
Case Number	21/00418/FUL (Formerly PP-09384476)
Application Type	Full Planning Application
Proposal	Use of office building as a studio for after school arts classes
Location	Very Much So Productions 8 Stretton Road Sheffield S11 8UQ
Date Received	29/01/2021
Team	South
Applicant/Agent	Mr Barry Pearson
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority considers that the proposed development would be detrimental to the amenities and living conditions of nearby residents at 190 Psalter Lane owing to noise, loss of privacy and general disturbance which would be generated by the use of the building for the purpose of a children's after-school club and holiday child-care club. The proposal is therefore contrary to Policy H14 of the Unitary Development Plan, and paragraph 130 of the National Planning Policy Framework.
- 2 The Local Planning Authority considers that the use of the building as a children's after-school club and holiday child-care club would be unsuitable for use by people with disabilities (particularly people using wheelchairs and or with ambulant mobility issues) and therefore would be contrary to Policies BE5 and BE7 of the Sheffield Unitary Development Plan and para 130 f) of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

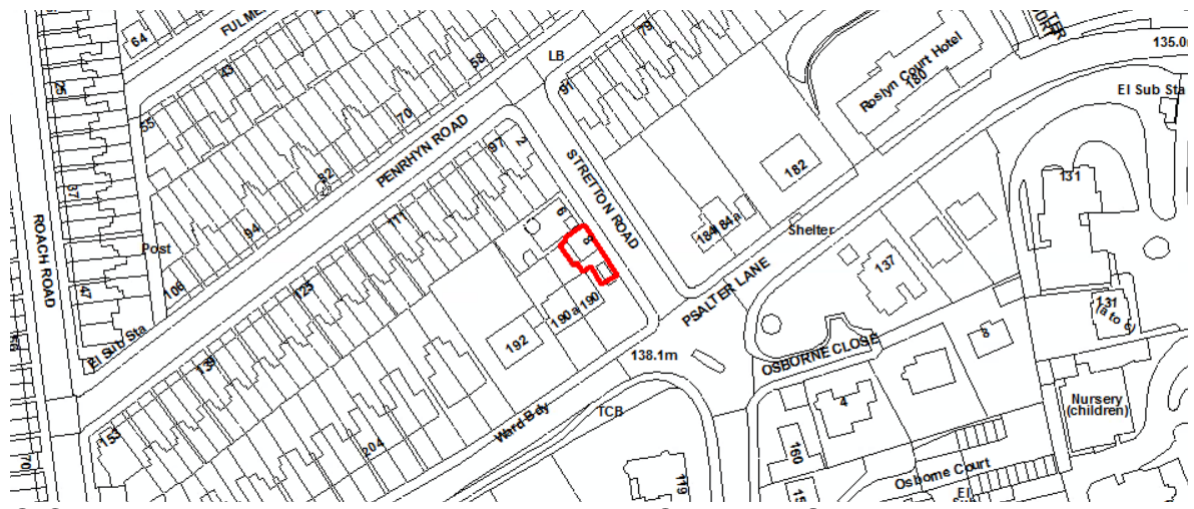
1. The applicant is advised that this application is being recommended for refusal for the reasons stated above and taking into account the following plans, drawings and details:-

Drawing no.001 (Site Layout Plan), as published on the 12th April 2021
Drawing no.002 (Proposed Ground and First Floor Layout Plan), as published on the 12th April 2021

Site Location Plans, as published on the 1st April 2021
The additional correspondence from the applicant, as received on the 14th July 2021 and published on the 26th August 2021

2. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirement(s), and, there being no perceived amendment(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.

Site Location



INTRODUCTION

This application relates to an existing two-storey stone-built former coach house located on Stretton Road (a short road that links Penrhyn Road to Psalter Lane). The former coach house building along with no 6 Stretton Road, a recently constructed dwelling, are the only two properties that front onto Stretton Road. The application property would originally have been the coach house/outbuilding for the dwelling at 190 Psalter Lane. The coach-house building and no.190 Psalter Lane are now separate planning units and have been for many years.

