

**Application Number: F/YR13/0145/F**  
**Change of use**  
**Parish/Ward: Chatteris Town Council/Birch**  
**Date Received: 1 March 2013**  
**Expiry Date: 26 April 2013**  
**Applicant: Mr P Hanley**

**Proposal: Change of use from storage to retailing of motorcycles and associated accessories (retrospective)**

**Location: Unit 2 Farm Park, Short Nightlayers Drove, Chatteris**

**Site Area: 0.19 ha**

**Reason before Committee: Recommendation is contrary to the Local Highway Authority recommendation**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application seeks full planning permission for the change of use of an existing industrial building with authorised B2 and B8 use into a retail unit with associated storage. The application is retrospective in nature.

The key issues relate to:

- Policy considerations
- History of the site
- Highways

The site is located outside of the town centre of Chatteris and the emerging Core Strategy seeks to embrace a strong 'town centre first' message when considering retail development. The proposal is for a specialist retail use for motorbike sales and accessories and requires a large unit in order to store and market the goods on offer.

The site is served off the A142 by a single track road of approximately 180 metres and the Local Highway Authority has raised concerns about traffic turning off a 60mph road and possible conflict between road users.

The majority of customers arrive by motorbike and the general flow to and from the site does not appear exceptionally high with daily movements being estimated, as a maximum, at 10-15 customer movements per day together with staff cars and delivery and collection vehicles.

The use has been in operation for approximately 18 months and the Local Planning Authority whilst having given consideration to the Highway safety concerns is satisfied that the location of this particular retail use is in an appropriate location and can be supported. However recognising the concerns of the Local Highway Authority the Local Planning Authority considers that a 3 year temporary consent is appropriate to enable monitoring of any highway incidents that may occur due to the retail use.

Therefore the application is recommended for a 3 year temporary approval.

## 2. HISTORY

F/YR08/0263/F	Erection of an extension to existing building	Granted 25 April 2008
F/YR07/1021/F	Erection of an industrial building	Refused 20 November 2007
F/YR04/3851/F	Change of use from agricultural shed to B2 and B8 uses	Granted 12 November 2004

## 3. PLANNING POLICIES

### 3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 21: Building a strong, competitive economy.

Paragraph 28: Supporting a prosperous rural economy.

### 3.2 Draft Fenland Local Plan Core Strategy:

CS1: Presumption in favour of sustainable development

CS6: Employment, Tourism, Community Facilities and Retail

### 3.3 Fenland District Wide Local Plan:

EMP1 – New business proposals or extension and expansion of existing firms.

## 4. CONSULTATIONS

### 4.1 *Parish/Town Council:*

Their response is 'Noted'.

### 4.2 *Environmental Protection:*

Raise no objection to the proposed development as it is unlikely to have a detrimental effect on local air quality or the noise climate.

Environmental Health has not received any complaints regarding the existing use of the premises.

4.3 **Local Highway Authority:**

The additional traffic likely to be generated by the retail use has been stated as being extremely modest in relation to the existing level of traffic. However, the LHA is concerned about the additional turning movements that will be undertaken within this stretch of the A142 which is subject only to the national speed restriction of 60mph.

The access to the A142 lacks conspicuity which has the potential to result in customers braking and manoeuvring at the last minute, which is likely to be detrimental to the safety and free flow of other road users.

The existing traffic generated by the commercial activity, ie staff, representatives, deliveries and collections are being generally undertaken by drivers who are aware of the access location.

It is my view that the retail element of this proposal should be resisted therefore recommend refusal:-

The proposal, if permitted, would result in additional turning movements within the A142 Principle route which would have the potential to compromise the safety and free flow of traffic on the public highway.

However if planning permission is given then a condition should be imposed to state that within 3 months of the date of the decision the on-site parking/turning areas should be laid out and retained for that specific use.

4.4 **Local Residents:**

No comments received.

