

## COMMITTEE REPORT

**Date:** 8 October 2014      **Ward:** Huntington/New Earswick  
**Team:** Major and Commercial Team      **Parish:** Huntington Parish Council

**Reference:** 14/01551/FULM  
**Application at:** Rodgers of York Julia Avenue Huntington York YO32 9JR  
**For:** Change of use from use class B8 (warehouse) to restricted use class A1 (retail) with insertion of additional mezzanine floor space  
**By:** Mr James Browne  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 15 October 2014  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Rodgers of York comprises a bulky furniture retailer occupying a medium sized show room dating to the late 1980s with an attached warehouse directly to the south of the Monk's Cross Retail Park. Planning permission is sought for the change of use of the warehousing unit from Use Class B8 to A1 (retail subject to a bulky goods restriction) in order to facilitate the extension of the floor area devoted to furniture retailing by some 2,998 sq metres (including the provision of a mezzanine). The warehousing associated with the retailing function would in future take place off site. A detailed retail assessment has been submitted in respect of the proposal.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYS2      Out of centre retail warehouse criteria

### 3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 No objection.

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3.2 No response has been received at the time of writing.

### EXTERNAL

#### Huntington Parish Council

3.3 No objection.

## **4.0 APPRAISAL**

### KEY CONSIDERATIONS:-

#### 4.1 KEY CONSIDERATIONS INCLUDE:-

- \* Impact upon the vitality and viability of the City Centre;
- \* Impact upon the level of traffic flows using the local highway network.

### STATUS OF THE YORK DEVELOPMENT CONTROL LOCAL PLAN:-

4.2 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in arriving at Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

### IMPACT UPON THE VITALITY AND VIABILITY OF THE CITY CENTRE:-

4.3 Policy S2 of the York Development Control Local Plan sets out a firm policy presumption that planning permission for the development of out of centre retail warehouses provided that no development has a net sales floor space of less than 1,000 sq metres and it is not used for the retail of convenience and a limited range of comparison goods such as clothing and electronics. Central Government Planning Policy as outlined in paragraph 26 of the National Planning Policy Framework indicates that Local Planning Authority should seek a retail impact assessment when considering new proposals for retail development outside of town centres over a locally set threshold in terms of floor space. Where there is no set threshold a default threshold of 2,500 sq metres is identified. Such an assessment should include analysis of impact upon existing, committed and proposed investment within the retail catchment area of the proposal along with impacts upon town centre vitality and viability. At the same time paragraph 24 of the National Planning Policy Framework urges the undertaking of a detailed Sequential Assessment in respect of major town centre uses where appropriate to identify whether or not more suitable sites exist within or in close proximity to the town centre area. Where development fails the Sequential Test then planning permission should be refused.

4.4 The proposal envisages the expansion of an existing independent furniture and ancillary household goods retailer within their existing site by re-ordering their warehousing operation which would in future be provided off-site. The proposal is

seen as necessary in view of recent changes to the local trading environment. A detailed Sequential Assessment has been submitted to support the proposal which examines a number of sites presently available within and adjacent to the City Centre. However, a number are not suitable by virtue of size and difficulties associated with servicing. There are other sites which may be suitable by virtue of their size or servicing arrangement such as units within the Foss Islands Retail Park although this would involve disaggregating the existing operation to an unacceptable extent bearing in mind the nature of the product and the aim of the development to enhance the existing trading environment. Taking into account the nature of the available sites, the nature of the product being sold and the extreme difficulties that would be caused to the business through requiring disaggregation it is felt that the submitted Sequential Assessment is acceptable.

4.5 At the same time a Retail Impact Assessment has been submitted in respect of the proposal examining its relationship to existing retail planning permissions along with likely impacts in five years time as required by the National Planning Policy Framework. This demonstrates that the impact of the proposal upon existing and committed investment would be modest within the catchment area of the store and that in any case most of the competitors of the development are similar out of town stores which would not benefit from the degree of policy protection afforded by the National Planning Policy Framework. Cumulative impacts would similarly be minimal.

4.6 Taking the Sequential and Retail Impact Assessments together it is felt that the proposed development would be acceptable in terms of its impact upon the vitality and viability of the City Centre and that the terms of Policy S2 and paragraphs 24 and 26 of the National Planning Policy Framework would be complied with.

#### IMPACT UPON LOCAL TRAFFIC FLOWS:-

4.7 The application site comprises an existing furniture and bulky goods retailer who has been located in its current premises since 1987. The proposal envisages expansion of the existing operation within the existing site. A substantial customer car park lies within the site to the east of the existing building and the Monks Cross Park and Ride site lies a short distance to the north east. A detailed Transport Statement has been submitted with the proposal which analyses impacts upon existing traffic flows along with the potential for the generation of new and linked trip together with the impact of the new servicing and delivery arrangements. Using the established methods of traffic flow modelling it is estimated that at the peak hours trading hours of mid afternoon on a Saturday an additional 22 trips would be generated. It is felt that this would be more than adequately accommodated within the existing parking and highway network. The application site is also easily accessible from a number of bus routes starting and terminating at the Monks Cross Retail Park directly to the north. In terms of deliveries, items for sale would be delivered to the store in the new circumstances, in the early morning or late evening as with other similar furniture and household furnishing retailers. It is felt that this

would not have a material impact upon traffic flows on the local highway network. The proposal is therefore felt to be acceptable in terms of its traffic impacts.

## 5.0 CONCLUSION

5.1 Rodgers of York comprises a medium sized independent furniture and household goods retailer located within a single storey unit directly to the south of the Monks Cross Retail Park. Planning permission is sought for the change of use of the adjacent warehouse associated with the retailing operation to provide further retail floor space including a modest mezzanine linking the two elements of the retailing operation. A detailed Retail Impact Assessment together with a Sequential Test has been submitted to support the application. These demonstrate that the proposal, as being for the expansion of a long standing local business would have only a negligible impact upon the vitality and viability of the City Centre. At the same time a detailed Transport Statement has been submitted which demonstrates that the number of additional car journeys generated by the proposal would also be negligible. The proposal is therefore felt to be appropriate in planning terms and approval is recommended.

## 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Red Line Site Location Plan received and dated 2nd July 2014.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The building hereby permitted shall not be used for the sale of the following goods without the prior written approval of the Local Planning Authority ,unless such sales can be demonstrated to be ancillary to the main range of goods sold:-

- i) Food and Drink;
- ii) Men's, women's and children's clothing and footwear;
- iii) Fashion accessories;
- iv) Watches and Jewellery;
- v) Music and video recordings and video or CD-ROM games;
- vi) Cameras (including cam-recorders) and other photographic equipment;
- vii) TV, video and hi-fi equipment;
- viii) Toys;
- ix) Pharmaceutical Goods;
- x) Books, magazines and stationary;
- xi) Sports goods;
- xii) Leisure and luxury goods; and

- xiii) Any use falling within Class A2 of the Town and Country Planning (Use Classes) Order 1987.

Reason: - To safeguard the vitality and viability of York City Centre, to secure compliance with Policy S2 of the York Development Control Local Plan and to secure compliance with paragraphs 24 and 26 of the National Planning Policy Framework

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Imposition of a planning condition on the premises that would restrict the sale of goods to what are defined as "bulky "goods.

#### **Contact details:**

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