The application site comprises of the building, a side courtyard area and a rear access/walkway that allows pedestrian access from the rear of the building to the side courtyard area and out of the site via an existing gate within the 2.2 metre high boundary wall fronting Stretton Road. The building has ground and first-floor rear facing windows and a ground floor rear access door facing towards the rear garden of 190 Psalter Lane. The building also has a first-floor access door on the exposed gable end of the building but there are no access steps that lead to or from that access door. On the front elevation of the building (facing Stretton Road) there are what appear to be 2 ground-floor garage door openings that have been infilled with timber framed windows, an entrance door and 2 first-floor level windows. Because of the sloping nature of Stretton Road, the existing entrance at the front of the application building has a stepped access

The application site has no provision for off-street car parking and there is no complete segregation in terms of boundary treatment between the site and the closest neighbouring property at 190 Psalter Lane (there only being a partial 2.2 metre high timber screen fence segregating the back of the building and the rear garden of 190 Psalter Lane).

The property is currently vacant but has previously been in use as an office (both a small architect's office and, as a business office in connection with a window installation company). The existing use is therefore the old Class B1(a) Use (business office) which now falls within the more general Class E Use.

The immediate area is predominantly residential in character but there are several other prominent businesses nearby, these include the Constance Grant Dance Centre on the opposite corner (182 Psalter Lane); The Psalter Hotel & Bar (178-180 Psalter Lane) and The Psalter Lane Nursery (formerly the Montessori Nursery) located opposite at the corner of Psalter Lane and Osborne Road.

PROPOSAL

The applicant is proposing to use the application site as an after-school club for art and other creative learning activities for children aged between 4 and 14. In addition to the after-school club use, the applicant is also proposing use as a holiday club (also for children aged 4 -14) during school holidays.

The use of the proposed business would therefore fall within the new Class E(f) Use (non-residential creche/day nurse/centre) with any associated learning

being ancillary to the main use.

The proposed after school club would operate between 3pm and 6pm during school term time and between 8.15 am and 6.15pm during school holidays. Originally the applicant had also stated that the business would operate on Saturdays between 1pm and 3pm, however more recent correspondence has confirmed that no Saturday classes are now being proposed. The business would have approx. 2 – 4 members of staff and approx. 16 – 18 children. In addition to the building itself, the applicant has indicated that the courtyard area would be used by the children as an outdoor space at lunchtimes.

The applicant is also proposing to repaint the front windows and door and frames (colour not as yet known) and to install obscure glazing to the windows at the rear.

RELEVANT PLANNING HISTORY

Previous and/or relevant planning history for this property/site includes:-

93/00538/FUL – Alterations to building for use as a dwellinghouse. This application was conditionally approved in August 1993.

10/02067/FUL – Use of building as a shop (A1 Use Class) and café (A3 Use Class) including provision of new shop front. This application was refused (by the Planning Committee) in September 2010. The reason given for the refusal was that the Local Planning Authority considered that the proposed development would be detrimental to the amenities of the locality and to the living conditions of nearby residents owing to noise, smells, loss of privacy and general disturbance which would be generated by the use of the building for the purpose of a shop and café and as such, the proposal was considered to have been contrary to policy H14 of the Unitary Development Plan.

10/03501/FUL – Use of building as shop (A1 Use Class) including provision of new shop front (re-submission). This application was refused (by the Planning Committee) in December 2010. The reason given for the refusal was the Local Planning Authority considered that the proposed development would be detrimental to the amenities of the locality and to the living conditions of nearby residents owing to noise, nuisance and general disturbance which would be generated by the use of the building for the purpose of a shop. The proposal is therefore contrary to policy H14 of the Unitary Development Plan.

REPRESENTATIONS

This application has resulted in a total of 84 separate representations being received. 43 representations (from 31 separate addresses) have raised objections to the proposal and, 41 (from 39 separate properties) support the proposal.

Cllr Angela Argenzio has raised an objection to the proposal and is included as one of the 43 objections.

