

Application Ref: 13/01263/FUL

Proposal: Extension to retail floorspace with two flats above

Site: 70 - 80 Storrington Way, Werrington, Peterborough, PE4 6QP
Applicant: Deangate Properties Ltd

Agent: Mr David Shaw

Referred by: Cllr Paula Thacker
Reason: Impact on the general amenity of the area
Site visit: 26th September 2013

Case officer: Mrs J MacLennan
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Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

The application site is located on the northern side of Storrington Way and on the corner with Amberley Slope to the west and is a grassed area adjacent to the western end unit within a Local Centre. The Local Centre comprises a terraced shopping parade with commercial units at ground floor and flats at first and second floors. There are parking bays for up to 4 cars to the front of the parade and a car park is located to the east and accessed off Storrington Way. The surrounding character is predominantly residential comprising bungalows and 2 storey properties. There are currently 2 trees located in within the grassed area to the west of the site.

Proposal

The application seeks approval for the erection of an extension to the western end unit within the shopping parade. The extension would provide 136m² of retail (A1) floorspace at ground floor and 2 no. 1 bed flats at first floor. The flats would be accessed via an external staircase at the rear in a similar way to the existing flats. The commercial units would also be serviced from the rear. Two parking spaces would be provided to serve the flats. The footprint of the extension would be 11m in length x 13m in depth. The roof would have a gable end style to match the existing building at a height of 7.2m. A small terraced area would be available to both flats on the southern elevation (front) and a small amenity/drying area would be provided to the rear.

2 Planning History

| Reference | Proposal | Decision | Date |
|--------------|---|----------------------------------|------------|
| 04/00969/FUL | Erection of 11 flats and associated parking | Application Withdrawn | 12/08/2004 |
| 07/00721/FUL | Erection of 7 flats with car parking | Not Determined Allowed at Appeal | 21/08/2007 |

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 6 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

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)

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.

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.

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)

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

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, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

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.

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.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

PCC Landscape Officer – No objections -There are 2 semi-mature trees on site; these specimens appear to be the “fastigate” variety which are deemed to be suitable for planting in urban areas due to their compact nature. Whilst these 2 trees are obviously part of the landscape in a location which is largely denuded of vegetation, they do have the appearance of being just “dropped in” and are somewhat incongruous in their surroundings. I would suggest therefore that if consent is granted, a more sustainable solution would be to allow for these 2 trees to be removed subject to appropriate mitigating planting which could be secured by way of a standard condition.

PCC Archaeological Officer – No objections. The proposed development area contains no known heritage assets.

PCC Building Control Surveyor - Building regulations approval required.

PCC Transport & Engineering Services - No objections to the proposal subject to appending a condition for parking provision to be retained.

PCC S106 Planning Obligations Officer - A Section 106 contribution is sought for the proposal. A 2% Monitoring Fee of £120 is also required.

Werrington Neighbourhood Council - Whilst we can find little in terms of formal planning objections to the application, we consider this to be an overdevelopment of the site, shops and flats are currently unoccupied, the site is in a residential area and the shops were originally intended to provide local services, they are now somewhat rundown and we would hazard to suggest that they do not truly meet that intent, the proposed development is on a difficult junction especially as Storrington Way is served by double decker buses, the approach of which is likely to be obscured to other road users by the new development. This concern is enhanced by the relative proximity of the primary school, which is not without its own traffic problems. Residents are concerned relating to general maintenance of the existing property public areas. The grassed areas are unkempt and the car park is in extremely poor condition.

Local Residents/Interested Parties

Initial consultations: 20 Total number of responses:

Total number of objections: 7 Total number in support:

Objections have been received from 7 neighbouring occupiers raising the following issues:

