2021/0850

Fairfield Business Park

Change of use from offices to 17 no. one and two bedroom apartments (Prior Approval)

Fairfield Business Park, Former David Brown Pumps, Green Road, Penistone, Sheffield, S36 6BJ

Description

The building is a former office block previously used as part of the former David Browns Pumps site. The office block is situated to the front of a large industrial building and is accessed off Green Road Penistone. The surrounding uses are residential. The office block is brick built and two storeys in height. The car park for the site is set to the front of the building and is shared between the office use and the industrial unit.







Site History

Proposed Development

This application is to determine whether prior approval is required to change of use from offices to 17 no. one and two bedroom apartments in accordance with Class O of the Town and Country Planning (General Permitted Development)(England)Order 2015 (as amended).

Further information was requested with regard to the proposed use of the remainder of the site, the applicant has provided the following comments:-

"The site has been vacated of the main industrial processes that occupied the site for its recent occupation, and as such the parking demand has been reduced to serve maintenance and access for the owners. Traffic movements are also significantly reduced, and parking demand is also significantly reduced.

It is intended that the site will be redeveloped with alternative uses, although as we redevelop for those uses the associated planning applications will address the traffic and parking numbers in detail for those phases.

At present the parking capacity is far in excess of what is required on the site. Alternative future uses, when applied for, will not take any of the allocated capacity from the residential uses covered by this application."

Policy Context

Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1 (a) offices of the Schedule of the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule constitutes permitted development.

Paragraph O.1 sets out a number of limitations where development is not permitted.

Paragraph O.2 states that before beginning the development, the developer must apply to the LPA for a determination as to whether the prior approval of the authority will be required as to:

(a) transport and highways impacts of the development

(b) contamination risks on the site

(c) flooding risks of the site

(d) impacts of noise form commercial premises on the in intended occupiers of the development.

(e) the provision of adequate natural light in all habitable rooms of the dwellinghouse.

Consultations

Penistone Town Council - although this is a change of use from offices to flats, the offices are part of a former industrial site and should continue to be designated an employment site

Highways – Objects due to potential conflict of proposed residential use with any future uses of the site

Reg Services – No objections

Contaminated Land Officer – No comments received

Air Quality Officer – No objections subject to EVCP's

Drainage – Details to be checked by Building Control

Ward Councillors – No comments

Representations

5 letters of objection have been received which raise the following concerns:-

- The impact upon the surrounding area and infrastructure (doctors, schools etc)
- The transport and highways around the area are busy with roads not able to cope with the amounts of road users already, parking issues and poor state of existing road
- Noise impact as the site is overlooked by houses
- Possible environmental damage
- Overlooking and loss of privacy to homes and garden
- Noise of vehicles/activity at the site
- Loss of employment use

Assessment

Class O of the GPDO 2015 states that development consisting of a building and land within its curtilage falling within Class B1 (a) (Offices) of the schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that schedule is permitted development. Exclusions to this are set out in O.1. and part b of O.1. states 'the building was not used for a use falling within Class B1(a) (offices) of the Use Classes Order – (i) on 29th May 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use.

Paragraph O.2. sets out the criteria the prior notification application can be assessed against. This includes transportation and highways impacts of the development, contamination risk on the site, flooding risks on the site, impacts from noise from commercial premises on the intended occupiers of the development and the provision of adequate natural light in all habitable rooms of the dwellinghouse. The following criteria have been assessed as follows:-

(a) transport and highways impacts of the development

The proposed current available parking provision far outweighs the demand of the site at the moment, given that the manufacturing use has ceased, however, there is clearly the intention to develop this site with mixed use in mind. Given that there is an intention that there are future proposals for the site in a piecemeal fashion, the council is not clear on the proposed intended use and the types of vehicles that will need to gain access. There is potential for any conflict between pedestrian and vehicular movement or the future associated trip generation. Therefore, there is insufficient information submitted with the application in terms of transport and highways impacts.

The proposal fails to meet criteria A the 'transport and highways impacts of the development' set out in Class O as insufficient information has been submitted in relation to the proposed development of the reminder of the site and the transport and highway implications. The building lies adjacent to a large industrial building and the access and parking to the site is set to the front of the existing office block. As a result, there could be potential conflict with any future uses of this building and the proposed residential use in terms of parking, activity and the types of vehicle that would use the site.

(b) contamination risks on the site

The Contaminated Land Officer has been consulted and has not objected to the proposal. Given the previous office use it is unlikely that there will be any significant impact in terms of possible contamination risks, therefore the proposal meets the requirements of criteria B.

(c) flooding risks of the site

The site in not located in an area of flood risk, therefore the proposal meets the requirements of criteria C.

(d) impacts of noise form commercial premises on the in intended occupiers of the development.

In addition to point A above, should the remainder of the site be re-used for industrial purposes this would have an impact on intended occupiers of the apartments who could potentially be living in very close proximity to an industrial building.

The proposal fails to meet criteria D the 'impacts of noise form commercial premises on the intended occupiers of the development' set out in Class O as insufficient information has been submitted in relation to the proposed future development of the reminder of the site. The building lies adjacent and in close proximity to a large industrial building. As a result, there could be potential conflict with the intended occupiers of the proposed residential development and any future uses of this commercial premises in terms of activity and noise.

(e) the provision of adequate natural light in all habitable rooms of the dwellinghouse.

The proposal fails to meet criteria E set out in Class O which requires 'the provision of adequate natural light in all habitable rooms of the dwellinghouse' as some of the proposed

apartments do not have adequate windows to habitable rooms. This is further compounded in that the main living areas in some of the proposed apartments to the rear of the building are north east facing and are enclosed in close proximity to the existing large industrial building, which would limit the natural light into the properties.

Recommendation

Prior Approval – Refuse