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Case Number	20/03338/FUL (Formerly PP-08702527)
Application Type	Full Planning Application
Proposal	Change of use from car showroom (Use Class Sui Generis) to offices (Use Class E) including the alteration of cladding (Amended Description & Additional Details including supporting / highways information)
Location	1 Ecclesall Road South Sheffield S11 9PA
Date Received	24/09/2020
Team	South
Applicant/Agent	Urbana Town Planning
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:

- Location Plan / 823-CPA-ZZ-ZZ-DR-A-0001 Revision A
- 2.1 Proposed ground floor plan / 9/16 of Banner Cross Showroom Design Study
- 2.2 Proposed first floor plan / 10/16 of Banner Cross Showroom Design Study
- 2.3 Elevation study / 11/16 of Banner Cross Showroom Design Study
- 2.4 Proposed elevations / 12/16 of Banner Cross Showroom Design Study

Reason: In order to define the permission.

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

3. The office space accommodation hereby approved shall not be used until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

4. The office space accommodation hereby approved shall not be used until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. The office space accommodation hereby approved shall not be used until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

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

6. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

7. Large scale details, including materials and finishes, at a minimum of 1:20 scale of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Windows  
Window reveals  
Doors  
External wall construction  
Brickwork detailing

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

8. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies T1, T7, CS51 and CS66.

9. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the use hereby approved commences, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

10. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality it is essential for these

works to have been carried out before the use commences.

11. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality.

12. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

13. The office accommodation hereby approved shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

14. The office accommodation hereby approved shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

15. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

16. Use of the office accommodation hereby approved shall not commence until a Car Parks Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Car Parks shall permanently operate in accordance with the approved Car Parks Management Plan thereafter.

Reason: In the interests of traffic safety.

17. The office accommodation approved shall not be occupied until the parking spaces reserved for low-emission vehicles as shown on the drawings hereby approved have been provided. Such car parking shall only be used by low emission vehicles, and thereafter such car parking accommodation shall be retained for the sole use of such vehicles.

Reason: In the interests of local air quality.

18. Before the use hereby approved is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the approved office accommodation shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

19. Notwithstanding the details of the approved parking layouts, the parking bays for disabled users are not hereby approved, and before the use hereby approved commences details of revised disabled parking shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the use hereby approved commences and permanently retained thereafter.

Reason: To ensure ease of access and facilities for disabled persons at all times.

#### **Other Compliance Conditions**

20. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0730 to 2000 on Mondays to Saturdays and between the hours of 0900 to 2000 on Sundays and Public Holidays.

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

21. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the office space hereby approved shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class E.