- The proposal will have an adverse impact on the sale of my property
- We have recently written to our MP, Stewart Jackson regarding the state of this building due to it's ill repair, poor road access and the unsanitary conditions of the flats.
- The site needs improving and a new building added to it would be hideous and look completely out of place.
- The site is a mess and requires bulldozing and replacing with new Cross Keys Homes. A new building on the existing site is in our opinion absolutely ridiculous.
- We feel there is no need for a further two shops. They cannot fill the existing shops, some have been empty for several years.
- Loss of light to our property
- We do not want another 'eyesore' outside our home.
- Impact on television reception which is already poor
- Increase in traffic
- Traffic already speed down Amberley Slope
- The side road needs repairing, this is just tip of the iceberg!
- The roads servicing these properties are already too restricted and dangerous
- There is certainly no room for any more patrons.
- The effects on traffic, road access and visibility, parking and highway safety is already a problem at the site.
- The development would cause a blind spot for traffic and would be dangerous
- There is already inadequate parking provision
- One recent application has just fallen through again.
- The current retail units pay towards the maintenance of the grassed areas but it is left to the tax payer to foot the bill because the landlord won't do anything about it
- The protruding concrete balcony around the flats is dangerous with children and teenagers
- The back of the shops and flats is like a rubbish tip and the access road is very poorly maintained.
- Storrington Way, Amberley Slope & Cissbury Ring are quiet residential roads with the majority of the residents being elderly
- I don't see any benefits for the residents in building more shops and flats. And I can't think of any retail business that would enhance the area or the residents lives,

- The impact on the character of the area, where the present grassed area will be destroyed along with two mature trees depriving local children of a play area
- The impact on adjoining properties in terms of privacy, and daylight
- The appropriateness of the proposed land use.
- Another (potential) nuisance smell from yet another take-away restaurant added to the existing stink from the Chinese take-away
- I am in the process of purchasing 78, Amberley slope, Werrington, which adjoins the site. My objections are that any extension of the shops and residential flats would mean an increase of traffic to the car park, the entrance to which runs along the side of the property and residents of the flats would overlook the garden.
- We do not need another food outlet, the development is too cramped and we already have to put up with food and litter
- No information on what type of trade this will be
- Only 3 residents were consulted in Amberley slope

5 Assessment of the planning issues

a) The Principle of Development

The site is located within a Local Centre and therefore the principle of retail development on this site is acceptable and accords with policy CS15 of the Adopted Peterborough Core Strategy DPD and policy PP9 of the Adopted Peterborough Planning Policies DPD.

In addition, the site has an extant planning consent for 7 flats (ref. 07/00721/FUL) having been allowed at appeal in 2007 and works have commenced on site. The site is in an area which is predominantly residential in character and the mixed development is consistent with the existing development on this site. The principle therefore of residential development is already established.

b) Design and Visual Amenity

The existing building was built in the 1960s/70s and the design is typical of that period and has no particular architectural merit. To the rear of the building are single storey storage elements serving the commercial properties and a rear balcony/terrace which provides the amenity area serving the existing flats. The rear of the building is particularly untidy in appearance. It is hoped that the development if implemented would encourage some investment into the site and encourage a sense of responsibility for the appearance of the building as a whole.

A number of objections have been received regarding the lack of upkeep of the existing buildings and the grassed areas and parking areas within the site. It is unfortunate that the buildings and areas outside are not being adequately maintained. However, this is not a material planning consideration.

The design of the extension is considered to be in keeping with the existing building and the style of the shopfront serving the ground floor would be sympathetic in style and proportions to the shop front within the existing building. Whilst the first floor windows within the front elevation do not have a vertical emphasis as do the first floor windows in the existing building they are in keeping with the windows within the second floor of the existing building and have a more domestic appearance.

The amenity/drying area to the rear of the flats would appear as a continuation of the fencing to the terrace which serves the existing flats.

It is considered that the extension could be accommodated within the site and would not be detrimental to the character and appearance of the existing building or to the street scene as a whole. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core

Strategy DPD and policies PP2 and PP11 of the Adopted Peterborough Planning Policies DPD

c) Residential Amenity

It is considered that the proposal would provide a satisfactory level of amenity for the future occupiers of the first floor flats. There is a small amenity/drying area to the rear and a small terrace area to the front which would be south facing. The rooms within the flats appear spacious and are all served with windows to provide natural light. The flats would be located within a residential area which is well served by shops and services to meet the residential needs of the future occupiers. The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy DPD and policy PP4 of the Adopted Peterborough Planning Policies DPD.

d) Neighbouring Amenity

The extension would be positioned approximately 10m from the side elevation to the neighbouring property at 78 Amberley Slope which is a bungalow. The proposed extension would not unduly impact upon the amenity of the occupiers of this property in terms of overbearing impact or loss of light due to the separation distance.