5. **SITE DESCRIPTION**

5.1 The site is currently occupied by 2 industrial buildings which are part brick built and part clad each with a central access point. One unit is occupied by SS Motor Fuels and is considered a distribution use and the other by the applicant. The site is surrounded by agricultural land with the Anglian Water Sewage Plant to the west. The site is bounded by security fencing with some landscaping on the western boundary.

6. **PLANNING ASSESSMENT**

The key considerations are:

- Policy considerations
- Site History
- Highways

### Policy Considerations

The proposal is to change the use of one of the units into a retail use specializing in motor cycles and accessories. Policy EMP1 of the Local Plan supports the establishment of new or the extension or expansion of existing firms engaged in business, general industrial, storage or distribution within Primary Industrial/Business areas. Proposals outside the development area boundaries will only be supported provided the nature and scale of the proposed development is appropriate to the locality and does not give rise to any serious amenity or highway objections.

Policy CS6 of the emerging Core Strategy seeks to encourage a strong town first message when considering the most appropriate locations for retail development. Future retail development will be directed to the Primary Shopping Frontages and then the Town/District centre locations. Therefore a proposal will need to follow the sequential approach set out in the NPPF.

The NPPF is committed to securing economic growth in order to create jobs and prosperity. Investments in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure. It should support existing business sectors and also allow a response to changes in economic circumstances.

The Local Planning Authority has given consideration to the specialist nature of the retail business and the size of premises needed and considers that, in this instance, a retail use can be supported. Whilst the Local Highway Authority has objected to the proposal, the LPA considers that support for the business should on this occasion be given greater weight. However given that access is off the A142 a temporary consent should initially be considered to allow monitoring of the highway environment in terms of accidents etc. Similarly consent will be restricted to a personal use to acknowledge that general retail use from this unit would not normally be supported and the specialist use has been taken into account.

The buildings are existing and no new building work is required. The unit has a floor area of 550 sq metres with 275 sq metres for retail and 275 sq metres for storage and distribution. This size of building is required for this particular retail use and there are no retail units within the town centre that could cater for such a use, therefore sequentially the proposal can be supported.

### Site History

In 2004 planning permission was given for the change of use of an agricultural building to B2 and B8 uses. In 2008 an extension to that building was given which resulted in 2 units on the site both with B2 and B8 uses.

There is an existing distribution business operating from the site which was approved in 2004 and no highway concerns were raised at that time as the site was already used by tractors and occasional articulated lorry type movements.

In 2007 permission was refused for an additional industrial unit due to its impact on the open countryside and the unacceptable access road to cater for more heavy industrial traffic.

### Highways

The Local Highway Authority has recommended refusal for this change of use and the LPA has given careful consideration to their reasons for objection. However the applicant has been trading from the site for approximately 18 months with no known highway incidents occurring and given the specialist nature of the retail use it is considered that most customers will be aware of their whereabouts, either through repeat custom or pre-researched/arranged visits.

The existing parking arrangements are informal and it will be necessary to ensure that staff and customers can be accommodated within the limits of the site and therefore a formal layout will need to be provided within 3 months of the date of any approval for the use.

The access road is single track in nature with no passing places although the access off the A142 is wide and could form a waiting area if vehicles are on the track. No concerns about the track have been raised by the Highway Authority.

## **8. CONCLUSION**

- 8.1 The Local Planning Authority has given serious consideration to this change of use application which supports the existing business use on the site. Whilst the proposal is retail in nature, it has a specialist need for a large unit to accommodate motor cycles and its ancillary goods.

Although the access is off the A142, visibility is good in this location and the LHA has only raised issues relating to the potential of possible vehicle conflict due to customers not knowing where the site is. Due to its specialist retail function it is highly likely that customers will know the location of this business and the LPA considers that support should be given to this business but with a 3 year temporary consent to allow the monitoring of any highway issues that might arise.

The proposal is therefore recommended for approval.

