

Application Ref: 12/01119/FUL

Proposal: Erection of single storey front extension to public house and external alterations to create shop fronts. Change of use of ground floor to form A1 retail and A5 takeaway units, including the installation of extraction equipment. Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings. Erection of first and second floor extension to side to form two residential dwellings. Change of use of garden area to parking, and reinstatement of parking provision at front – part-retrospective.

Site: The Westwood , 85 Mayors Walk, West Town, Peterborough
Applicant: Sugar Properties Ltd

Referred by: Head of Planning, Transport and Engineering Services
Reason: Part-retrospective nature of the proposal and application of wider interest

Site visit: 08.02.2013

Case officer: Mr N J R Harding
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Recommendation: **GRANT** subject to relevant conditions

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises a two storey semi detached former public house located within an identified Local Centre. The site occupies a prominent position within the streetscene at the junction of Mayors Walk with Alderman's Drive and Nicholl's Avenue and benefits from a double frontage. The existing building is unique within the locality, with architectural detailing including double storey brick and timber bay windows, projecting gable roofs and stone cills and lintels. Parking is provided within a single storey garage to the rear of the site, adjacent to No. 165 Alderman's Drive.

Proposal

The application seeks planning permission for the following:

- Erection of single storey front extension and external alterations to create new shop fronts;
- Change of use of ground floor to form A1 retail and A5 takeaway unit, including the installation of extraction equipment;
- Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings;
- Erection of first and second floor extension to side to form two residential dwellings; and
- Change of use of garden area to parking, and reinstatement of parking provision at front.

It should be noted that works have already commenced on site and accordingly, the application is part-retrospective.

2 Planning History

No relevant planning history.

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Peterborough Core Strategy DPD (2011)

CS02 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS12 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

CS13 - Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS15 - Retail

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

PP04 - Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

PP09 - Development for Retail and Leisure Uses

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

PP11A - (a) Shop Frontages (including signage)

Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

PP11B - (b) External Shutters

Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

4 Consultations/Representations

Transport and Engineering Services (31.01.13)

Objection – The proposal fails to provide sufficient parking/cycle parking for the residential units and the proposed vehicular access to the rear of the site is of insufficient width, with no provision of vehicle-to-pedestrian or vehicle-to-vehicle visibility splays. The proposal would result in conflict between users of the site and the nearby signalised junction and accordingly would result in a danger to highway safety.

Landscape Officer (01.02.13)

No objection – The proposal does not appear to impact upon any landscape features worthy of retention.

Environmental Health (Food) (16.01.13)

No objections - The proposed kitchen must comply with Chapters I and II of Annex II to Regulation 852/2004. In addition, all food businesses are required to be registered with the Local Authority.

Environment and Pollution Control

Comments awaited.

Archaeological Officer (29.01.13)

No objections – The proposed alterations would have a negligible impact on buried remains.

Section 106 Planning Obligations Officer (18.01.13)

A contribution of £19,950 plus a 2% monitoring fee of £399 is required in line with the Peterborough Planning Obligations Implementation Strategy SPD (2010).

Councillor E Murphy (30.01.13)

I have been contacted by some local residents, shoppers and traders in relation to the works already begun at The Westwood Public House. There is concern regarding the lack of parking in the area and the impact that the proposed development would have. The creation of retail units and additional multi-occupancy dwellings at the former pub will only exacerbate existing parking and congestion problems in the area.

