

ITEM: 05

Application Number: 08/01077/FUL

Applicant: Farmfoods Ltd

Description of Application: Change of use of the car showroom to general retail use (class A1) with alterations to building, including creation of two retail units, erection of new retail unit in southeast corner; alterations and extension to car parking and landscaping areas

Type of Application: Full Application

Site Address: FORMER HAXBY SITE PLUMER ROAD PLYMOUTH

Ward: Budshead

Valid Date of Application: 28/05/2008

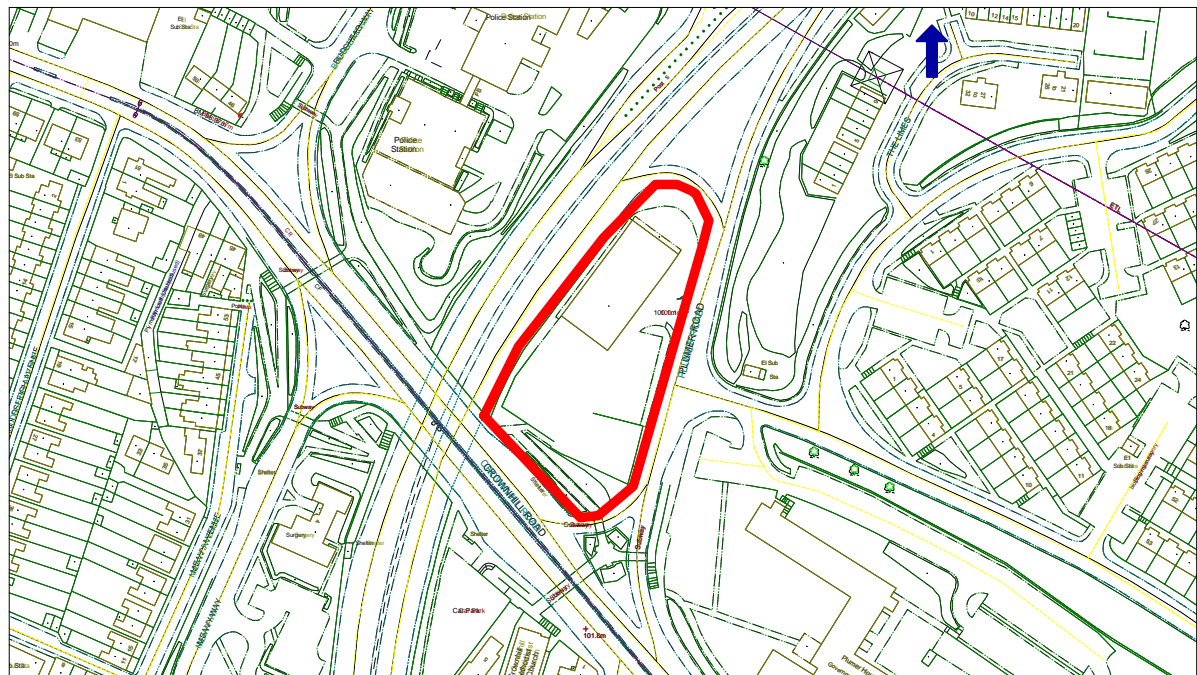
8/13 Week Date: **27/08/2008**

Decision Category: Major Application

Case Officer : Robert Heard

Recommendation: Grant Conditionally

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OFFICERS REPORT

Site Description

The site comprises of a former car dealership located within the Crownhill area of Plymouth, on the edge of the existing Crownhill Local Shopping Centre based on Morshead Road.

It is bordered on all sides by roadways and surrounding development is a mix of retail, commercial and residential. There is an existing building located at the northern end of the site that was formerly the car showroom and workshop. This is a single storey steel framed structure with a curved insulated roof cladding, with blockwork walls and showroom style areas of glazing. The rest of the site is tarmac and was previously used as a car park and for the display of cars for sale. Although not obvious, there is a fairly steep rise across from south to north, with the former car park area split level, supported by a small retaining wall.