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

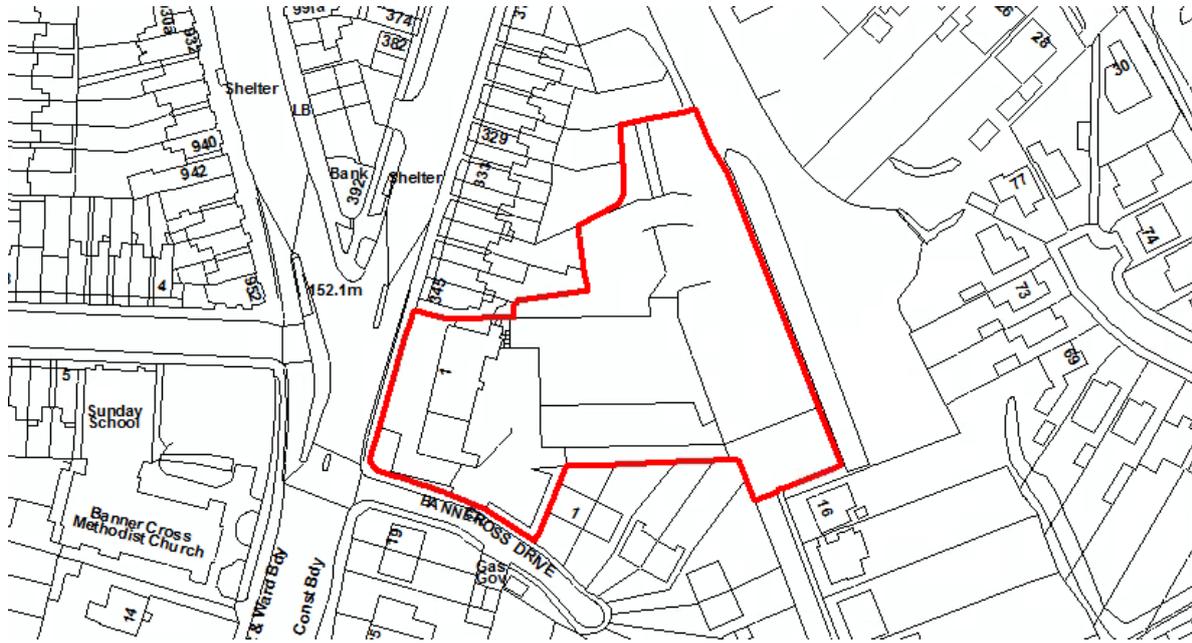
22. The office accommodation hereby approved shall not be used unless the entrances have been provided with entrance doors of minimum effective clear widths of 1000mm, and thereafter such doors shall be retained.

Reason: To ensure ease of access and facilities for disabled persons at all times.

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

The application site is located to the east of Ecclesall Road South, immediately to the south of the junction with Psalter Lane. It is allocated as being within a Housing Area under the provisions of the adopted Unitary Development Plan (UDP).

The site's immediate surroundings on the eastern side of Ecclesall Road South have a strong residential character. Banner Cross District Shopping Centre is on the opposite side of Ecclesall Road South, running northwards along both sides of Ecclesall Road.

The site was historically the premises of the Gilders car dealership, which included substantial showroom and workshop buildings as well as areas of external car parking/storage.

In April 2019 (further details outlined below), consent was granted for development of the site including works to enable the conversion of the showroom and workshop buildings to provide A1/A3 retail/café/restaurant, D1 Gym uses and B1 offices, along with car parking. The remaining portions of the site were approved for the construction of eight dwellinghouses.

This approval has been partly implemented, with the approved office use occupying the middle level of the ex-workshop building as well as the upper level for its car parking.

The current application seeks to use the showroom building set toward the site's front as office space. This would include use of both of its levels and works to fully internalise the partly open space at the ground floor. 797 sqm of office space would be provided.

It would utilise the car parking provisions located in the ex-workshop building's bottom level.

## RELEVANT PLANNING HISTORY

- 08/04852/FUL; Demolition of existing buildings and erection of mixed-use development comprising food retail unit (outline planning permission) and 16 no. dwellinghouses - Refused – 12.8.09

The retail unit was proposed in outline form to be approximately 1,300sqm. The application was refused on the basis of:

- Over-intensification of Talmont Road/Brincliffe Edge Road access, and detrimental impacts on safety and traffic flow,
- Insufficient car-parking for retail unit,
- Delays caused by proposed highways reconfiguration,
- Insufficient information regarding affordable housing, &
- Lack of evidence that a high standard of energy efficiency and decentralised energy would be achieved.

-10/01942/FUL; Mixed use development comprising alterations and extensions to existing disused car showroom and workshop buildings to form retail accommodation, bar/restaurant and 7 apartments, and erection of 7 dwellinghouses  
Approved – 9.9.11

This approval involved:

- The use of the showroom building as a retail unit at the ground floor, with a restaurant at the 1<sup>st</sup> floor level;
- The use of the workshop building's ground floor as a car parking area for the retail and restaurant.
- The conversion of the workshop building's first floor to 7Nos. x two and three bedroom apartments.
- The erection of 7Nos. dwellinghouses on the rear of the site and accessed from Talmont Road, as well as 12Nos. car parking spaces for the apartments.

