

Report of the Assistant Director of Planning, Regeneration and Transport

ITEM NO. SUBJECT

1 Ref: RB2016/1506

Courtesy Consultation in respect of the construction of an extension to the shopping centre for leisure (Use Class D2), food and drink (Use Classes A3, A4 and A5), retail (Use Class A1), offices (Use Class B1), non-residential institution (Use Class D1), police station (Sui Generis Use), car parking accommodation (including multistorey car park), servicing, landscaping, and public realm works, vehicular and pedestrian access/egress and off-site highway works, partial demolition of decked car park, and external alterations to remaining decked car parking, alterations to the rear elevation of the existing cinema building, temporary car parking for contractors (and overflow visitors) on land to the north west of Meadowhall Drive at Meadowhall Shopping Centre for British Land

2 Ref: RB2017/0163

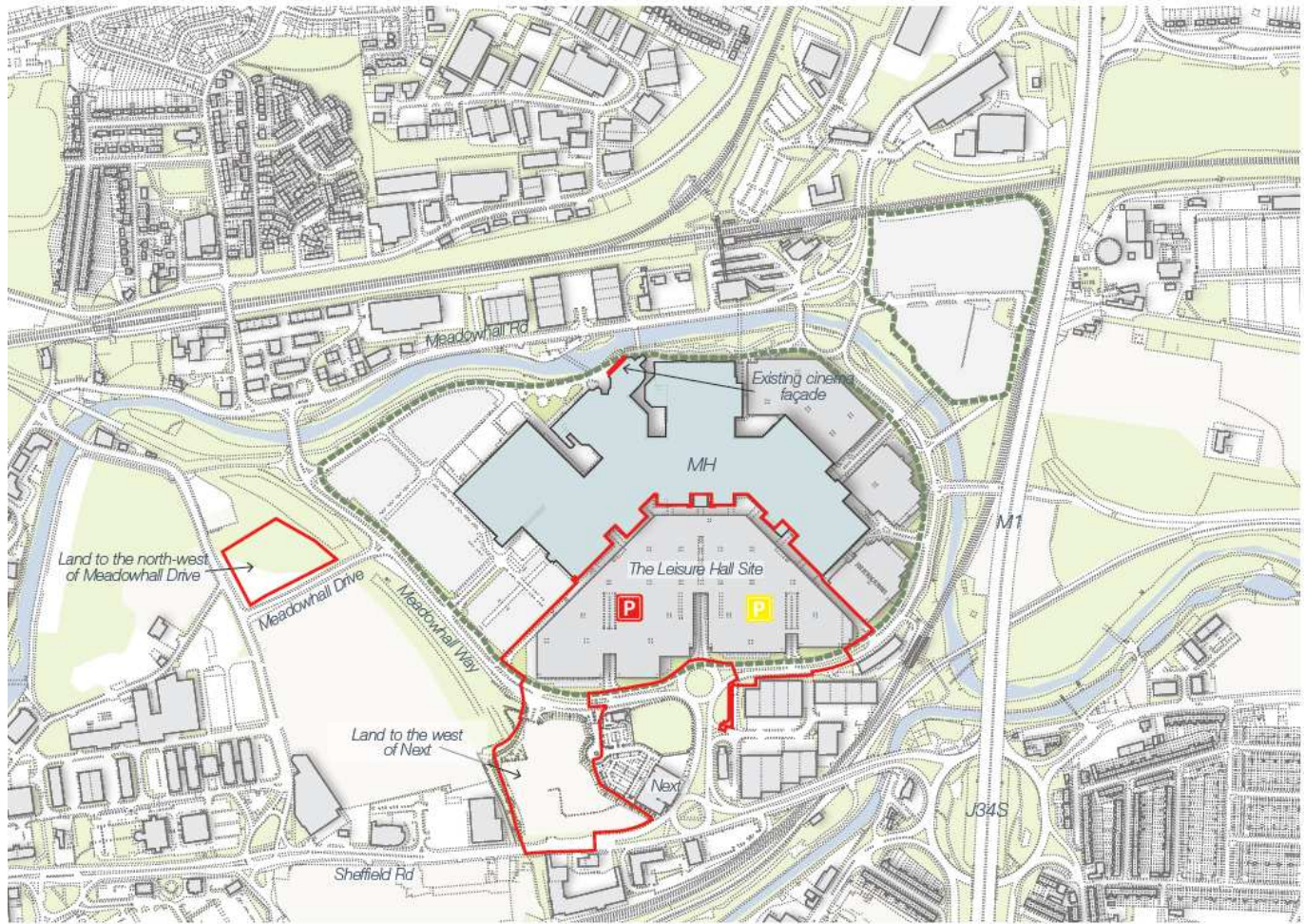
Courtesy Consultation in respect of Reserved Matters
Application for the Approval of the Layout, Scale, Appearance and Landscaping Following Outline Application 14/00431/OUT – Erect 261 Dwellings including Open Space and Associated Service Infrastructure for Bassetlaw District Council

ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING REGULATORY BOARD

PLANNING AND REGENERATION SERVICE

REPORT TO BOARD
9TH MARCH 2017

Application Number	RB2016/1506
Proposal and Location	Courtesy Consultation in respect of the construction of an extension to the shopping centre for leisure (Use Class D2), food and drink (Use Classes A3, A4 and A5), retail (Use Class A1), offices (Use Class B1), non-residential institution (Use Class D1), police station (Sui Generis Use), car parking accommodation (including multistorey car park), servicing, landscaping, and public realm works, vehicular and pedestrian access/egress and off-site highway works, partial demolition of decked car park, and external alterations to remaining decked car parking, alterations to the rear elevation of the existing cinema building, temporary car parking for contractors (and overflow visitors) on land to the north west of Meadowhall Drive at Meadowhall Shopping Centre for British Land
Recommendation	<p>That Sheffield City Council be informed that whilst RMBC are generally supportive of development and investment within the Sheffield City Region, the scale and land uses proposed as part of the Meadowhall Shopping Centre expansion are likely to have a significant adverse impact on the vitality and viability of Rotherham town centre and planned investment in the Forge Island site as well as existing investment across the remainder of the town centre. Accordingly, Rotherham Borough Council objects to the proposals on the following grounds:</p> <ul style="list-style-type: none">• The proposed extension to Meadowhall Shopping Centre is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre; and• The proposed extension is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre



Background

Rotherham MBC has been consulted on the above planning application submitted to Sheffield City Council (SCC). This is a 'courtesy' consultation due to the close proximity of Rotherham Borough to the application site which is across the boundary in Sheffield. Rotherham MBC are invited to provide SCC with comments on the application and the impact of the proposal on Rotherham.

Site Description & Location

The site lies within the administrative area of Sheffield City Council; however it is situated close to the boundary with Rotherham which is to the east, defined by the M1 Motorway.

The site extends to approximately 13.5 ha and is made up for four parcels of land falling within the curtilage of Meadowhall. It incorporates existing car parking (namely the "Yellow and Red Car Parks") along with two areas of land which are infrequently used on a temporary basis during the year for car parking for the shopping centre, at peak trading periods.

Proposal

The planning application, which is submitted in full, proposes an extension on the southern side of Meadowhall Shopping Centre (MSC). The extension will provide new retail and leisure floorspace across three levels (lower mall, upper mall and terrace levels) along with a new multi-storey car park and associated infrastructure work.