Local Residents/Interested Parties

Initial consultations: 26

Total number of responses: 6

Total number of objections: 6

Total number in support: 0

Six objections have been received from local residents on the following grounds:

- Inappropriate location for the entrance/exit point to the rear parking spaces which would result in cars exiting the site and crossing a heavily used footway in close proximity to the traffic lights, where there is often queuing traffic. The proposed access is too narrow with poor visibility.
- The proposed four parking spaces along the front of the Alderman's Drive elevation would result in cars crossing the pavement resulting in increased danger for school pupils, pedestrians and other drivers at the junction.
- The installation of external roller shutters on the building would spoil the aesthetics and is not in keeping with the character of the building. The presence of shutters will create a deadening effect on the area at night and a perception of crime. No supporting evidence has been provided to justify the need for such shutters.
- The proposed provides insufficient parking.
- There are already many businesses providing similar services in the area and as such, there is no need for the proposal.
- Disruption caused to local residents during the construction process - the site is already dangerous.
- Concern that the proposals represent overdevelopment of the site.
- The design of the north and east elevations is brutally unsympathetic to the existing building and squared off projections from the limited extension will form ugly ground floor pediments to the angled bays above.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Impact upon neighbour amenity
- Amenity provision for future occupants
- Developer contributions

a) Principle of development

The original building has a lawful use as a public house, falling within Class A4 of the Town and Country Planning (Use Classes) Order (as amended). In accordance with the Town and Country Planning (General Permitted Development) Order (as amended), the change of use proposed on the ground floor to either retail shop (Class A1), professional/financial services (Class A2), restaurant/café (Class A3) or retention as a drinking establishment would not require the benefit of planning permission and accordingly, the principle of these uses is already acceptable. With regards to the proposed hot food takeaway use (Class A5), it is considered that given the location of the application property within an identified Local Centre, such a use would be appropriate and would serve to enhance the vitality of the centre.

With regards to the proposed extension and conversion at first and second floors to provide five no. self contained 2-bedroom flats, it is considered that the provision of well-designed residential units is appropriate. The provision of additional residential units within identified centres is supported by adopted policy, which highlights the benefits of residential intensification as a way of improving the vitality and viability of Local Centres. On this basis, the principle of the proposed development is acceptable, in accordance with Policies CS2 and CS15 of the Peterborough Core Strategy DPD (2011).

b) Design and impact upon the character and appearance of the surrounding area

First floor extension and raised roof height

At present, the frontage of the application property along Alderman's Drive decreases from two storey to one and a half and single storey form. It is proposed to construct a first floor extension above these single storey elements and raise the height of the roof accordingly. The window arrangement of the proposed extension follows a traditional form and the size and style of windows is sympathetic to the original building. In addition, the proposal is set back from the principal elevation of the existing two storey building and accordingly, the ridge height of the roof is lower. It is considered that this assists in reducing the overall mass of the development and ensures it appears a subservient element. Overall, the design of the proposal reflects and respects the overall character and appearance of the original building through the use of appropriate architectural detailing. As such, it is considered the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

Shop front design

It is considered that the design of the proposed shop fronts is sympathetic in size, architectural proportion and detailing to the host property. Whilst much of the original building at ground floor would be lost, it is considered that the re-use of the building for alternative uses such as retail, café, financial/professional services and hot food takeaway would contribute towards the vitality and viability of the Local Centre and accordingly, any harm resulting from the loss of the historic features of the property is outweighed by this benefit. The proposed shop fronts would not appear incongruous within the streetscene and advertising has been incorporated into the overall design to ensure it appears integral to the frontages. As such, it is considered the proposal would not result in any significant harm to the character, appearance or visual amenity of the locality and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP11 of the Peterborough Planning Policies DPD (2012).

External roller shutters

The application proposes to install external roller shutters to the ground floor unit along Alderman's Drive. The Applicant has not submitted any information with the application submission to demonstrate that there is a persistent problem of crime or vandalism affecting the application property or evidence that any crime risk could be satisfactorily addressed by an alternative measure such as internal shutters. Whilst the design of the proposed shutters generally accords with the perforated style preferred by Officers and adopted elsewhere in the City, given that the need for such shutters has not been identified (as required by Policy PP11 of the Peterborough Planning Policies DPD), it is considered that the introduction of external shutters is inappropriate in this location and contrary to adopted policy. Accordingly, it is proposed to secure the omission of external shutters from the application scheme by way of a condition.