## **9. RECOMMENDATION**

**GRANT**

1. **The use hereby permitted shall be discontinued and the premises restored to its former use which is B2 and B8 Use on or before 15 October 2016 unless a further planning application for renewal or continued use is submitted prior to that date.**

**Reason - The proposal is not one the Council is prepared to permit other than for a limited period in order to assess its impact on highway safety.**

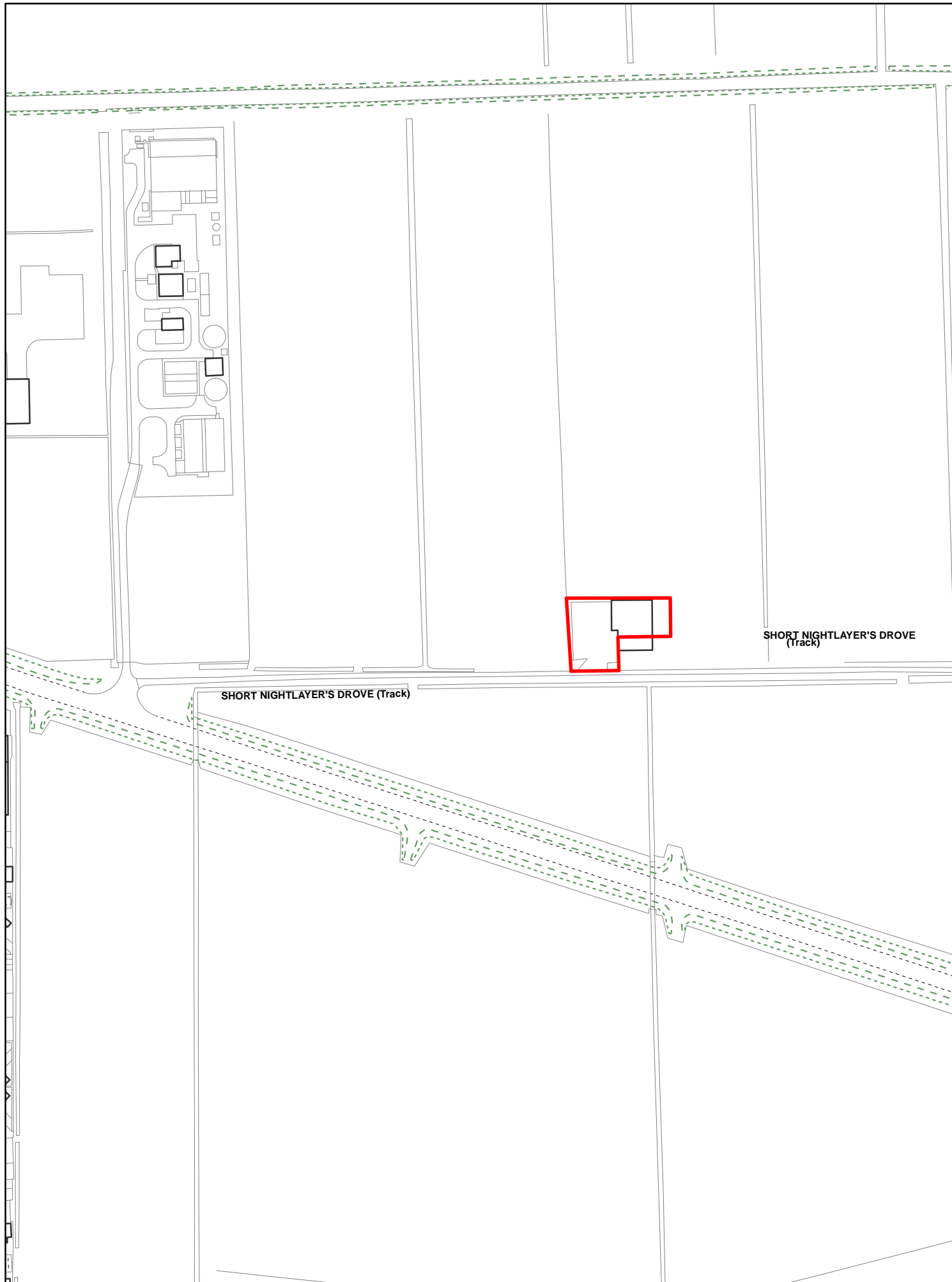
2. **The unit shall only be used for the retail sales of motorcycles and associated accessories and for no other purposes.**