The proposed extension will provide the following:

- Lower Mall level. This level will provide a new foodstore retail unit along with a large amount of Class D leisure floorspace. The foodstore unit will extend to 3,054sq m gross and the leisure floorspace will extend to 7,854sq m gross. Whilst this floorspace will sit at the same level as the existing lower mall of MSC, the only public access into this area will be from the car parking area to the south. The submitted plans indicate that the leisure unit sizes are not fixed.
- Upper Mall level. The proposed extension at this level will provide a mixture of Class A1 (retail) and Class A3 (restaurants and cafes), along with public seating areas and a large amount of circulation space. This level will connect into the upper mall of the existing shopping centre at three points: Park Lane, The Arcade and High Street. The Class A1 retail units are generally located at the connections to the existing shopping centre and the submitted plans show that some of these units will have mezzanine floors, although (according to the submitted plans) the number and size of units is not fixed.
- Terrace level. This level of the proposed extension will provide a multi-screen cinema along with several more food and beverage units and further public seating areas. The proposed cinema, which is intended to replace the existing cinema at MSC, will have 15 screens, which is an increase of 4 screens over the existing 11 screen cinema. The number of seats in the replacement cinema will increase from 1,941 to 2,290.

In summary, the proposed floorspace is tabled below:

Use Class	Maximum Floorspace (GIA)
Class A1 (Foodstore)	3,054 square metres
Class A1 (Transition – Comparison Goods Only)	
<i>Upper Ground Floor Level</i>	<i>5,573 square metres</i>
<i>(Potential) mezzanine Level</i>	<i>1,139 square metres</i>
Class A3-A5 (Catering)	10,682 square metres
Class D2 (Cinema)	4,903 square metres
Class D2 (Other)	7,854 square metres

No controls over the proposed retail floorspace, along with the existing retail and leisure floorspace at MSC have been formally offered to date. However, it is understood that the applicant has, in verbal discussions with SCC, indicated that it is prepared to consider the following controls:

- Retention of the existing cinema in Class D leisure use;
- Controls over retail use sizes in the proposed extension.

The supporting information also offers to remove permitted development rights (A3 to A1) from the existing Oasis food catering floorspace.

The components of the scheme are housed within a glazed, fully enclosed, free-form structure and includes new access and servicing arrangements, modifications to the car park, including the erection of a new multi-storey car park, landscaping and pedestrian and cycle linkages. The proposals do not however include any increase in car park provision.

Supporting documents submitted by the applicant include the following:

- Planning Report
- Planning Benefits Statement
- Design & Access Statement
- Economic Statement
- Employment, Training and Procurement Strategy
- Statement of Community Involvement
- Environmental Statement
- Historic Environment Desk Based Assessment
- Ecology Report
- Sustainability Statement
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Flood Risk Sequential Test
- Ground Conditions/Coal Mining Risk Assessment

Publicity

It is incumbent upon Sheffield City Council to carry out appropriate publicity in the processing of this application to ensure any affected residents (including those in the Rotherham Borough) are aware of the proposals.

Consultations

RMBC - Transportation and Highways Design have considered the submitted TA and its addendum which shows small residual delays for drivers in Rotherham on Meadowbank Road are minor (up to 10 seconds) and therefore unlikely to be of any significance. Furthermore, the addendum models the Tinsley Link and shows no adverse effects from the new development. Overall there would appear to be no reasons for Rotherham to object on traffic grounds.

RMBC - Landscape Design has considered the landscape detail submitted which is comprehensive and offers a good quality of design in terms of landscape and urban design. On this basis no objections are raised on landscape grounds.

RMBC - Drainage does not wish to comment on the detail of the application, but as this is located upstream of Rotherham and within the flood plain, there is a need to minimise runoff from the site whilst also ensuring that there is no loss of flood plain storage.

RMBC - Environmental Health envisage no significant loss of amenity by virtue of noise or land pollution impact.

Appraisal

The main considerations relating to Rotherham are:

- Principle of Development, including
 - The Sequential Test
 - Impact on Rotherham town centre vitality and viability; and
 - Impact on town centre investment
- The impact on highway safety

Principle of Development

In considering the relationship of the proposed development with prevailing retail, leisure and town centre planning policy it was considered necessary to instruct an external retail expert to act on behalf of the Council. In particular, the retail expert has provided advice on the relationship of the proposed development to the sequential and impact tests insofar as they relate to issues associated with RMBC. This advice has assisted the Council in formulating this consultation response to Sheffield City Council on the planning application which they are currently considering.