Proposal Description

It is proposed to change the use of the site to a general retail (A1) use, with sub division of the existing building to create 2 units and the erection of a new retail unit in the south east corner of the site. Alterations to the car parking and landscaped areas are also proposed.

Relevant Planning History

None.

Consultation Responses

Highway Authority

Support subject to conditions. Request a financial contribution to improve public transport facilities.

Highways Agency

No objection.

Architectural Liaison Officer

No objections.

Access Officer

No comments.

Representations

4 letters of representation received, all objecting to the application on the following grounds:

1. Increase noise and pollution in the area.
2. The site is difficult to access for pedestrians.

3. Danger to highway safety due to increase in traffic.
4. The retail impact assessment submitted by the applicants is inadequate.

The reasons for objection listed above are examined below in the Analysis section of this report.

Analysis

As stated, this application proposes to change the use and sub divide the former Haxbys car showroom/workshop to provide 2 retail units with a further smaller new build unit to be positioned in the south east corner of the site. Minor changes to the car parking area are proposed and additional landscaping also forms part of the application.

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The application is made by Farmfoods, a budget 'long shelf-life' retailer. Farmfoods propose to occupy the larger of the 2 sub divided units that form the previous Haxbys showroom/workshop, which would have a floor area of 8940 sq/ft, in comparison to the smaller unit which would be 1000 sq/ft in floor area. The proposed new build unit would be 1200 sq/ft in floor area. The applicants have not identified tenants for either of the other 2 smaller units but have applied for an unrestricted A1 (retail) use for all 3 proposed units. Minor changes are proposed to the elevations of the former showroom in order for it to be converted into 2 retail units, but on the whole the building will remain very similar in external appearance to the former showroom. The proposed new build unit is finished in materials similar to those used on the existing building, being microrib cladding panels, glazing and a metal roof.

The applicants are proposing to provide 71 car parking spaces at the site (including disabled) and also dedicated cycle storage. Additional landscaping is proposed at the north and south elevation of the site but no specific details have been submitted regarding species or form. It is considered by the case officer that the main issues this application raises are the proposed change of use (and therefore the retail impact), highways considerations and visual amenity.

Use

Although the site is currently vacant the last permitted use at the site (car show room with ancillary workshop) was 'sui generis', so any proposed change of use requires the benefit of planning permission. The site is well related to the existing Crownhill Local Shopping Centre and is considered to be an 'edge of centre' site in terms of its retail impact. The applicants Retail

Impact Assessment (RIA) has identified that Crownhill Local Shopping Centre lacks a key anchor store, being heavily biased towards the service and catering sectors. It is considered by the applicants and stated in their RIA that main food shopping trips are therefore undertaken in competing retail destinations outside of the local catchment of Crownhill and nearby convenience stores are considered to be overtrading. This is confirmed in the Cushman and Wakefield Plymouth Shopping Study (August 2006). The site has also been previously identified as being suitable for a foodstore to form an extension to Crownhill Shopping Centre.

With regards to retail policy, CS08 of the City of Plymouth Local Development Framework Core Strategy (2007) is relevant. Concerning the criteria set out in this policy, the site is considered to be at the 'edge' of an existing local centre and there is considered to be a proven need for an anchor food store in this location (demonstrated in the applicants RIA and stated within the Plymouth Local Shopping Needs Study). The development is considered appropriate in scale as it proposes to reuse an existing building on the site, and its function would complement the services on offer in Crownhill Local Centre. A sequential approach to site selection has been carried out in the applicants RIA and there are no suitable sites for the proposed use within the existing centre. It is considered that a convenience store in this location could widen the offer of shops and services at Crownhill, provide additional car parking which could also serve the existing local centre and reinforce and strengthen the vitality and viability of the existing Crownhill Local Centre.