**Reason – In granting this permission the Council has had regard to the special circumstances of this case and considers that unrestricted retail use would unacceptable in this location.**

3. **Within 3 months of the date of the Decision Notice the proposed on-site parking/turning areas shall be laid out in accordance with drawing No. 13-001-1/3 Rev B date stamped 18 July 2013 and thereafter retained for that purpose.**

**Reason – To ensure the permanent availability of the parking/manoeuvring area in the interests of highway safety.**

4. **Approved plans**



SHORT NIGHTLAYER'S DROVE  
(Track)

SHORT NIGHTLAYER'S DROVE (Track)

Created on: 06/03/2013

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F/YR13/0145/F

Scale = 1:2,500



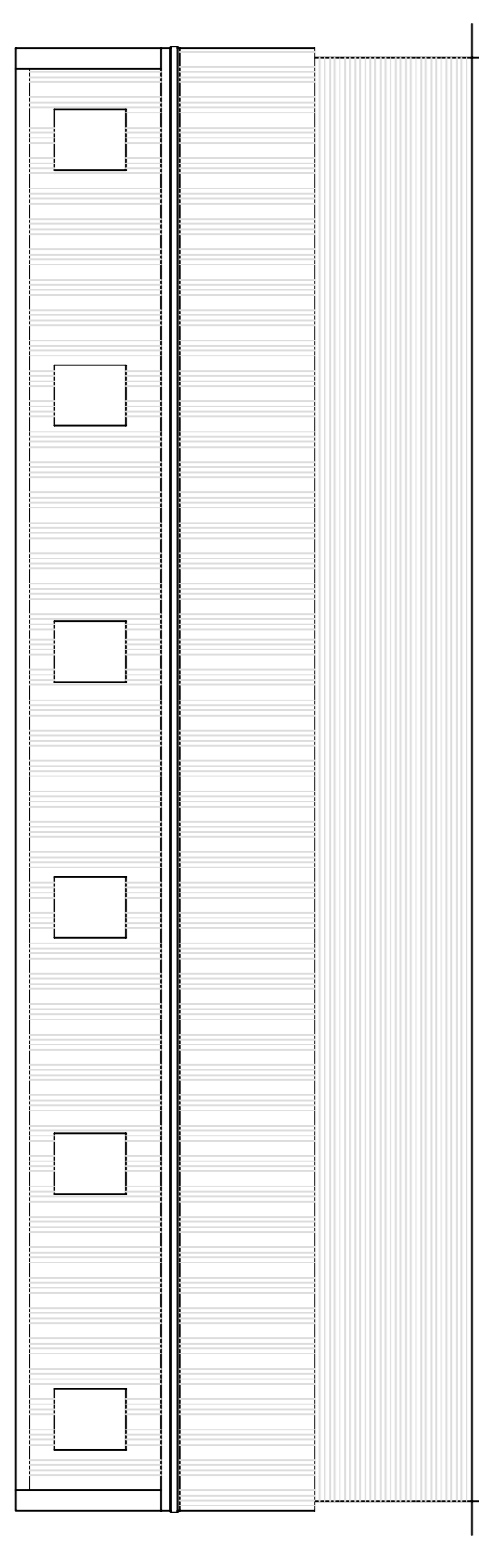
# NOTES

## Fire Precautions Key

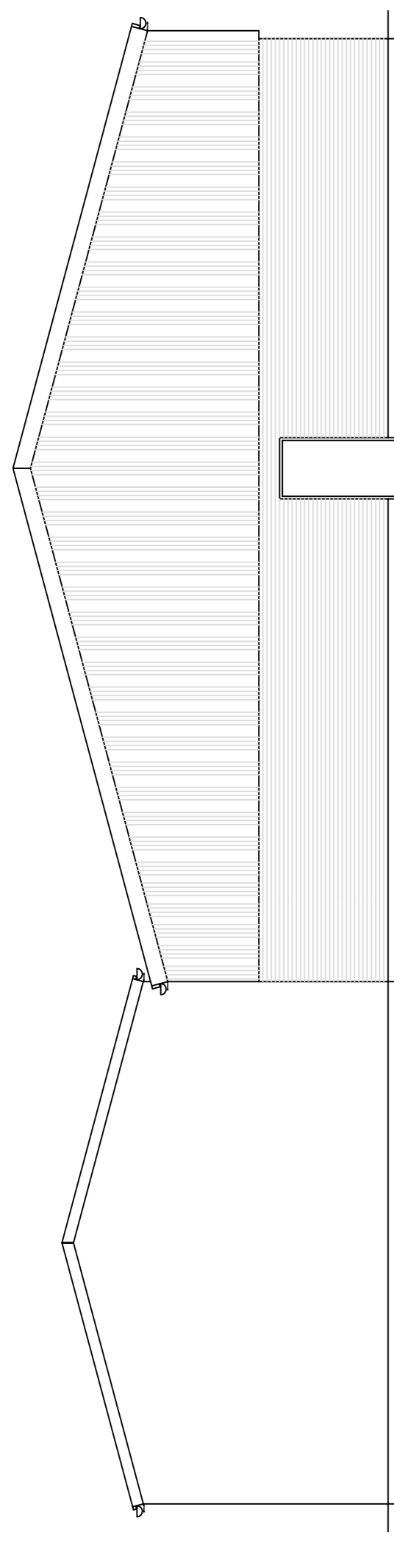
- fire alarm call point
- emergency lighting (maintained)
- △ audible warning device
- fire exit keep clear
- ⊕ illuminated fire exit sign
- ⊙ smoke detector
- ⊙ heat detector

## electrical lighting specification

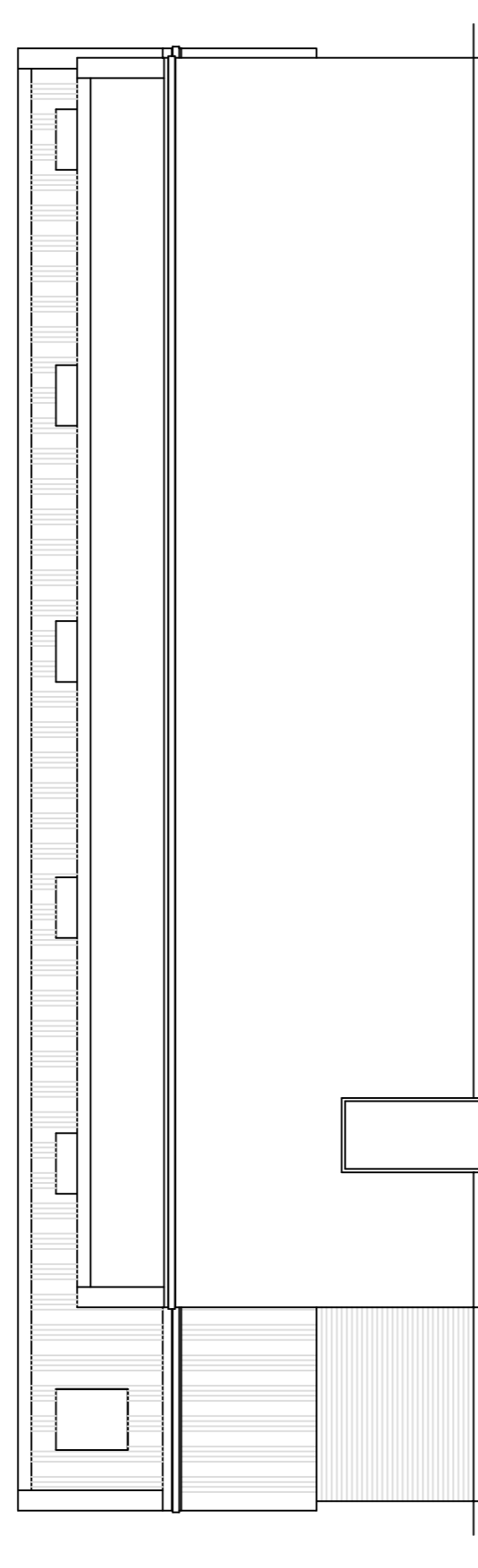
- 8no 1.8m energy star type fittings switched in two rows of four recessed into suspended ceiling at ground floor level
- 4no 1.2m energy star type fittings with movement sensor and manual switch (cat 2) to office and kitchen areas.
- 2no 16w 2D energy star lamps to toilet/shower with manual switch.
- 1no pull switch alarm with sounder and light above door externally to toilet/shower.