c) Parking and highway implications

Parking provision

The application proposal seeks to retain four parking spaces immediately to the front of the building along Alderman's Drive. In addition, it is proposed to demolish the existing single

garage adjacent to the boundary with No.165 Alderman's Drive and introduce a drive through element providing vehicular access to the rear yard area where it is proposed for five parking spaces to be provided. In accordance with the adopted parking standards set out in Policy PP13 of the Peterborough Planning Policies DPD (2012), the proposal should provide a minimum of 12 parking spaces for the proposed six no. 2-bed flats. The proposed nine parking spaces falls below this level and this issue is further exacerbated by the inadequacy of some of the proposed spaces.

The four spaces adjacent to the footway along Alderman's Drive are unacceptable owing to the conflict that would result to both pedestrians and drivers at the junction with Mayor's Walk. Whilst these spaces are currently used, they result in vehicles reversing over the footway and on to the carriageway at a busy signalised junction, resulting in a danger to highway safety. Furthermore, owing to the proposed changes to the building, the spaces would prevent safe access to the proposed ground floor unit. As such, it is considered appropriate for these spaces to not be provided. In addition, one of the proposed spaces to the rear of the car park is not of usable dimensions and as such, cannot be considered to contribute towards the overall parking provision on site. Taking this in to consideration, the proposal only provides four usable parking spaces.

Whilst it is acknowledged that this is not sufficient to meet the needs of the development, it is considered that the scheme is acceptable. The site is located within an identified Local Centre and the surrounding locality is well served by services, facilities and public transport. It also needs to be remembered that the current use of the site is as a public house with hotel rooms which have the potential to attract a significant number of car-born customers.

As such, in this instance, the provision of parking below the adopted standard is accepted. In order to promote alternative modes of transport for occupants of the flats, cycle parking provision is required and this may be secured by condition. On this basis, and notwithstanding the comments of the Local Highway Authority, the proposal is considered in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

Vehicular access

Whilst the vehicle-to-pedestrian visibility from the rear access is substandard in one direction, the situation is eased through the deletion of the existing forecourt spaces.

d) Impact upon neighbour amenity

Overlooking impact

It is considered that the window arrangement of the proposed flats at first and second floors has been designed to prevent any issues of overlooking to neighbouring properties. Whilst the proposal would result in facing primary habitable windows to No.165 Alderman's Drive, sufficient separation distance is maintained to ensure no loss of privacy for neighbouring occupants results.

Noise and fumes from extraction equipment

It is noted that the proposal would result in the erection of two extraction flues – serving both the proposed hot food takeaway and another unit. No details have been provided regarding these extraction flues and as such, it is considered necessary to impose a condition requiring full details of extraction equipment to be submitted to and approved in writing by the Local Planning Authority prior to installation. This will ensure that any installed equipment will not result in an unacceptable impact to the amenity of neighbouring residents or occupants of the proposed flats. On this basis, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Crime and anti-social behaviour

It is acknowledged that hot food takeaways can result in increased incidents of crime and anti-social behaviour, leading to noise disturbance to neighbouring residential properties. Given the site's location within an identified Local Centre, it is considered that the provision of some element of hot food takeaway in the locality would be appropriate. However, in order to mitigate against significant issues of anti-social behaviour, it is considered appropriate to restrict the level of floorspace for such a use. The application proposal seeks permission for a mixed use of the entire ground floor to include A1, A2, A3, A4 and A5 uses which is not considered appropriate. As such, it is proposed to secure by condition that only 20% of the total ground floor area of the application site be allowed for hot food takeaway use. On this basis, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Amenity provision for future occupants