The Councils Retail Policy Officer supports the application, stating that 'the justification for the proposal is based upon Farm Foods operation, and therefore supposes an A1 food store. A non foodstore would not complement the existing shops in Crownhill Local Centre so well, and would have less of a role in strengthening the local centre. For this reason conditions should be used limiting a consent to food retailing (for the main store), and ensuring that the car park can be used by people using Crownhill Local Centre.'

Visual Amenity

The site is quite prominent from areas to the north and can be clearly viewed when travelling into the city along Tavistock Road. It is surrounded on all sides by roadways and is set in an urban context of retail, commercial and residential uses. At present the site is not being used and has been vacant for a number of years, formerly being occupied by Haxbys as a car showroom with ancillary motor trade facilities.

The former car showroom is still located at the site and the application proposes to reuse this building for occupation by Farm Stores as a food retail outlet. It comprises of a single storey portal steel framed building with curved insulated roof cladding, painted brickwork walls and showroom style glazing. The rear of the unit contains roller shutter doors giving access to an ancillary workshop.

As stated, the existing building is proposed to be retained. However, improvements are proposed to the external appearance so that additional

glazing is provided at both end elevations (north east and south west). These are the most prominent elevations and the additional glazing presents a more attractive façade whilst enabling views into and out of the building to create active frontages at both ends of the building.

A new building is proposed in the southern corner of the site and is intended to provide a visual marker to the main pedestrian access to the site. It is perceived that the new unit will assist in integrating the site with the existing local shopping centre, as its located closer to the existing centre than the former Haxbys showroom. The new unit will utilise similar materials to those on the existing building, being microrib cladding panels and glazing. It is considered that the proposed new building is acceptable in principle, and could make a positive contribution to an important corner of the site. However, further details are required regarding its design and external appearance, although these details can be requested via planning condition.

The application proposes to introduce small new areas of landscaping at the site and whilst minimal this does help to provide much needed green areas at the site and is an improvement on the current situation. It is considered that whilst removal of the existing building and comprehensive redevelopment of the site would be desirable and in terms of visual amenity would offer a far better opportunity to provide a development with a high quality urban design solution at the site, the current proposal does improve visual amenity at the site and offers a development that is complimentary to the surrounding development. It is therefore considered acceptable on design grounds and complaint with Policy CS02 of the City of Plymouth Local Development Framework Core Strategy (2007).

Highways Issues

The site is located at the centre of a convoluted road network and is surrounded by roadways on all sides. However, despite the complicated nature of the surrounding highway network, the site is considered to be a sustainable location, well served by public transport and close to local amenities. Despite being surrounded by roads its pedestrian links to the surrounding areas are excellent and it's well connected to these by a series of underground subways.

The application proposes 71 car parking spaces and this is compliant with highway policy regarding maximum standards for development within the A1 use class. It is considered that the site could also be used by shoppers visiting the existing Crownhill shops as it is so close and so well served by pedestrian underpasses. Currently the car park available off Morshead Road is often parked to capacity at peak times and the site would offer much needed overflow parking for Crownhill shoppers.

The site is within close proximity to bus stops on Crownhill Road and these are currently well equipped with shelters and borders. The existing bus stops provide access to many different parts of the city and it would be difficult to pick an existing site that is better served by public transport. The application

includes provision for cycle parking to further encourage the use of sustainable forms of transport.

The Councils Highways Officer has stated support for the development, subject to conditions, and the application is considered to be compliant with Policy CS28 (Local Transport Considerations) of the City of Plymouth Local Development Framework Core Strategy (2007).

Other Relevant Issues

As stated above in the representations section of this report, 4 letters of objection have been received, for reasons already outlined in the Representations section. With regards to increased noise and pollution, it is accepted that there could be increased activity at the site, but this would not be to a significant level that would adversely impact upon the surrounding development or highway network. The sites accessibility for pedestrians has already been discussed and the proposal is not considered to impact significantly on highway safety, as stated the Highways Officer supports the application. Regarding the applicants Retail Impact Assessment, this was appraised by the Councils Retail Officer and considered to adequately address the main retail issues. The application was also discussed at the Strategic Development Panel where it was agreed that the proposed use was acceptable, subject to control by planning conditions.

