made clear within the original submission.
- It appears that works have already begun on these proposals and it is unclear why this is being allowed to take place.

PLANNING ASSESSMENT

Land Use

The site is located within a District Shopping Centre as defined by the adopted Sheffield Unitary Development Plan (UDP). Policy S7 (Development in District and Local Shopping Centres) within the UDP lists a number of uses that are considered to be preferred, acceptable and unacceptable.

In relation to Policy S7 the vehicle servicing element of the existing and proposed operation would actually be classed as a General Industrial Use (Use Class B2), which is listed as unacceptable. However, as this use is already established on the site it would not be reasonable to refuse this aspect of the proposals from a land use perspective.

The proposed office accommodation (Use Class B1) is listed as an acceptable use within Policy S7. This is reinforced within Policy CS3 of the Sheffield Development Framework Core Strategy, which lists District Centres and high frequency bus routes as appropriate locations for office developments, so long as 65% of new office development is located in the City Centre or at its edge.

Currently the City Centre and edge of City Centre account for 75% of new office development. So, as the site is within a District Centre and fronts a high frequency bus route, the office element of the scheme is compliant with policy.

Policy S7 lists B8 uses (Storage and Distribution) as unacceptable within shopping areas, largely to ensure they do not cause noise and disturbance to surrounding uses. This departure from the adopted development plan has been advertised in accordance with the regulations. In this instance however it is not deemed reasonable to simply refuse the B8 use from a land use perspective for the following three reasons:

- 1) This use includes an ancillary element of retail floor space (Use Class A1), which in part reinforces the preferred shopping use in the District Centre;
- 2) Although the existing use as car sales is classed as sui generis, it does have several similar characteristics to a B8 use; and
- 3) Consideration needs to be given to the likely impact of the use on surrounding uses, and the potential for mitigation.

Based on the above, whilst there is some conflict with planning policy, when matters such as the previous uses are accounted for, the proposals are considered to be acceptable in principle from a land use perspective.

Dominance and Impact on Local Business

Paragraph 23 within the National Planning Policy Framework (NPPF) states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

Section a) within Policy S10 (Conditions on Development in Shopping Areas) of the UDP states that in shopping areas new development should not lead to a concentration of uses which would prejudice the dominance of preferred uses in the area. In this case Retail (Use Class A1) is the preferred use.

It is firstly noted that the previous uses in the building do not fall into the category of preferred uses in that they are not retail. As such, the approval of uses that also do not qualify as preferred does not have any impact on the dominance of preferred uses in the District Shopping Centre.

One of the key themes within the representations received objecting to the proposals has been the impact of the B8 unit on local businesses, with a particular focus on the competition created by the ancillary retail function. Having discussed this with the applicant it is understood that the end user is to be Tool Station, however a planning permission does not determine the end user, and provided the approved use remains, the occupier of the unit can change at any point.

The ancillary retail area is accessed through the main entrance and is approximately 49 square metres in area. This room would essentially have a staffed counter and catalogues for customers to peruse before they placed orders. These orders would then be retrieved from the warehouse/stock area by a member of staff. A limited amount of goods would be displayed within this retail area.

It is understood however that much of the business generated is more associated with online sales, primarily to trade, with ordered items then dispatched or collected.

From a policy perspective creating an element of retail within the B8 unit, which is the preferred use in this District Shopping Area, is clearly supported. Furthermore, the NPPF promotes competition within existing shopping centres.

Based on the above, it would not be reasonable to resist the scheme based on the grounds of competition, and overall through the creation of a limited amount of ancillary retail space the proposals will increase the amount of floor area dedicated to preferred uses in the District Shopping Centre.

Amenity

Section b) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that new development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

There are residential properties set along the rear/western boundary of the site and across Chesterfield Road and the impact on the amenity of these residents warrants careful consideration.

In relation to operating hours and deliveries, the unit that will be utilised for vehicle servicing will operate and receive deliveries during the following hours:

- Between 08:30 to 18:00 hours Monday to Saturday.
- Between 10:00 to 16:00 hours Sundays and Bank Holidays.