-18/04104/FUL; Alterations to car showroom and workshop (Use Class Sui Generis) to allow use as two commercial units (A1/A3), gym (D2) and offices (B1), erection of 8 dwellings (C3), provision of associated parking for all uses, landscaping and access work - Approved – 16.4.19

Committee Members may recall that following representations and discussions during the meeting, extra conditions were added to the recommendation which had been set before them. One of these (Condition 37) required the submission of a highways safety study to cover whether works were necessary to provide safe highway access and to minimise the scope for conflicts between highway users relating to three specific points; preventing vehicles turning right into Ecclesall Road South from Banner Cross Drive, preventing vehicles using Brincliffe Edge Road to make U-turns to Ecclesall Road South, and increasing the size of the pedestrian island for crossing of Psalter Lane.

This approval has been implemented, in that the approved office use now occupies part of the old workshop building in the middle of the site. The approved A1/A3 and gym (D2) uses in the old showroom building at the front of the site haven't commenced as things stand.

-18/04104/COND1; Application to approve details relating to specific conditions, including Condition 37 - Approved – 31.1.20

The required highways safety study was submitted, concluding that no safety issues existed in relation to the identified points of the highway layout. These details were considered and assessed by the Highways Officer, and the findings of study were considered to be acceptable. As a result, no further highways adaptation works were concluded to be necessary, and the condition was discharged.

## SUMMARY OF REPRESENTATIONS

Following two rounds of neighbour notification, 7 representations have been received from 3 different addresses. These are summarised as:

## HIGHWAYS ISSUES

### - Parking

- Submission doesn't show proposed parking details. Existing office conversion has led to increased traffic and off-site parking.
- Proposal includes significant additional employees. Agent states proposal generates need for 28 spaces of available 71 spaces, ignoring existing office conversion's use of roof-top car park. Remaining parking bay numbers are inadequate. Details given in Transport Statement provided with 18/04104/FUL would necessitate 64 bays (minimum) provided for current scheme.
- Impacts observed on parking and access on Banner Cross Drive since office conversion. Parking on Banner Cross Drive occurs on-pavement and often involves double-parking, affecting pedestrian's pavement use. Accessing / exiting driveways can be unachievable and can make deliveries difficult / impossible. Emergency vehicle access would be affected. Office staff use residents' driveways for turning. Double yellow lines should be continued to maintain residents' access / prevent parking. A disabled bay would also be beneficial.

### - Highway Network and Vehicles Trips / Movement Issues

- Banner Cross Drive / Ecclesall Road South junction doesn't lend itself to increased traffic. Surrounding network used by school children.
- It's stated there'll be no use of site at weekends, but current office conversion is accessed at weekends.
- Increases in traffic levels not accounted for. Data from site's previous use is irrelevant due to much lower employee numbers.
- Use of 'Crashmaps' website is flawed as it only records police-report incidents.

### - General Highways Issues

- No secure cycle parking. Application represents opportunity for green travel; including integrated cycle routes, improved pedestrian access and safer crossing points.
- No highways transport / parking assessment included.
- No opening times are stated (should match the workshop's hours).

### -Existing Permission Issues.

- Work has already started on-site, in conflict with past consent. The position on the requirement for 10% renewable energy provisions is unclear. Status of the Community Infrastructure Levy (CIL) contribution queried. The required cycle / low emission vehicle parking is not present. Car park associated to existing office conversion has picnic benches on 6 bays, preventing usage.

### - Access/Mobility Issues.

- Current application doesn't show disability parking spaces, and recommendations made by the Access/Mobility Officer during the 20/01138/FUL scheme aren't adopted.

### - Local Plan Issues.

- Scheme conflicts with UDP policy H14(i), which requires non-housing proposals to occupy only a small area, and not lead to a concentration of housing uses. Also conflicts with H11, which covers the Broomhall and Nether Edge Housing Area, and refers to non-housing uses generating problems around parking and increased

traffic.