MSC lies in an out-of-centre location in relation to the defined 'town centre' hierarchy in Sheffield and is not allocated in the development plan for the proposed development. Therefore, SCC, when determining this planning application, must consider whether the proposal complies with the sequential test and whether the proposal will have a significant adverse impact upon the health of defined town centres in the catchment area of the proposed development.

The Sequential Test

Given the location and planning policy status of the application site, national planning policy requires this proposal to be assessed against the sequential approach to site selection. In relation to consideration of alternative sites, the Planning Report (PR) notes that in relation to the consideration of alternative sites, the following parameters have been adopted:

- For city centre sites, a minimum site size of 2.56 hectares;
- For other sites, a minimum site size of 3.5 hectares has been adopted.

In terms of the alternative sites which have been examined by the applicants, these are listed in the PR. The sites in RMBC's administrative area include:

- Forge Island
- Drummond Street
- Outdoor markets site

Having regard to these it is considered that the above list of three sites reflects all potential development opportunities in and around Rotherham town centre and the only site which warrants any detailed consideration is Forge Island.

This site has been identified in the Rotherham Town Centre Supplementary Planning Document ('the Town Centre SPD') for leisure and residential development:

"Forge Island will become Rotherham town centre's leisure hub. Proposals should seek to incorporate a mix of residential units and leisure developments, including restaurants, bars and entertainment (use classes A3/A4/D2), to help create a new and vibrant Leisure Quarter in the centre of Rotherham that complements the existing Retail Quarter. Market analysis suggests that there may be an appetite amongst cinema operators to locate within Rotherham as part of a wider leisure scheme. Support will therefore be given to locating a cinema on Forge Island as the anchor in a wider leisure scheme, most likely comprising A3/A4 units.

Proposals for non-residential or leisure uses, particularly proposals where retail would be the dominant use class, will be resisted in order to support other quarters within the town centre".

As a consequence of the above, it is clear that the Forge Island site is considered suitable for some of the uses being proposed in the MSC extension scheme (cinema and food/beverage uses). The quantum of Class A3/A4/D2 uses for the Forge Island site are not outlined in the Town Centre SPD, although it should be noted that the site extends to 1.57 hectares and therefore is likely to be able to accommodate a substantial amount of floorspace.

A development strategy is being prepared on behalf of RMBC for the Forge Island site which involves a cinema, hotel and food/beverage uses. Therefore, the emerging masterplan reinforces the general suitability of the site for cinema and food/beverage uses, although they are at a different scale to the proposed development. However, the Town Centre SPD is also clear that a substantial amount of Class A1 retail floorspace is not to be encouraged on the Forge Island site and this would therefore conflict with the substantial retail floorspace which is being proposed in part of the MSC extension. Therefore, based upon the full content of the proposed MSC extension, the Forge Island site is not considered to be a suitable alternative.

In relation to availability, the retail unit on the site has been vacant for some time and this building together with the adjacent car park are currently owned by RMBC, having purchased the site recently with the intention of promoting the redevelopment as outlined in the Town Centre SPD and emerging masterplan. It is therefore considered that Forge Island is an available site for the purposes of the sequential test.

However, as it is not considered that it is suitable for the proposed full mix of development being proposed, it is not a sequentially preferable alternative to the application site. Whilst it can accommodate Class A3/A4 retail uses and Class D2 leisure uses, the Town centre SPD does not support the provision of Class A1 retail uses and this comprises a significant part of the proposed MSC extension.

On this basis it is considered that there are no sequentially preferable sites within Rotherham Town Centre as the Forge Island site is not considered to be a suitable alternative for the whole of the proposed development at MSC.