It is the case officers opinion that residential amenity is not a significant issue in the consideration of this application as the site is not located particularly close to any residential properties and is surrounded on all side by busy roadways. It is very unlikely that the proposed development will have any impact upon the residential amenities of any of the nearby properties due to their separation distance from the site. For this reason, it is also considered that it is not appropriate to restrict hours of opening at the site. Crownhill Local Centre contains a public house, restaurant and many takeaways that ensure it is still fairly vibrant in the later evening hours. It is considered that use of the application site later in the evening could encourage greater use of the existing centre in the evenings and also help to increase pedestrian circulation in the area, which would aid natural surveillance and ensure the site does not become deserted in the evening hours and subject to vandalism and anti social behaviour.

Section 106 Obligations

The Councils Highways Officer has requested a contribution of £21, 826.60 in order to provide Real Time Passenger Information (RTPI) systems at the site. However, this is considered unreasonable by the case officer as the site is already well served by public transport and the applicants are providing additional car parking that can be used by visitors to Crownhill Local Centre. Due to the sustainable location of the site and the car parking proposed as part of the development, it is considered that the proposal would not place undue additional pressure on the surrounding highway network and public transport services that would be significant enough to warrant mitigation in the form of contributions.

Conclusions

This application proposes to change the use of the site to a general retail (A1) use, with sub division of the existing building to create 2 units and the erection of a new retail unit in the south east corner of the site. Alterations to the car parking and landscaped areas are also proposed.

It is considered that the proposal would improve consumer choice and strengthen the vitality and viability of Crownhill Local Shopping Centre, whilst improving visual amenity at the site, adding much needed landscaping and providing active frontages to each end of the main building. The site is considered a sustainable location that is already well served by public transport and has excellent pedestrian links to the surrounding areas, despite being bounded by roads on all sides.

It is considered that subject to conditions, the application is acceptable, and it is therefore recommended for approval.

Recommendation

In respect of the application dated **28/05/2008** and the submitted drawings, **6592(90)05, 6592(20)04, 6592(20)05, 6592(90)01B, 6592(20)02A, 6592(90)02A, 6592(90)03A, 6592(20)04, 6592(90)06** and accompanying **Design and Access Statement**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

EXTERNAL MATERIALS

(2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS

(3) Notwithstanding the details shown on the submitted plans, no work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority:

Details showing the design and external appearance of Sub Unit 2, including details of external materials.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION

(4) The Farmfoods unit hereby approved shall be used as a foodstore only with the ancillary sale of non-food goods comprising no more than 15% of the total net sales floor area (830 Square meters), and for no other purposes including any other purpose in Class A1 of the Schedule to the Town and Country (Use Classes) Order 2006, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION

(5) Sub Units 1 and 2 hereby approved shall operate within Class A1 of the Schedule to the Town and Country (Use Classes) Order 2006, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

GRAMPIAN

(6) The use hereby permitted shall not commence until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(7) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced (or such other steps as may be specified) in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(8) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING MANAGEMENT PLAN

(9) No development shall commence on site until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Parking Management Strategy shall be implemented upon first occupation of the first unit and shall remain permanently operational thereafter.

Reason:

To control car parking at the site and to prevent commuter parking.

LOADING AND UNLOADING PROVISION

(10) Before the development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

DETAILS OF BOUNDARY TREATMENT

(11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(12) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) and proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.).

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

(13) Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme].

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LANDSCAPE WORKS IMPLEMENTATION

(14) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

INFORMATIVE: ADVERTISING

(1) This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 1992 and the applicants should obtain any necessary consent separately.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the retail impact of the proposed development, its affect on visual amenity and highways issues, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS08 - Retail Development Considerations
- CS05 - Development of Existing Sites
- CS02 - Design