Banner Cross Neighbourhood Group have submitted two representations.

These are summarised as:

- Development of site is supported in principle, as a commercial boost to area. Current scheme represents a substantial increase in people on site.
- Concerns regarding traffic impacts at; Banner Cross Drive/Ecclesall Road South junction, Brincliffe Edge Road and Ecclesall Road South junction and Psalter Lane traffic lights.
- Vehicles turning right into Banner Cross Drive would create a danger, holding up traffic continuing to Psalter Lane.
- Vehicles turning right out of Banner Cross Drive will cause blockages.
- Pedestrian island at Psalter Lane is currently inadequate, and increased pedestrian traffic will worsen this.
- Condition 37 of 18/041104/FUL approval was meant to respond to highway concerns, but it didn't and application wasn't determined at Planning Committee as had been expected. The software data used is inadequate, which under-records actual incidents giving false impressions. Also ignored car dealership's usage of Talmont Road, which doesn't feature as part of the commercial element of the 18/041104/FUL scheme. Full reappraisal of the traffic hazards should take place and include on-site observations and evidence (from residents and others). Simple alterations to traffic islands have been suggested, which would resolve these issues.
- Agent's data is misleading. Gym and shops' customer bases would've been local, accessing site by foot. Proposed office users will be more widely located and be car reliant, expecting to park at site. Submitted documents fail to understand differences in vehicle timings accessing the site, where office users would arrive and leave at similar times. Traffic volumes at Ecclesall Road South have increased over last decade, and likely to continue to do so. 08/04852/FUL was largely refused on traffic grounds, with the Highway Officer's solutions dismissed by the committee chair. Current scheme creates the same impacts and doesn't resolve them.
- Current application must be dealt with at Committee and not be a delegated decision.

Cllr Masters and Teal have each provided a representation.

Cllr Master's comments are summarised as:

- Continuing road safety concerns in area. Residents' concerns on pedestrian and road user safety have been raised for several years. Documents submitted with application do not make clear if consideration has been given to traffic generation. Concerns raised in relation to previous applications should be revisited as local issues still exist. U-turn manoeuvres (or attempts) at Brincliffe Edge Road and Gisborne Road will continue, and Psalter Lane crossing island remains inadequate.

Cllr Teal's comments are summarised as:

- Contacted by residents expressing concerns about scheme. Significant changes are proposed, and it's felt the matter should be dealt with by Planning Committee.

Scheme has implications on disability discrimination issues, traffic, parking, pedestrian safety, environmental and community infrastructure levy implications.

## PLANNING ASSESSMENT

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development.

### Policy Context

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF states that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

The above is often referred to as the tilted balance. All local policies referred to in this report will be assessed in association with their consistency with the NPPF and offered weight accordingly.

The Development Plan in this case comprises the Unitary Development Plan (UDP), 1998 and The Core Strategy, 2009.

### Principle of Proposed Use

The application site is located in a Housing Area under the Adopted Unitary Development Plan's (UDP) designation. UDP Policy H10 'Development in Housing

Areas' states that B1 business uses are 'Acceptable', providing the relevant aspects of the supplementary policy H14 'Conditions on Development in Housing Areas' are met. The B1 use class, has now become part of the 'Class E – Commercial, Business and Service' grouping, and so would be classed as acceptable in principle under this policy.

Policy H10 meets with the relevant NPPF provisions, and therefore is afforded significant weight.

Policy H14 'Conditions on Development in Housing Areas' in part i) states any non-housing uses shouldn't lead to a concentration of non-housing uses that would threaten the residential character of the Housing Area, and in l) requires any non-housing uses to be on a scale consistent with the Area's residential character. As the site is currently occupied by a non-housing use, a different non-residential use wouldn't increase the relevant concentration. Neither, for the same reason, would it be considered to be out of scale with the residential character of the area. These aspects of H14 are not directly referenced in the NPPF, so they can only be afforded moderate weight.