It is noted that the servicing element of the established use is currently restricted to the following hours:

- Between 08:00 and 17:30 hours on Mondays to Fridays.
- Between 08:30 and 12:30 hours on Saturdays.
- No usage on Sundays or Public Holidays.

Given that this section of Chesterfield Road is busy during the daytime with general activity and traffic, and as there will be a restriction placed on the unit so that there will be no repairing vehicles outside of the building, the proposed increase in opening and delivery hours is not considered unreasonable.

Given that the office space is relatively small, it is not considered to have any notable potential to create noise and disturbance. As such, there is not considered to be a need to place any restrictions on this use in terms of operating hours. It is however proposed to restrict deliveries to this office use to match the resections places on the vehicle servicing unit.

In relation to the Storage and Distribution Unit the following opening hours are proposed:

- Between 07:00 to 19:00 hours Monday to Saturday.
- Between 09:00 to 17:00 hours Sundays and Bank Holidays.

As identified above, owing to the commercial/busy nature of this section of Chesterfield Road, these opening hours do not create any concerns from an amenity perspective.

The delivery hours for this unit are different to the opening hours and they are proposed to be:

- Between 07:00 to 21:30 hours Monday to Saturday.
- Between 09:00 to 19:30 hours Sundays and Bank Holidays.

The extended delivery hours are required as the proposal would be to deliver to the front of the building and as a result there is a need to avoid doing this during operating hours, owing to potential conflicts with customers.

Such deliveries would be fairly low key, involving the delivery of a small number of cage type trolleys, and the removal of several empty cages. It is anticipated that such deliveries would last for 20 minutes and there are likely to be no more than five deliveries in a typical week. It is proposed for the final details around this to be agreed within a Delivery Management Plan.

Delivering to the front of the building only is preferable as it ensures the residents to the rear of the site are screened from any associated noise. In addition, given the busy nature of Chesterfield Road and the fact that it is particularly wide at this point, resulting in a distance of approximately twenty five metres from the front of the site and the residential properties opposite, these extended servicing hours are accepted given the level of control that can be secured through the agreement of a Delivery Management Plan.

Planning conditions will be imposed to ensure there is no outside storage associated with any of the proposed uses.

The external alterations are very limited and do not have any detrimental impact on the amenity of surrounding uses/residents.

Given the commercial and busy nature of this section of Chesterfield Road, on balance it is considered that with the imposition of planning conditions surrounding operating/delivery hours and measures such as a Delivery Management Plan for the storage and distribution use, the proposals would not have an unacceptable impact on the amenity of surrounding uses/residents.

Design

Section d) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that new development should be well designed and of a scale and nature appropriate to the site.

Policy BE5 (Building Design and Siting) within the UDP promotes good design in all new development.

Policy CS 74 (Design Principles) within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

The demolition of some existing single storey elements that flank the main north elevation has actually almost been completed on site and does not raise any objections. The structure to which this relates is flat roofed, set back from the front elevation and adds little in terms of aesthetics. The wall will be repaired post demolition with matching brickwork and this is welcomed.

The insertion of some additional glazing and an access ramp to the Chesterfield Road elevation will improve the overall appearance and ensures the building addresses Chesterfield Road in a positive manner.

The blocking up and creation of new doors/roller shutters at various points of the side and rear elevations will not change the overall feel of the building and creates no design concerns.

The proposals are therefore considered to be acceptable from a design perspective.

Highways

Section f) within Policy S10 (Conditions on Development in Shopping Areas) within the UDP states that new development should be adequately served by transport facilities and provide safe access to the highway network, appropriate off street parking and not endanger pedestrians.

The existing access points into the site are to be utilised and as these are well established they create no highway safety issues.

The applicant has provided anticipated parking numbers for each unit, this being:

- 12 spaces for the vehicle servicing use, based on four staff members and customer demand.

- 10 spaces for the storage and distribution use, based on four staff members and customer demand.
- 6 spaces for the office use owing to its limited floor space.

