

**RENEWAL OF THE ASHROYD & SHORTWOOD BUSINESS PARK LOCAL
DEVELOPMENT ORDER 2012**

1. Purpose of Report

- 1.1 To provide the Planning Regulatory Board with a progress update in relation to the development of Ashroyd & Shortwood Business Parks since the introduction of the Local Development Order (LDO) in 2012.
- 1.2 To seek Planning Regulatory Board approval for the renewal of the Local Development Order subject to an amendment in relation to Ashroyd plot 4. This will extend existing simplified planning arrangements until 2018 to align with those elsewhere within Sheffield City Region (SCR).

2. Recommendation

- 2.1 **That Members approve the renewal of the LDO to 31st March 2018, subject to amending the height limits at Ashroyd 4 to a maximum of 12m for the eaves and 18m overall, so that it can be referred to Full Council in April 2015.**

3. Background

- 3.1 A Local Development Order grants planning permission for whatever development is specified in that particular Order in much the same way the permitted development rights operate. A developer has to submit details to demonstrate that their scheme is compliant with the Order meaning that, where the scheme does comply with the order, they do not have to submit a full planning application with the necessary accompanying plans, technical reports and planning fee.
- 3.2 Parts of Ashroyd & Shortwood Business Parks were awarded Enterprise Zone status in 2012 and since then they have benefitted from Business Rate Relief. The LDO was subsequently adopted to further encourage development and covers four plots on Ashroyd Business Park, two of which remain undeveloped and two plots at Shortwood Business Park, which have been built out in the last twelve months. The LDO expires on 31st March 2015 but as plots remain undeveloped, it is considered necessary to renew it for a further three years.

4. Objectives

- 4.1 The principle objective of the LDO is to give businesses and developers more certainty in an uncertain economic climate by detailing the specific types of development and uses which are permitted whilst ensuring that other planning considerations (e.g. impact on neighbours, the landscape and on highway safety) are taken into account.

5. Plot Locations, Descriptions and Details of LDO

- 5.1 Ashroyd and Shortwood Business Parks are located close to the Dearne Valley Parkway, which is part of the A1-M1 link road. They are close to Birdwell to the West and Hoyland to the South and are in close proximity to Junction 36 of the M1.
- 5.2 Schedule 2 of the Local Development Order details what will be permitted on each plot, including general restrictions on building heights, floorspace and proximity to site boundaries as well as site specific conditions. Schedule 4 includes general conditions relating to each plot, which deals with matters such as car parking, landscaping and drainage. Further details of Schedule 2 and progress since adoption of the LDO are set out below:

6. Shortwood Business Park

6.1 Shortwood 1

- 6.1.1 The plot is just over 20,000 sqm and until the adoption of the LDO it remained undeveloped despite receiving planning permission (04/0491) in 2004 for B1, B2 and B8 uses. Following the adoption of the LDO, this site has been built out and now accommodates 6 businesses employing approximately 80 staff. Given that it has now been built out the provisions of the LDO are not strictly required. However, to ensure that the order is renewed as soon as possible, it is recommended to retain the original provisions within the order. These are set out below.

- 6.1.2 On Shortwood 1 the Order granted planning permission for the following uses:

- B1 (b) research and development
- B1 (c) light industry
- B2 general industry
- B8 storage and distribution

Development was restricted to up to 15,000sqm gross floorspace and up to 1,500sqm of this could comprise B1 (a) Offices.

- 6.1.3 In addition the site is subject to the following site specific conditions:

- The building (s) were subject to a maximum eaves height of 8m and maximum ridge height of 12m as measured from the ground levels shown on the extant planning permission for the creation of the development platform.
- The building (s) had to be located at least 10m from north eastern and north western boundaries and 3m from all other boundaries.
- The Hawthorne (*Crataegus Monogyna*) hedge situated on the north eastern and north western boundary had to be retained.

6.2 Shortwood 2

- 6.2.1 Shortwood 2 is located at the heart of the existing Shortwood Business Park. Construction on this plot has been completed by the developer who built out Shortwood 1 but part of the site was subject to a full planning application because the proposed building exceeded the criteria contained in the LDO. This development now accommodates 7 businesses employing approximately 85 staff. As with Shortwood 1, the provisions of the LDO are not strictly required but it is

recommended to retain the original provisions within the order. These are set out below:

6.2.2 On Shortwood 2 the following uses would be permitted:

- B1 (b) research and development
- B1 (c) light industry
- B2 general industry
- B8 storage and distribution

Development would be restricted to up to 10,000sqm gross floorspace and up to 1,000sqm of this may comprise B1 (a) Offices.