The Sheffield Development Framework – Core Strategy at Policy CS3 identifies priority locations for offices and promotes the City Centre as the main office location, requiring 65% of total office accommodation in the city to be located there. Currently this percentage is being achieved. CS3c also states some small-scale office provisions (less than 1,000 square metres) such as the current scheme, are acceptable where they're on high-frequency public transport routes. Ecclesall Road South is a high-frequency public transport route, and so the proposal would meet the requirement of CS3c).

Policy CS3 accords with the relevant NPPF provisions and is afforded significant weight.

Overall, the principle of the proposed office space would be acceptable in this location.

#### Highway Issues

Paragraph 109 of the NPPF states "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network' would be severe."

Policy CS51 'Transport Priorities' within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

Part d) of Policy H14 'Conditions on Development in Housing Areas' within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

Each of the local plan policies accord with the NPPF, and so are afforded significant weight.

As identified above, the 18/04104/FUL approval has been implemented via the office conversion in part of the ex-workshop building. Whilst, the A1/A3 and Gym(D2) uses also approved at that time have yet to be implemented the previous approval very much represents a material planning consideration relevant to the current assessment. Accordingly, the current proposal's implications are required to be compared with and considered against the implications arising from the previously approved use/s.

## Parking

The site currently contains 70 parking bays available for use by the commercial units. This was considered more than adequate when determining the previous application. The 'over-provision' above Council maximum guidelines was considered acceptable to prevent 'over-spill' parking on the surrounding road network and also as it utilised existing parking provisions.

In regard to the current proposal, combined with the parking needed to serve the previously approved office space, a maximum of 29 bays would be required to meet with the Council's guidelines. These numbers would again be comfortably accommodated within the parking provisions available within the site.

As part of the previous application, the Applicant's highway consultants provided supplementary information covering the projected usage/availability of parking spaces. It was stated that the 895m<sup>2</sup> of office use would occupy a maximum of 34 of its 36 bays (on a typical weekday between 1000-1100 hrs). The currently proposed 797m<sup>2</sup> of office space is marginally less than the approved area, and so the 34 bays available to the proposed use would accommodate the maximum amount of parking generated by the proposed use.

Concerns have been raised by neighbours about parking on Banner Cross Drive since the office use commenced in the ex-workshop, because of implications on accessing/exiting individual properties. There was some construction/contractor vehicle parking and the applicant raised the need for greater sensitivity around this. It appears that there have also been instances where parking by office staff has taken place along Banner Cross Drive for convenience purposes. It is difficult to control this type of parking. However, the current scheme includes more than adequate parking bay numbers, giving no reason to park in the manner described.

As such there is no reason why it should become a significant or frequent problem, and it would be unreasonable to resist a development on the assumption (albeit supported by anecdotal evidence) that users will not park in allocated spaces, especially when those allocated spaces exceed guidelines as is the case here. Overall, it is considered that the off-street parking required by the proposed and existing office uses would be comfortably accommodated within the site.

## Vehicle Movements

The relevant national database on vehicle movement/s has been used to compare vehicle movements between the approved and currently proposed uses. In the AM peak-hour, the proposed office use (and the approved office spaces in the ex-

workshop) would be expected to lead to 51 two-way movements, as opposed to 80 generated by the uses within the approved scheme. In the PM peak-hour the combined office spaces would produce around 36 trips, compared to 102 movements connected to the approved uses.

Therefore, it is considered that the proposed office uses would lead to fewer vehicle movements than the approved uses, and that the scheme would have a lesser impact on the highway network than what has already been approved.

On this basis, it is considered that the application would meet the relevant aspects of UDP policy H14. As the scheme would be considered to avoid unacceptable impacts on highway safety and severe impacts on the road network, the NPPF instructs that the application should not be refused.

#### Neighbouring Living Conditions

NPPF para 127 f) requires a high standard of amenity for existing and future users.