The majority of the objections have come from local residents living within close

walking distance of the site and, those that have supported the application proposal live much further away from the application site (including from areas such as Leeds, Louth, Nottingham, Rawmarsh and Holmesfield). The closest resident supporting the proposal lives approximately 0.4 miles away from the site.

The neighbour representations have been summarised and are listed below:-

Objections

Traffic/Highway Safety

- The site is located close to a busy crossroad junction in an area where there are already high levels of on-street car-parking and reduced visibility. Several other uses operating close by lead to high traffic levels coming and going to this location. This will add to the congestion problems and highway safety issues
- There have already been several accidents and collisions in the area, often due to dangerous parking and poor visibility etc
- The site has no provision for off-street car parking, so where will staff and parents park their cars?
- Parents will end up parking on Osborne Road resulting in people having to cross Psalter Lane close to the dangerous crossroad junction, and there needs to be a crossing created at this location
- Parents are unlikely to walk their children to or from the after-school club in the same way that they don't walk their children to or from the existing Montessori nursery and the Constance Grant dance schools, the majority of parents pick their children up by car
- Dropping off and/or picking up will have to do so at/or close to a junction where there is normally no convenient place to park particularly at times that might typically clash with the other nearby uses

Noise/Amenity

- Increased levels of noise and general disturbance issues for nearby residents (particularly an issue for neighbouring residents living at 190 Psalter Lane, where the outside play area is within a metre of the neighbour's rear access door)
- Residents on Stretton Road downwards (towards Hunters Bar) are mainly terraced properties and therefore don't have much scope for off-street car parking. Increased demand for those already limited on-street parking spaces will create more detriment for existing local residents
- Air pollution in the area has already been rated as poor, this proposal will add to the pollution levels in the area, particularly as people sometimes

leave their car engines running while another parent takes a child in for the drop off

- Dropping children off at the nearby nursery and/or dance studio businesses often means parking in front of and blocking-off local resident's access drives or irresponsible parking (i.e. on double yellow lines). Increased levels of on-street car-parking means will increase this to the detriment of nearby residents
- Past uses of the property have been very low-key with only approx. 3 to 5 staff/people using the building which is a vast difference to 16 to 18 children and up to 4 staff in terms of noise and general disturbance
- The property only has a very small walled garden/amenity area which would create access issues with the immediate neighbouring residents
- Having groups of boisterous and loud young people playing around outside in their breaks would cause a big disruption in terms of noise and general disturbance for residents (particularly those residing immediately next door) and particularly in warm summer months
- The proposal would lead to overlooking and loss of privacy issues particularly from upper floor windows and also from parents as they come to collect or drop or wait for their children

Other Issues

- The outdoor space is multi-level, has steep stairs without handrails and unguarded drops – which could raise health and safety issues when used by children
- The intended use of the building as an 'after school club' is misleading, particularly as there is a reference to school holiday activities. These other activities would soon become more frequent

Cllr Angela Argenzio has raised the following reasons for objection:-

- Having the after-school club at 8 Stretton Road would have a huge impact on local residents, particularly on the residents living at 190 Psalter Lane that shares a passageway with the very small garden at the back of 8 Stretton Road. To gain access to the yard, people would have to pass through part of 190 Psalter Lane garden very close to the back door of no 190 Psalter Lane. 190 would not have any privacy in their rear garden in the afternoon and all through the holidays including the summer
- Currently, the property is used as an office and the impact on local residents is minimal, especially in the evening

- Parking is already at a premium, there is a nursery school on the opposite side of Psalter Lane, a dance school (with no parking provision) opposite the site and a pub further beyond. Psalter Lane has problems with drivers speeding and bottlenecks close to the various facilities/schools. A petition has been raised to have a crossing at this junction (Osborne Road/Stretton Road) on the basis that traffic is so intense making it difficult for people to cross the road
- There is no parking available for the users of the proposed club or the people delivering the services there. How would parents pick up their children? Most will be from out of the area. Many will travel straight from work to pick up their children. Parking is already impossible for people living nearby, there are too many HMO's, no residential parking scheme and instances of people parking dangerously on these nearby roads (parking on double yellow lines, on corners and on footpaths)