Impact

The test of impact, as outlined in the NPPF, comprises two elements: the impact of retail and leisure proposals on existing, planned and committed public and private town centre investment and the impact of such proposals on the vitality and viability of town centres. Rotherham is considered to lie within the primary catchment area of MSC and it is therefore legitimate for SCC to assess the impact on Rotherham town centre in relation to these two tests which are considered in turn below.

1) Impact on Rotherham town centre vitality and viability

In order to assess the overall impact of the proposed MSC extension on the health of Rotherham town centre, a number of factors need to be considered. These include the financial impact of the various elements of the scheme, the impact of the proposal on retail and leisure market shares and the health of Rotherham town centre now and over time, along with the extent of trading overlap between MSC and the town centre.

In order to address the impact assessment, the applicant has provided a forecast pattern of trade draw for the convenience and comparison goods floorspace. The same pattern of draw is used for both types of goods and which assumes that 15% of turnover is drawn from outside of the assumed primary catchment which is a reasonable assumption. However, concerns are raised that this is an over-estimate for convenience goods shopping given the more localised nature of such shopping and the lack of expenditure for the existing Marks & Spencer Foodhall at MSC. Therefore, whilst a modest amount of inflow should be allowed for, 15% is considered to be excessive.

Having regard to this, the retail expert instructed to provide advice on behalf of the Council have prepared their own updated financial impact assessment for comparison goods shopping and, for the purposes of the advice, have expanded the analysis to cover stores and centres within RMBC's administrative area. Consequently the analysis indicates that, depending upon the turnover scenario chosen, the direct financial impacts upon Rotherham's comparison goods sector vary between 1% and 3%. These equate to an annual loss of trade between £1.6m and £3.8m for the centre (2016-2022). When combined with the applicant's forecast impact of commitments, the cumulative impact on the town centre's comparison goods sector varies between 5% and 8%.

The overall proportionate impact on the retail sector in Rotherham is slightly lower than the comparison goods impact. This is due to the lower level of diversion from

convenience goods stores in the town centre, particularly the Tesco Extra supermarket. Overall, however, Rotherham town centre's Class A1 retail sector could see a reduction in turnover of between 1.1% and 2.5% in relation to its 2016/2021 turnover levels. Whilst these levels of proportionate impact may appear small on face value, it is considered that they need to be understood in the context of the trading overlap between MSC and Rotherham town centre, the contribution that these areas of overlap make towards the economy in the town centre and the general health of the centre.

In relation to the levels of trading overlap, the overall comparison goods turnovers are very different and over half of Meadowhall's turnover is derived from expenditure on clothing and footwear goods. This is much higher than the 17% of Rotherham's turnover, however, it is noted that both destinations share the same goods categories making the highest contribution to turnover: clothing/footwear, chemist/medical goods and luxury/sports goods. Therefore, whilst MSC is a higher order shopping destination, with a much wider choice, a noticeable amount of trading overlap remains (i.e. Primark and New Look).

In relation to the health of Rotherham town centre, the 2011 Rotherham Metropolitan Borough Retail and Leisure Study noted that:

"In summary, we conclude that Rotherham town centre in recent years has lost ground in the national retail ranking and has fallen further behind its major rivals. Moreover, a number of retailers have closed their stores over the past few years and the vacancy rate has risen and is currently amongst the highest of any town in the country. As a result, the range and choice of stores is now limited for what should be the main retail destination in the borough, producing a strong qualitative need for further retail provision"

And

"Given the sheer scale of out of centre retailing that is located within the sub-region – Meadowhall, Parkgate Shopping and a number of other retail parks – combined with the size and strength of Sheffield City Centre, which will get a further boost if the approved 50,000 sq m gross Sevenstone retail quarter proceeds, it is not altogether surprising that the level of competition for Rotherham town centre is severe and this has manifest itself through rising voids, loss of multiple retailers and a big fall in its national retail ranking. In fact, the independent analyst PMA1 ranks Rotherham town centre as experiencing the greatest level of competition amongst the 200 UK centres within its Competition Indicator Model"

The draft Retail and Leisure Study shares a number of the concerns of the earlier study. In particular, it identifies a continuing higher than national average vacancy level and lower than average proportions of comparison goods and service uses. The draft Retail and Leisure also indicates that the town centre continues to face considerable pressure from Meadowhall and has also now identified that Parkgate has a higher comparison goods turnover than the town centre.