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

This local policy is in conformity with the NPPF and so is afforded significant weight. The proposed office use would be a predominantly daytime activity, and so wouldn't cause significant movements and disturbance outside of the building.

The internal activities would not generate a degree of noise/disturbance which would affect living conditions of neighbours.

Based upon these conclusions, it is not considered necessary to impose restrictions on operating times.

As a result, the proposal is considered to have acceptable impacts upon the living conditions of neighbours.

#### Access/Mobility Issues

UDP Policy BE7 'Design Of Buildings Used By The Public' requires safe and easy access to buildings and provision of appropriate parking spaces.

This policy accords with the NPPF's provisions and so is afforded significant weight.

Both floors of the building provide level access, from Psalter Lane (ground floor) and from the car park (first floor). Internally there is no direct link between the floors and access between the two floors would be via external steps. To provide access between floors or to each level independently from the public highway without steps would require a route to be identified, most likely via the Banner Cross Drive entrance to the site. Therefore, a condition requiring the submission and implementation of appropriate details should be included as part of any approval.

The workshop ground floor layout drawing shows space for 3 'over-wide' bays for disabled parking or 2 fully compliant disabled parking bays. This level of provision would be adequate for the proposed office space and should therefore be covered by condition as part of any approval.

Overall, the proposal would be considered as being acceptable in terms of its access and mobility provisions.

### Sustainability Issues

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) would require the commercial elements of the scheme to reach a BREEAM 'Very Good' rating.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions, and would require the development to provide 10% of its predicted energy needs from decentralised and renewable, low carbon energy or a fabric first approach.

Each of these policies closely accord with the NPPF and so are afforded significant weight.

The previous approval included a condition requiring details of how CS65's requirements were to be met. Details of improvements to the building/s showing how there was to be a 21% reduction in energy consumption between the existing and improved buildings was submitted. These measures met with the condition's requirements and so the details were approved.

Whilst it may be assumed that a similar strategy will be implemented again, it is nevertheless necessary to reapply a similar condition so that it is met in relation to this approval.

The ground level parking area includes a significant cycle parking facility, and 3 electric vehicle parking bays. These are welcomed and will be of benefit in sustainability terms and so conditions will be imposed requiring their implementation.

Overall, the proposal is acceptable in regard to sustainability issues.

### RESPONSE TO REPRESENTATIONS

The majority of comments have been addressed as part of the assessment. In regard to the other items, the following feedback is provided:

- Concerns have been raised that Condition 37 of 18/04104/FUL was not fully dealt with and didn't involve on-site survey work. The condition required the undertaking of a highway safety study, along with the completion of any highway improvement works concluded to be necessary to provide safe access to the highway and minimise the scope for conflicts between pedestrians, cyclists and vehicles.

The submitted desk-based study was considered to be comprehensive and thorough, assessing the existing situation via available data sources. It was fully considered by the Council's Highway Officer, who agreed with the study's findings that the existing situation was not unsafe and that no highway safety improvements were necessary. The condition was discharged, and 18/04104/FUL later implemented. Consequently, there is not scope for the issues around this condition to be reassessed here or to apply similar condition/s to any approval that may be granted.

- The previous approval has met its obligations in Community Infrastructure Levy terms.
- The site is not located in the Broomhall and Nether Edge Housing area, and so the application hasn't been assessed in light of the policies applying to that designation.
- On-street disabled parking bay provision falls outside of planning controls.

#### SUMMARY AND RECOMMENDATION

The application relates to an ex-car showroom building, which forms part of a larger site. The application seeks permission to allow the building to be used as office space.

The proposal would be considered to provide adequate off-street parking, and to avoid any significant detrimental impacts on the local highway network.

The proposal would safeguard living conditions of surrounding neighbouring occupiers, and the residential character of the locality would not be lessened. The scheme would be capable of providing satisfactory arrangements in access and mobility terms.

Overall, the scheme is considered to meet the requirements of the relevant local and national planning policies. Consequently, the scheme is considered acceptable and conditional approval is therefore recommended.