Non-Planning Considerations

- There are already several other children-based businesses nearby and this one is unnecessary
- There is a concern that many of the people that have commented in support of the application do not live in the area and therefore don't have an understanding of the traffic problems and issues in this locality.
- Alternative uses would cause less harm

Support

- Kids Art Academy operating from its existing location provides a valuable service to the local community providing affordable, extra-curricular learning opportunities to children and teaching valuable cooking and creative skills
- Kids Arts Academy have been seeking a permanent space to be able to run their after school and holiday clubs for some time. It makes sense for it to be situated in the area it serves within easy reach of nearby schools and families
- Noise impact will be minimal given the small sizes of the clubs and the hours of operation
- Traffic impact will be minimal in contrast to the benefits of having the business located here
- The proposed new use would provide an opportunity for new employees to gain experience of working with children
- Children work quietly on creative projects, they don't run around making loud noise

- Now is the time to be supporting the community and small businesses
- Kids Art Academy normally provides a 'walking bus' to its venues and always encourages parents, many of whom live within walking distance of its venues to pick up their children on foot or by public transport
- The proposed facility would provide the children a safe and secure environment in which to extend their educational experiences
- Having a permanent base building instead of operating from other facilities will benefit the business and user needs
- 8 Stretton Rd is already a commercial property which could easily accommodate at least 15 adults on a daily basis. It could be used as an office, with 15 staff, all of whom could drive to Stretton Road and leave their cars there all day. This proposed change of use would therefore have a lesser impact for neighbours

Additional comments from the Applicant in support of the proposal:-

- The Kids Art Academy (KAA) had previously been run from the Hunters Bar Infants and Juniors Schools for approx. 12 years. For the past 4 years the business has operated from a separate venue on Ecclesall Road due to lack of accommodation at the school
- The KAA has always run a walking bus system to the venue. This gives the children an opportunity to learn about highway safety and would provide exercise for the children as well as reduce traffic levels
- Clifford All Saints C of E Primary School is also within close walking distance from Stretton Road and therefore children from that school could also be accommodated at Stretton Road. This facility would therefore be available for accommodating the children from 3 local schools
- Some of the comments made in support are from staff and parents that have first-hand experience of how the business operates and therefore are very valid
- During the past 10 years, the KAA have worked with the Sheffield Special-Needs Inclusion Playcare Service (SNIPS) and the business has accommodated children who are on the autistic spectrum
- During school holidays there is generally less traffic around because fewer journeys are being made
- There is a mixture of residential and business uses in the area already. No.8 Stretton Road has been empty for a long time but is currently an established business location. No 6 Stretton Road was previously the site of a warehouse and was also used as a church school

- The KAA provides benefits to the community with valuable elements of child welfare and education in addition to employment opportunities for young people. The KAA track record speaks for itself and the fears of local residents are unfounded

PLANNING ASSESSMENT

The National Planning Policy Framework (NPPF)

The key consideration to be taken from the NPPF is a 'presumption in favour of sustainable development'. The document summarises delivering sustainable development as planning for prosperity (economic role), for people (social role), and for places (environmental role).

Paragraph 81 of the NPPF states that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 111 of the NPPF states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:-

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Policy

As designated in the adopted Sheffield Unitary Development Plan (UDP), the application site is located within a Housing Policy Area and is also within the Nether Edge Conservation Area.

The most relevant UDP policies to be referred to in considering the merits of the application are:

- BE5 (Building Design and Siting)
- BE7 (Design of Buildings Used by the Public)

H10 (Development in Housing Areas)
H14 (Conditions on Development in Housing Areas)

Relevant Core Strategy Policies are:
CS74 Design Principles

Principle of Development

The site is in an allocated Housing Policy Area where use as an after-school art and creative learning club – new Use Class E(f) is acceptable in principle, however, any such uses would also need to satisfy Policy H14 of the UDP which relates specifically to ‘Conditions on Development in Housing Areas’.