The above indicates the fragility of the health of Rotherham town centre, which has been a trend for a number of years. The pressure comes from a number of surrounding shopping destinations and leads to the town centre being susceptible to

even low levels of impact. It is therefore considered that, based upon its recent/current health, along with the breadth of trading overlap with MSC, the impact on the vitality and viability of Rotherham town centre is likely to be significantly adverse. This impact is being driven by the Class A1 retail floorspace within the proposed extension and supported by the impacts associated with the proposed food/beverage floorspace. Due to the lack of leisure facilities in Rotherham town centre at present, the proposed floorspace in the MSC extension is unlikely to have a direct impact on the existing health of the centre but is nevertheless likely to be a contributory factor to a wider indirect impact on the centre due to the growing attractiveness of MSC.

2) Impact on Town Centre Investment

When considering the impact on town centre investment, consideration needs to be given to existing, planned and committed investment projects. The applicant's Planning Report & Leisure Review reports only deal with planned investment and concentrate upon the Forge Island and Drummond Street car parks in Rotherham town centre.

With regards to Forge Island, the Leisure Review notes that a cinema, residential and restaurants/bars/entertainment scheme is proposed within the Town Centre SPD but no cinema-led scheme has advanced. The Leisure Review goes on to note that a cinema coming forward on the Forge Island scheme would do so in the context of existing cinemas at MSC and Valley Entertainment and that a replacement cinema at MSC would not undermine the delivery of a facility at Forge Island. The Leisure Review also notes that the limited extent of food and beverage uses in Rotherham town centre would suggest that there would be demand for a leisure based scheme on the Forge Island site.

As noted earlier in this report, the emerging development scheme at Forge Island comprises food/beverage, hotel and cinema uses which would be provided as part of a comprehensive mixed use scheme. Examining, first, the individual elements, there is no overlap in terms of hotel uses as a hotel is not being included in the MSC scheme. It is likely that the cinema on the Forge Island site would be occupied by an independent operator and whilst there is some concern that the replacement cinema at MSC will compete for trade with a new facility in Rotherham, the overall view at the present time appears to be that the MSC cinema will not fundamentally affect operator interest in Rotherham in its own right.

However, there is a greater level of concern in relation to the food and beverage uses. In particular, given the close proximity of Rotherham town centre and MSC, concerns are raised that some operators will prefer MSC over Rotherham and operators will not have the confidence to invest at the Forge Island site due to the strength of MSC in the local catchment. There is also a need to attract sufficient interest in a critical mass of food/beverage uses to ensure the viability and delivery of the Forge Island development and unless the food/beverage uses are attracted then the cinema use will not be delivered.

The MSC extension would therefore be competing in the same catchment area as Rotherham town centre for food/beverage trade. Indeed the applicant's assessment confirms that a large part of the turnover of the food/beverage floorspace will come from Rotherham residents, further reinforcing the current situation.

As a consequence, it is considered that the MSC extension is likely to pose a significant threat to the investment in the Forge Island site. This is a threat to both public and private investment as RMBC has recently purchased the site with the intention of facilitating redevelopment. Private sector investment will also be affected as RMBC will not be able to secure a development partner to pursue the redevelopment as development viability will be affected.

Rotherham town centre has suffered over a number of years in terms of business confidence, with considerable competition from Sheffield city centre, MSC and Parkgate in Rotherham. This is evident from the high number of vacancies and the falling level of comparison goods retailers and the on-going threat of further retailers deciding to move to competing locations. As a consequence, with already low levels of confidence, we consider that the MSC extension is likely to have a significant adverse impact on existing investment in Rotherham town centre.