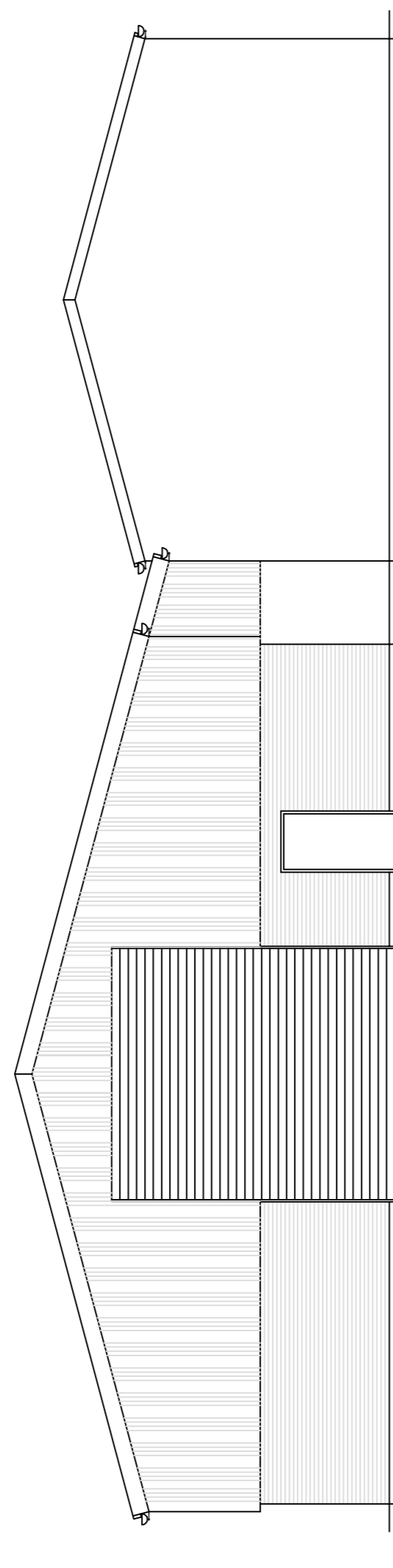
side elevation (from field)