Key Issues

The key issues in respect of the proposal relate to the impact of the use of the building as a children’s after-school club/holiday club on the living conditions of existing surrounding neighbours; on the local highway network; and ensuring that as the building will be used by members of the public, it will be fully accessible.

Impact on Residents’ Living Conditions

Policy H14 of the Sheffield UDP states that the amenity of adjoining neighbours should not be harmed by planning proposals. There have been 2 previous proposals (in 2010) for the building to be used for both a café and/or as a retail shop which were both rejected by City Council because of the adverse impact that would be caused for immediate neighbours.

8 Stretton Road was originally built as an outbuilding in relation to 190 Psalter Lane and, through the course of time has become a separate unit in its own right. In recent years it is also understood that the building has been used for commercial purposes albeit very low key – with low levels of staff numbers and limited operational activity.

This proposal would see a new use being introduced that would involve relatively high numbers of children and adults (up to 22 in total:- approx. 16 to 18 children and between 2 and 4 associated teaching staff) using the building for creative learning purposes. The activities would be undertaken at after-school times and during school holidays. The main focus would be art-based learning but could also include low-level cooking as an ancillary type of activity.

As an afterschool/kids club, there will be occasions (particularly in warm summer months) when the children may be brought out into the yard area of the building. The applicant has confirmed that the intention would be to allow children to use the outside yard space at lunchtimes.

The position of no.190 Psalter Lane and its external spaces are so close to the application site that any activities taking place in either the main application building and/or the outside yard space would have a significant impact on the living conditions of the residents at 190 Psalter Lane. This would be in the form of noise

and disturbance and loss of privacy as staff and children use and come and go to and from the application building and yard area, which is approx. 1 metre away from the rear door and garden of 190 Psalter Lane. As parents' drop-off and pick up their children, there is also the potential for parents to gather and wait in the yard area (accessed via the gate off Stretton Road) which could also exacerbate the noise, privacy and general disturbance issues for the immediate neighbours.

The proposed scheme shows that there would be some new 2m high fencing erected to segregate the yard area from the rear garden of no.190 Psalter Lane. Any such fencing would be within very close proximity (approx. 1 to 1.5 metres away) of rear facing windows and doors of no.190 Psalter Lane and would therefore create a sense of being boxed in at close range.

Although existing, there would be clear views from the outside space of the after-school club building facing directly onto large full height windows at the rear of no 190 Psalter Lane at very close range (2 to 3 metres) and therefore irrespective of any new 2 m high fence, there would be instances of loss of privacy between the two buildings. The intensive nature of the use of the building with more daily comings and goings of children, parents and staff means that there would be a higher likelihood of both loss of privacy and noise impact affecting the residents of 190 Psalter Lane.

The windows on the rear elevation of the application building are currently clear glazed and, the applicant has stated these would be made to be obscure glazed. Despite an increase in the intensity of the use of the building, the obscure glazing would remove the potential for some direct overlooking of 190 Psalter Lane and therefore would represent a marginal improvement to the living conditions of the immediate neighbour. Despite there still being a perception of being overlooked (particularly because of the close range), the obscure glazing would be an improvement for the neighbours at 190 Psalter Lane.

Despite some improvement for the neighbouring residents at 190 Psalter Lane, officers consider that overall, the proposal would still lead to an increase in detrimental harm by way of noise, general disturbance and some loss of privacy for the neighbouring residents and as such, the proposal would be in conflict with Policy H14 of the Sheffield Unitary Development Plan and also in conflict with Paragraph 130 of the National Planning Policy Framework (NPPF).

Highway Considerations and Car Parking

The proposal is in an accessible location but will generate additional parking demand and a requirement for picking up and dropping off of children. The Council's Car Parking Guidelines indicate that for uses similar to the one being proposed (nurseries/day nurseries) provision should be made for dropping off and picking up children and that there should be 1 space for every 1 to 3 staff on duty. There is no provision for any off-street car parking and, no designated location for dropping-off or picking-up children. It is also clear that there is a high on-street parking problem in the immediate area.