It is considered that the proposed 2-bed flats provide an adequate level of internal space for the living and storage needs of prospective occupiers. The flats are of a sufficient floorspace to accommodate an acceptable level of accommodation in terms of living and bathroom areas. In addition, all rooms are considered to provide an adequate level of daylight and natural sunlight, along with privacy to primary habitable rooms such as bedrooms and living areas. It is noted that the proposal does not provide any private outdoor amenity area as the existing garden is proposed to be provided for car parking. Whilst such an area of outdoor space is generally required, given the nature of the proposed residential units and their location within an identified centre, in this instance it is considered that the lack of outdoor space would not result in harm to the amenities of future occupiers. Accordingly, the proposal is considered to be in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

f) Developer contributions

In accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution towards the infrastructure demands it generates. The City Council has adopted a tariff approach to such contributions and in accordance with the Peterborough Planning Obligations Implementation Scheme SPD (2010), the application scheme requires a contribution of £19,950 plus a 2% monitoring fee of £399. The Applicant has agreed to enter in to such an obligation and the legal process is currently ongoing.

g) Other matters

- *There are already many businesses providing similar services in the area and as such, there is no need for the current proposal.*
The issue of competition is not a material planning consideration and therefore this cannot be considered through the application process.

6 Conclusions

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the provision of residential units is appropriate and supports the vitality and viability of the identified Local Centre, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011);
- the introduction of a hot food takeaway within the application site would support the vitality and viability of the identified Local Centre and is an appropriate use within the locality, in accordance with Policy CS15 of the Peterborough Core Strategy DPD (2011);
- the proposed extensions, alterations and new shop fronts will not result in any unacceptable harm to the character, appearance or visual amenity of the streetscene, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the

- Peterborough Planning Policies DPD (2012);
- the proposal will not result in any unacceptable harm to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the proposal will not result in any unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal provides an adequate level of amenity for future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- the development has made a financial contribution towards the infrastructure demands generated, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 Within one month of the date of this decision, details of the following materials shall be submitted to and approved in writing by the Local Planning Authority:
- External walls
 - Roofing
 - Rainwater goods
 - Windows and external doors
 - Cills and lintels
 - Shop fronts

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the Peterborough Planning Policies DPD (2012).

- C 2 Notwithstanding the submitted drawings, prior to first occupation of any unit hereby approved, measures to prevent the parking of vehicles on the forecourt area off Alderman's Drive shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and prior to occupation of any unit.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 3 Prior to first occupation of any residential unit, an enclosed and secure cycle shelter to accommodate 12 cycles shall be installed on site in accordance with details submitted to and approved in writing by the Local Planning Authority. That area shall thereafter be retained for the purpose of cycle parking in connection with the use of the approved residential units in perpetuity.

Reason: In the interest of Highway safety, and to encourage travel by sustainable modes in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C 4 Prior to first occupation of any residential unit, details of bin storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided prior to the first occupation of any residential unit and shall be retained thereafter for the storage of refuse and recycling bins only.

Reason: In order to ensure that adequate bin storage space is available and to protect the visual appearance of the street scene in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 5 No extraction flue shall be installed until full details of the filtration and/or extraction equipment to be installed have been submitted to and approved in writing by the Local Planning Authority. Details shall include the nature and location of filtration equipment to be used (including Sound Power Level data) and the efflux velocity of air discharged from the ducting. Development shall be carried out in strict accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C 6 Notwithstanding the submitted drawings, the A5 (hot food takeaway) use hereby approved shall not exceed 20% of the total ground floor area of the building.

Reason: To protect the amenities of neighbouring occupants and the vitality and viability of the Local Centre, in accordance with Policies CS15 and CS16 of the Peterborough Core Strategy DPD (2011).

- C 7 Notwithstanding the submitted drawings, no external roller shutters shall be installed on the exterior of the building.

Reason: To preserve and protect the visual amenity of the locality, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the Peterborough Planning Policies DPD (2012).

If the S106 has not been completed within one month of the date of this resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason stated below:

- R1 A request has been made by the Local Planning Authority to secure a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

Copies to Councillors Arculus N, Dalton M J, Maqbool Y

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