6.2.3 In addition the site will be subject to the following site specific conditions:

- The building (s) would be subject to a maximum eaves height of 7m and maximum ridge height of 10m as measured from existing ground levels or ground levels shown on any extant planning permission at the time the LDO is adopted.
- The building (s) shall be located at least 3m from the site boundaries.

7 Ashroyd Business Park

7.1 The Ashroyd Business Park is located within a mixed use area, with residential properties to the west and south and the Platts Common Industrial Estate to the west. Existing access is from Ryecroft Bank which allows easy access to Hawshaw Lane or the Dearne Valley Park Way. Some of the residential properties at Stone Hill Close and Lower Sycamore Farm and Upper Hoyland Road are in close proximity to the business park with some directly abutting Ashroyd 2.

7.2 Ashroyd 1 and 2

7.2.1 These two plot are already developed following the granting of planning permission in 2006 – (2006/1825 and 2006/0262), for B1, B2 and B8 uses. Parking and access arrangements for the site are also in place. The Local Development Order therefore complements the existing permissions. Since the introduction of the LDO the large warehouse on Ashroyd 1 has been occupied by Euramax, who manufacturer uPVC windows, doors and shower enclosures for the Caravan, Holiday Home, New Build, and Off-Site construction markets. This has resulted in the creation of approximately 160 jobs.

7.2.2 It is proposed to retain the LDO as existing, which permits the following uses on Ashroyd 1 & 2:

- B1 (b) research and development
- B1 (c) light industry
- B2 general industry
- B8 storage and distribution

7.2.3 In addition, up to 1000 sqm of B1 (a) Office use would be allowed at Ashroyd 1 and up to 2000sqm at Ashroyd 2.

7.3 Ashroyd 3

7.3.1 Ashroyd 3 is currently undeveloped it is a mirror image of Ashroyd 1 in terms of shape and size being 9700sqm. The LDO permits the following development:

- B1 (b) research and development
- B1 (c) light industry
- B2 general industry
- B8 storage and distribution

Development is restricted to up to 8000sqm gross floorspace and of this up to 1000sqm may comprise of B1 (a) offices.

7.3.2 All building (s) would have a maximum eaves height of 10m and a maximum ridge height of 15m as measure from existing ground level or those shown on any extant planning permission at the time the Order was adopted. In addition a Coal Mining Risk Assessment would have to be submitted to address land stability and mining legacy issues.

7.4 Ashroyd 4

7.4.1 Ashroyd 4 abuts the Platts Common Roundabout and along with Ashroyd 2 will be the most prominent from the Dearne Valley Park Way. It is the largest plot at the Ashroyd Business Park being roughly 36,600sqm in size, and the furthest distance from residential areas being almost entirely surrounded by commercial units. The LDO currently permits the following:

- B1 (b) research and development
- B1 (c) light industry
- B2 general industry
- B8 storage and distribution

Development may comprise 20,000 sqm of gross floorspace and upto 2000 sqm of this may comprise B1 (a) office use.

7.4.2 Any building(s) shall have a maximum eaves height of 10m and a maximum ridge height of 15m measured from existing ground level or those shown on any extant planning permission at the time the Order is adopted.

7.4.3 Both Ashroyd 3 and 4 would require associated engineering operations to facilitate a means of access, formation of hard standing and installation of required infrastructure

7.4.4 It is now proposed to increase the maximum eaves height on Ashroyd 4 to 12m and the ridge height to 18m in order to provide greater flexibility and attract a wider range of potential end users. Given that this plot is relatively remote from residential properties it is not considered that the additional height would result in significant increases in overshadowing or loss of outlook. From longer distance views looking south, the building will be seen in the context of the existing buildings on Ashroyd 1 and Ashroyd 2 with the landform continuing to rise towards Hawshaw Lane. When viewed from elevated land and properties to the south the building will be partially screened by the existing building on Ashroyd 2 and sits on a lower platform which has landscaped embankments that will continue to mature over time. As such, the harm associated with the increased height is considered to be limited.

8. Policy Context

8.1 Planning decision, including the adoption of a Local Development Order, should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The sites are designated as Employment Proposals and already have the benefit of outline planning permission for B1/B2/B8. Highways and associated infrastructure have been installed and some plots are now built out so work is already at an advanced stage to enable delivery of the intended Enterprise Zone outcomes. The uses set out will help to deliver the Core Strategy aims set out in policies CSP 8, CSP 12 and CSP 19.