These parking numbers are considered to be reasonable given the limited size of the units and the anticipated staff numbers. As the site accommodates 41 spaces and two additional mobility spaces, there is therefore a spare capacity of 15 spaces.

Given the previous use of the site and the limited staff numbers, any increase in vehicle trips associated with this proposal will be minimal and certainly would not justify the refusal of this application.

In addition, the site is located on a high frequency bus route so is very accessible from via public transport.

Based on the above the proposals are considered to be acceptable from a highways perspective.

Access

The site provides mobility car parking spaces adjacent to the main entrances and level access to these entrances, which in part is facilitated by a new ramp. As such the proposals are deemed to be acceptable from an access perspective.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised in the representations have been addressed in the above assessment. The remaining issues are addressed as follows:

- The issue as to whether the proposed retail element is ancillary is in fact subjective and it should therefore be considered on its own merits.

In response, the above assessment has fully considered the impact of the retail element independently from the principal storage and distribution use.

- The description of the application does not make it clear that there is a retail element to the proposals.

In response, the description was subsequently altered and new letters/site notice issued that made it clear that an ancillary retail use was being proposed.

- No public notices have been put up around the site.

In response, site notices have been posted outside the site on the Chesterfield Road frontage.

- A letter has not been sent to the residents at 6 Bromwich Road or Greenwoods DIY on Abbey Lane.

In response, in accordance with the Statement of Community Involvement, as these units do not share a common boundary with the application site they have not been sent a notification letter.

- Owing to this lack of consultation have the minimum statutory requirements have been met under Article 15 of the Development Management Procedure Order.

In response, it can be confirmed that the statutory requirements have been met with regard to Section 15 of the Development Management Procedure Order.

- How is the parking across the site being allocated for each unit?

In response, given the conclusion that there is spare capacity within the site, it is considered reasonable for the allocation of spaces to be managed by the landlord and tenants on site.

- On what basis were the estimated parking spots calculated in the 'Supplementary Plan' document?

In response, these figures have been produced taking account of anticipated staff and customer numbers.

- A parking permit scheme should be introduced in the area.

In response, this is an issue that falls outside the scope of this application.

- The proposed servicing hours were not made clear within the original submission.

In response, it is not essential that this information is provided up front, although it is helpful.

The servicing hours now proposed have been reduced significantly from the applicant's original requirement to service 24 hours a day. It is now felt that with measures such as a Service Management Plan being conditioned, the proposed servicing hours strike the correct balance between residential amenity and operational requirements.

SUMMARY AND RECOMMENDATION

This proposal seeks to convert a recently vacated car sales and servicing centre into three separate uses. These being storage/distribution, including ancillary retail floor space (Use Class B8), office space (Use Class B1), and vehicle servicing (Use Class B2). Several fairly minor external alterations are also proposed, including the insertion of new shop fronts.

Whilst there is some conflict with land use planning policy, when matters such as the previous uses and the ancillary retail element associated with the B8 Use, and the conclusion that the use would not adversely affect living conditions are accounted for, the proposals are considered to be acceptable in principle from a land use perspective.

Competition in existing shopping centres is promoted within Paragraph 23 of the National Planning Policy Framework. In addition, through the creation of a limited amount of retail floor space associated with the B8 Use, the proposals will increase the amount of floor area dedicated to preferred uses in the District Shopping Centre.

Planning conditions will be imposed to ensure there is no outside storage associated with any of the proposed uses.

Given the commercial and busy nature of this section of Chesterfield Road, on balance, it is considered that with the imposition of planning conditions limiting operating/delivery hours, and securing measures such as a Delivery Management Plan, the proposals would not have an unacceptable impact on the amenity of surrounding uses/residents.

The design alterations are minor in nature and the introduction of new shop fronts into the Chesterfield Road elevation is welcomed.

The vehicle access points into the site are established and the site will provide sufficient car parking for both staff and customers.

Based on the above this application is recommended for conditional approval.