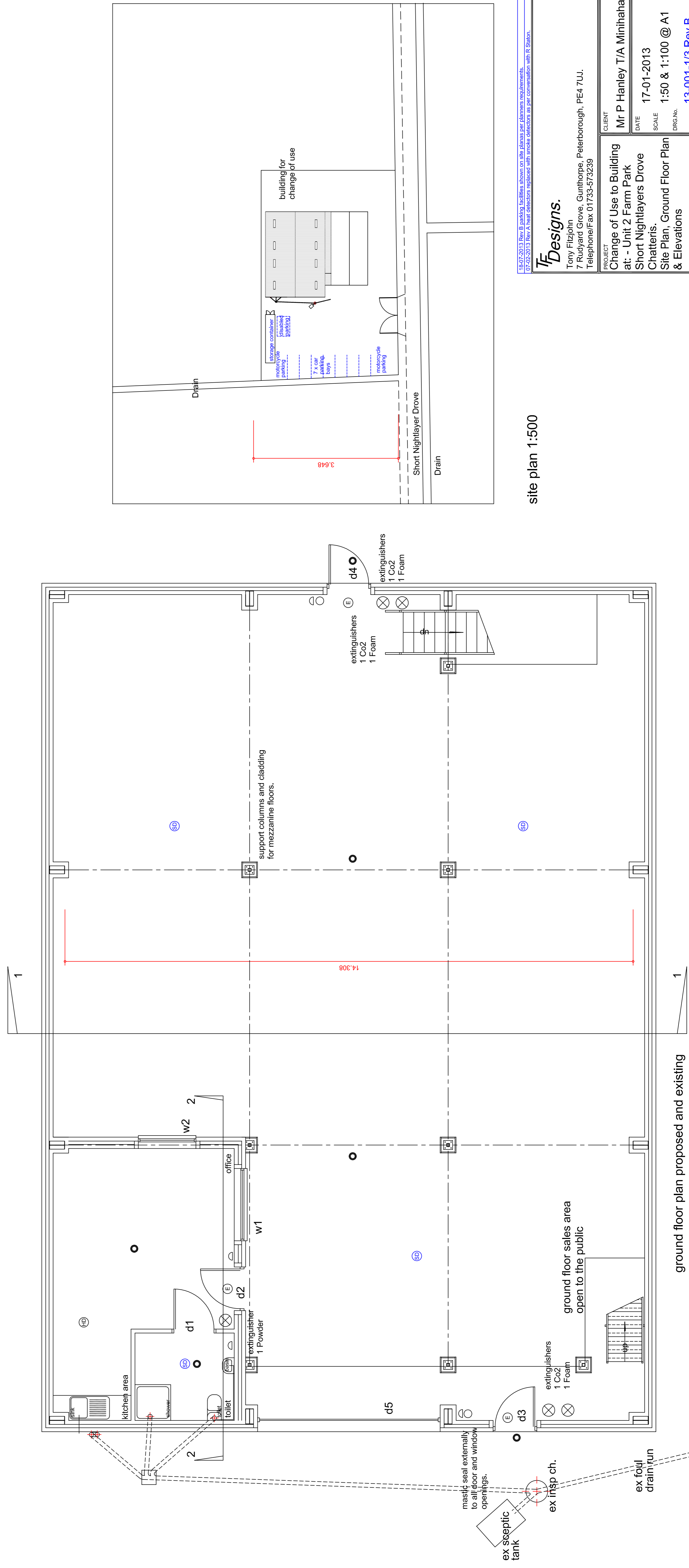
rear elevation



side elevation (from road)



front elevation



ground floor plan proposed and existing

site plan 1:500

**Tf Designs.**  
 Tony Fitzjohn  
 7 Rudyard Grove, Gunthorpe, Peterborough, PE4 7UJ.  
 Telephone/Fax 01733-573239

**PROJECT**  
 Change of Use to Building  
 at: - Unit 2 Farm Park  
 Short Nightlayers Drive  
 Chatteris.  
 Site Plan, Ground Floor Plan  
 & Elevations

**CLIENT**  
 Mr P Hanley T/A Minihaha

**DATE**  
 17-01-2013

**SCALE**  
 1:50 & 1:100 @ A1

**DRG.No.**  
 13-001-1/3 Rev B

13-01-2013 Rev B parking facilities shown on site plans per planners requirements.  
 07-02-2013 Rev A heat detectors replaced with smoke detectors as per conversation with R. Stalon.