9. Consultations

9.1 When the LDO was originally prepared, it was publicised widely and no objections were received from the following:

- Environmental Agency
- Yorkshire Water
- Natural England
- Coal Authority
- South Yorkshire Mining Advisory Service
- British Pipelines Agency
- NHS Barnsley
- Sheffield City Region

9.2 The Highways Agency raised concerns regarding traffic generation but given that planning permission had been granted, it was not considered that these comments were material.

9.3 The proposed renewal of the Order has been subject to a consultation process, which has included letters being sent to local residents living on Upper Hoyland Road, Stonehill Close, Shortwood Villas and the High Royd Farm complex on High Royd Lane. The Rockingham and Hoyland Milton Ward Members were also notified. At the time of writing the report, two letters of objection have been received. The concerns expressed can be summarised as follows:

- Existing development at Ashroyd has had a significantly harmful effect on residents living on Upper Hoyland Road and neighbouring streets. The additional height proposed at Ashroyd 4 will exacerbate this further.
- The development that has taken place at Shortwood has resulted in unsympathetic external lighting, litter and a general unresponsiveness from the developer when residents raised concerns.

9.4 The first point regarding the impact of Ashroyd 4 is covered in paragraph 7.4.4. Whilst the points raised in the second bullet point can be a source of frustration, they relate primarily to management issues although the concerns regarding external lighting was due to the fact the developer had not complied with the requirements of a planning condition. Following complaints and an investigation by the planning officer, the lighting scheme was amended to reduce the impact on neighbours.

9.5 If any further representations are received these will be considered and reported verbally. Should these necessitate amending the LDO, the item will be withdrawn from the agenda in advance of the meeting.

10. Assessment

10.1 Residential Amenity

10.1.1 All development proposed in the LDO will be located within existing established business parks which already benefit from outline planning permissions for the uses included in the LDO.

10.1.2 The undeveloped plots at Ashroyd 3 and 4 are a relatively safe distance from residential properties. The LDO is plot specific with particular safeguards on each plot relating to floorspace, building heights and proximities to site boundaries. As such, subsequent development in accordance with the provisions of the LDO, including the additional height proposed at Ashroyd 4, would not appear overbearing or result in excessive levels of overshadowing or overlooking.

10.1.3 The LDO includes a number of other safeguards to mitigate potential impacts on local residents including conditions requiring:

- Submission of a construction method statement and limits on times construction could take place in order to minimise impacts during construction,
- Lighting details to protect residents from potential light pollution.

10.1.4 Taking into account the above points, the LDO, as amended, is considered to reflect the requirements of Core Strategy policy CSP 40, Saved UDP policy ED4 and the SPD – Residential Amenity and the Siting of Buildings.

10.2 Visual Amenity

10.2.1 The LDO includes a number of safeguards to ensure any development permitted by the LDO reflects that elsewhere on the business parks. The footprint allowed on each plot is based on restricting the coverage to a maximum of 75% of plot sizes whilst building heights, included the amended proposals for Ashroyd 4, are broadly reflective of those on adjacent plots on each business park. Conditions are also included relating to external materials, landscaping works and boundary treatments, external lighting and limits on outside storage. In addition, the Hawthorne hedges north of Shortwood 2 would be maintained.

10.2.2 These restrictions and conditions would make new development similar and complement the existing buildings, reflecting the objectives of Core Strategy CSP 29.

10.3 Highway Safety

10.3.1 Although concerns were raised with regards to traffic generation and the impact on the strategic road network by the Highway Agency, any development which takes place would not lead to a significant increase in traffic generation nor significantly impact on the highway network over and above that envisaged when outline planning permission was granted for the business parks.

10.3.2 Condition 3 also ensures that the means of access and car parking provision have to be approved prior to commencement of development whilst condition 5 addresses highway issues during construction. As such the proposal reflects the requirements of Core Strategy policies CSP 25 and CSP 26.

11. Conclusion

- 11.1 The LDO is a tool for delivering simplified planning and includes plots of land already benefiting from outline planning permission. The LDO has already contributed towards securing development on the two sites at Shortwood and occupation of the unit at Ashroyd 1. Collectively this has resulted in the creation of over 300 new jobs. Relatively few objections were received during the original consultation and the current consultation on the proposed renewal. It is therefore recommended that the LDO is renewed until March 2018.

12. Background Paper

- 12.1 Ashroyd & Shortwood Business Parks Local Development Order 2012

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