The initial proposal included a window within the first floor rear elevation of the extension which would serve a bedroom. There is a window within the side elevation of the neighbouring property at number 78 and therefore the agent has been asked to amend the drawing and to delete the first floor window. This is acceptable and there is a window within the side elevation which would serve the bedroom. This would avoid any direct overlooking to the neighbouring properties.

A representation has been received from a prospective purchaser of no. 78 Amberley Slope raising concerns with increase in traffic to the car park and overlooking from the flats. The access to the adjacent property would only serve the servicing to the shops and the occupiers of the flats and would not provide access to the main car park. It should be noted that this is a current access.

In addition, there is already the potential for overlooking to this property from the balconies which serve the existing flats. The new flats would not result in any direct overlooking to the neighbouring property.

It was apparent from the site visit that the neighbour at number 78 has solar panels on the south roof slope however, it is considered that the positioning of the extension is such that it would not have a significant impact on the effectiveness of the panels.

The proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

A neighbour has questioned the number of neighbour consultations undertaken. A total of 20 neighbours were consulted and these included all properties adjacent to the site. The Local Planning Authority has therefore complied with the necessary requirements.

e) Highways

The Local Highways Authority have considered the proposal and raise no objection. Two parking spaces would be provided for the flats and the existing secure gates would be repositioned to enable space to be provided for staff parking, turning and loading to serve the extension within the secure perimeter.

A number of objections have been raised regarding the impact the proposal would have on the adjacent highway in terms of additional traffic, parking and impact on visibility. The site lies within a local centre which is intended to serve a local catchment area. Parking is provided to the front of the site and it is considered that there is capacity for some parking on the street. The positioning of the building would not result in any impact on users of the public highway in terms of obscuring visibility and the roads are designed to an appropriate standard to accommodate the capacity of

traffic they are designed to serve. The Local Highways Authority raises no objections to the proposal. The extension would not result in any adverse highway implications and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

f) Landscaping

It is noted that there are two trees located on the western boundary which would need to be removed in order for the development to be implemented. It was the view of the Inspector when considering the previous approval that these trees could be replaced. The Landscape Officer has advised that in his opinion, although the trees are part of the landscape they do have the appearance of being just 'dropped in' and are somewhat incongruous in their surroundings. It would be appropriate to allow the trees to be removed and replaced with a more appropriate variety. This would be secured by condition. The proposal would not result in the loss of trees which contribute positively to the setting and an enhanced landscaping scheme could be provided by the development in line with policy PP16 of the Adopted Peterborough Planning Policies DPD.

g) S106

The proposal would give rise to a S106 contribution in accordance with the Planning Obligations Implementation Scheme (POIS). The contribution of £6,000 plus monitoring fee is sought.

h) Misc

- The proposal is unlikely to impact on TV reception
- The application is for a shop and not a takeaway which would require planning permission
- The poor condition of the existing building and immediate locality cannot be considered when deciding this application
- Alternative uses for the site cannot be considered by the Local Planning Authority

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 proposal is for retail development within a local centre;
- The site has extant planning consent for 7 flats therefore the principle of residential is already established;
- The proposal would not be detrimental to the surrounding character or to neighbouring amenity;
- The proposal would provide a satisfactory level of accommodation for the future occupiers of the flats;
- The proposal would not result in any adverse highway implications; and
- The proposal would provide for replacement tree planting.

Hence the proposal accords with policies PP2, PP3, PP4, PP12, PP9, PP11, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS15 and CS16 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the following conditions:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 No development other than groundworks and foundations shall take place until details of materials to be used in the external elevations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. 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 Policy PP2 of the Peterborough Planning Policies DPD (2012).

C 3 Prior to the occupation of the development hereby approved, the two parking spaces shown on plan ref. AP0101_A shall be provided and thereafter maintained as parking in association with the proposed development.

Reason: In the interests of highway safety in accordance with policy PP12 of the Adopted Peterborough Planning Policies DPD (2012).

C 4 Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier

The scheme shall include the following details

- Proposed finished ground and building slab levels
- Planting plans including replacement trees, species, numbers, size and density of planting

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

C 5 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

Copies to:
Councillor Julia Davidson
Councillor Darren Fower
Councillor Paula Thacker