Impact on Highway Safety

The application is accompanied by a Transport Assessment which assesses the likely significant effects of the development with respect to transport and access. It describes the methods used to assess the effects, the mitigation measures required to prevent, reduce or offset any significant negative effects and the likely residual effects after these measures have been adopted.

Following the original submission, amendments have been made to the TA to reflect the possibility of a slightly different Leisure offer as part of the new development, analogous to the Legoland/Sea Life development at the Trafford Centre in Manchester. The figures used are therefore considered to be robust as the Trafford Centre does not currently have the benefit of tram or train connectivity.

The current proposal indicates that a considerable degree of mitigation will be achieved by alterations to lane markings and signal timings in Sheffield primarily at and around the junctions serving J34 N & S. Small residual delays for drivers in Rotherham on Meadowbank Road are minor (up to 10 seconds) and therefore unlikely to be of any significance. Some more considerable delays are seen on Sheffield Road to the West of J34 South, these will be of significance for Sheffield CC and for them to consider in their decision. Wider network effects are likely to be somewhat offset by the attraction of visitors at off-peak times, (i.e. weekends and school holidays) when traffic is usually reduced on the network. The new work models the Tinsley Link and shows no adverse effects from the new development.

RMBC's Transportation Unit have assessed the findings in the transport assessment and consider, on balance that there would appear to be no reasons for Rotherham to object on traffic grounds

Conclusion

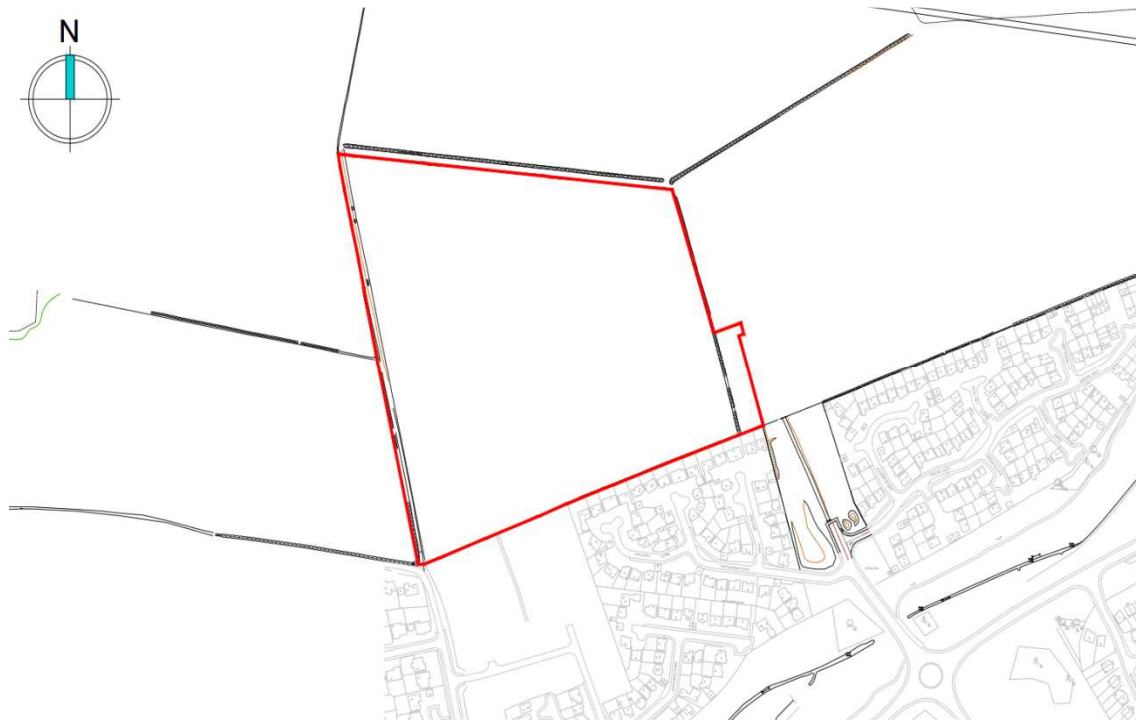
The advice received from the retail consultant suggests that the proposed expansion of MSC is likely to affect the health of, and investment within, Rotherham town centre. Having considered a number of indicators, including the trading impacts of the proposed retail and leisure floorspace, planned investment project, the health of the town centre and the extent of trading overlap between the two destinations, the following conclusions have been reached:

- The proposed extension to MSC is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre; and
- The proposed extension is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre.

Recommendation

That Sheffield City Council be informed that whilst Rotherham MBC are generally supportive of development and investment within the Sheffield City Region, the scale and land uses proposed as part of the Meadowhall Shopping Centre expansion are likely to have a significant adverse impact on the vitality and viability of Rotherham town centre and planned investment in the Forge Island site as well as existing investment across the remainder of the town centre. Rotherham MBC therefore objects to the proposed development on these grounds.

Application Number	RB2017/0163
Proposal and Location	Courtesy Consultation in respect of Reserved Matters Application for the Approval of the Layout, Scale, Appearance and Landscaping Following Outline Application 14/00431/OUT – Erect 261 Dwellings including Open Space and Associated Service Infrastructure for Bassetlaw District Council
Recommendation	That Bassetlaw District Council be informed that Rotherham MBC raise no objections to the proposals



Background

Rotherham MBC has been consulted on the above planning application submitted to Bassetlaw District Council. This is a 'courtesy' consultation as required due to the close proximity of Rotherham Borough to the application site which is across the boundary in Bassetlaw. RMBC are invited to provide Bassetlaw District Council with comments on the application and the impact of the proposal on Rotherham.

Site Description & Location

The application site is an area of farmland to the north of Churchill Way in the Gateford Park area of Worksop. The site falls entirely within Bassetlaw District Council. The site is close to the boundary with Rotherham Metropolitan Borough Council which is Owday Lane to the south east of Woodsetts.

Proposal

Outline planning permission (with all matters reserved except for access) was granted on 27 May 2015 by Bassetlaw District Council. This outline planning permission gave consent for access to the site from Churchill Way and Ashes Park

Avenue all being in Worksop. This was for the erection of up to 750 new homes. Rotherham MBC was not consulted on this application.

This current application is for the Reserved Matters including the details of the erection of 163 dwellings on part of the site and includes an area of open space and associated service infrastructure to be constructed for Bassetlaw District Council.

Publicity

It is incumbent upon Bassetlaw District Council to carry out appropriate consultations in the processing of this application to ensure any affected residents are aware of the issues involved.

Consultations

RMBC - Transportation and Highways Design: note that as Outline Planning Permission has already been granted at the site, which included the points of access and as the site is entirely within Bassetlaw DC no objections are raised to the proposal in a highway context.

Appraisal

The main considerations relating to Rotherham are:

- The impact on highway safety.
- Impact on the setting of Rotherham Borough.

Impact on highway safety

The Council's Transportation and Highways Unit note that as Outline Planning Permission has already been granted at the site, which included the points of access and as the site is entirely within Bassetlaw DC no objections are raised to the proposal in a highway context.

Impact on the setting of Rotherham Borough

It is considered that the site is sufficiently distant from the boundary of Rotherham Borough Council and is partially screened by mature woodland. As such, it is considered that the development of the site would not have a harmful impact of the setting of Rotherham Borough Council land.

Conclusions:

It is considered that no objections are raised to the application from a highways perspective.

It is therefore recommended that Bassetlaw District Council be informed that Rotherham Borough Council raises no objections to the proposals in terms of highways impact within the Borough.