Whilst the proposal will lead to some increased traffic levels coming to and from

the site, officers consider that these would in the main be between 3 and 3:30pm (drop-off) and up to approx. 6pm (picking up). As such officers consider that the after-school element is unlikely to have a significant impact on peak hour traffic levels.

With regard to the school holiday sessions, the morning drop off is between 8:15 and 9am and, whilst this coincides with the morning peak, it should be noted that 'school run' traffic will not generally be present due to the school holidays. As such officers consider that the school holiday sessions are not likely to have a significant impact on peak hour traffic levels.

Officers acknowledge that on-street parking is an existing problem, as is the build-up of traffic on surrounding roads. It should also be noted that these problems would still remain without this proposed development going ahead. Such limited on street availability would encourage use of alternative modes of transport to and from the site.

Whilst local residents have raised valid objections in terms of highway safety and increased parking in the area, officers have also taken into account the size of the building and the limited capacity by users which in turn would limit the number of vehicular trips to the site and also, that the applicant has stated that the 'walking bus' initiative would still be carried out, potentially reducing the likely traffic levels.

As previously mentioned above the NPPF at paragraph 111 states that development should only be refused or prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It cannot reasonably be demonstrated that this is the case here, and therefore, despite the wider neighbour concerns around highway safety issues, officers are of the opinion that it would be unreasonable to refuse this application on highway safety grounds.

Accessibility

Core Strategy policy CS74 (g) 'Design Principles' requires development to enable all people to gain access safely and conveniently, providing in particular, for the needs of families and children, and of disabled people and older people. This is echoed in UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' which require good design in keeping with the scale and character of the surrounding area and, in terms of user requirements, that design should meet the needs of users, particularly people with disabilities, people with children and women.

Policy BE7 of the UDP expects all buildings that are to be used by members of the public to make provision for use by disabled persons, including safe and easy access to the building.

Although the proposals don't involve many changes to the external elevations of the building, officers do have some concerns about the nature of the use and its suitability as a teaching/learning environment with public access. The existing front entrance into the building is both narrow and stepped and, gaining access into the

building from the rear would involve having to overcome 2 sets of steps of 3 and 4 steps.

In this respect therefore gaining access into the building for anyone with disabilities would be extremely difficult and even once in the building access would only be available to the ground floor. In overall design terms therefore and being user-friendly, officers consider that building would not be suitable for use by disabled users and would therefore be in conflict with UDP Policies BE5(i) and BE7(a) and (c).

SUMMARY AND RECOMMENDATION

The application seeks planning permission for the building located at 8 Stretton Road to be used as an after-school club and holiday club for children aged between 4 and 14. The club would accommodate between approx. 14 and 18 children and would have approx. 2 to 3 staff on duty at any given time. The after-school club would operate between approx. 3pm and 6pm Mondays to Fridays and in the school holidays it would operate as a holiday club between the times of 8:15am and 6:15pm Mondays to Fridays. Activities taking place at the after-school club would involve creative learning in the form of art but could include cooking and other activities including music (as these would all fall within the remit of creative learning).

The building in question is a two-storey former coach house and is set within very close proximity to no.190 Psalter Lane (a neighbouring residential dwelling). The proposal does raise strong concerns in relation to detrimental impact and harm being caused to the occupants of no.190 Psalter Lane. Officers consider that the harm would be as a result of noise and general disturbance created by children, staff and parents as they drop-off and collect children and /or use the building and its yard area.

The building would be used by members of the public but would not be suitable for use by many disabled users owing to the stepped access points and the restricted width of entrance doors.

Although many objectors have raised concerns about increased traffic and highway safety issues, officers consider it could not be demonstrated that the proposal would lead to an unacceptable impact on highway safety.

The proposal would undoubtedly provide a very useful service, however, in view of the circumstances of the site and the building constraints, officers consider that this would not be the right location for the use being proposed, and the benefits of the use do not outweigh the harm identified. Therefore, it is recommended that planning permission be refused.