

Application Ref: 14/00197/R3FUL

Proposal: Installation of fixed glazed screens at both ends of St Peter's Arcade

Site: St Peters Arcade, St Peters Road, Peterborough,
Applicant: Peterborough City Council

Agent: Amey

Referred by: **Councillor Serluca**
Reason: Level of public interest in the proposal
Site visit: 11.03.2014

Case officer: Mr M Roberts
Telephone No. 01733 454410
E-Mail: mike.roberts@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surrounding Area

The Arcade is located within the east side of Bridge Street in close proximity to Cathedral Square. It is quite prominent within the general street scene. The Arcade building is a part of the north flanking element of the Town Hall. It comprises of stone quoins at both of the openings. Within the Arcade there is the Destination Information Centre, a restaurant and there is planning permission to provide for 2 small shops. The eastern access is approached by both a small number of steps and a lengthy ramp from St Peters Road to permit access by all.

The route though the Arcade has been used unencumbered for so many years that a right of way has been established albeit this has not yet been granted formal recognition (the process of such recognition is in hand).

The application site lies within the identified City Centre Conservation Area and the building (which forms part of the Town Hall) is included within the list of Buildings of Local Importance (set out in Policy PP17 of the Peterborough Planning Policies DPD (2012).

Proposal

The application seeks planning permission for the erection of clear glazed screens at either end of the St Peters Arcade to afford the Arcade some protection in inclement weather for the public and the businesses therein. The screens would, in effect, narrow down the width of the entrances at either end of the Arcade to 2 metres and the height of the entrances to 2.8 metres (when the application was first received, the gap proposed was 1.75 metres but this has been increased to 2 metres). The proposed glazing screens would have the City Armorial on them.

2 Planning History

Reference	Proposal	Decision	Date
12/01959/R3FUL	Change of use to A1 retail, installation of glazed door screens at both ends of the Arcade and remodelling of the existing access ramp and balustrade.	Withdrawn	7/03/2013
13/01316/R3FUL	Refurbishment of office units within the arcade inclusive of change use to A1, remodelling of existing access ramp and balustrade in St Peters Road.	Permitted	15/05/2013

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Peterborough Core Strategy DPD (2011)

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.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non-scheduled nationally important features and buildings of local importance.

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, 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.

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.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

Peterborough City Centre DPD (Submission Version) (2014)

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

CC03 - City Core Policy Area

New development must, where appropriate, improve the quality of the townscape and public realm; protect important views of the Cathedral; preserve or enhance the heritage assets of the area; and protect and enhance existing retail areas.

4 Consultations/Representations

Conservation Officer (19.02.14)

The building (The Town Hall and flanking ranges north and south) are locally listed buildings. The arcade was designed as an open passageway, and clearly some appreciation of this and character will be eroded by the proposed works.

The requirement for the glazing to provide an improved micro-climate in the arcade for the benefit of businesses and customers is understood and on these grounds the principle is acceptable.

There is no detail of the profile of the framework and this would be necessary to be approved by way of a condition. The building has an Art Deco flair and it would be inappropriate if the proposed framework is simply constructed of box sections of aluminium. Frames of that era should be secured. The scheme as proposed shows the framework for the screens to fix to stone columns, however by recessing the outer edges of the framework to the rear of the columns would have a better appearance which would protect the columns from having unnecessary works to them and to minimise the amount of framework visible from both ends to support the glazing. This should have no material impact upon the need for the screening of the Arcade. Should the framework be physically attached to the columns at each end of the Arcade, the appearance could be 'messy' as the quoins have deep mortar set behind the face of the stonework. The gaps would have to be filled by some form of fillet/packing and the rustification of the quoins would look awkward.

Transport & Engineering Services (20.02.14)

The route through the Arcade has over time become a right of way. There are no objections in principle to the installation of some form of screen although it must have an opening of at least 2 metres in width to allow for the passage of pedestrians through the Arcade. This is the minimum width that the Local Highway Authority will accept for a pedestrian footway/footpath. Any change to the extent of the right of way, however, including change to the width, must be subject to formal legal requirements and a legal process including public consultation must be followed. Consideration of planning issues does not grant permission to amend the extent of the highway.

Building Control Surveyor (10.02.14)

The proposal requires Building Regulation. Part M of the Regulations applies.

Property Services (13.02.14)

Has any consideration been given to the use of the arcade by cyclists accessing St Peters Road from Bridge Street to avoid the designated pedestrianised area of Bridge Street?

Whilst cyclists should dismount at the point of entry, a narrowed entrance and exit will make access more difficult; a person walking with a bike alongside occupies more space than a pedestrian alone. In addition, not all cyclists will dismount and creating a bottleneck of through traffic may increase the risk of incidents.

Local Residents/Interested Parties

Initial consultations: 16

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

Objections have been received concerned that by restricting the width of the two openings the proposal would restrict the passage of the public through the Arcade and also on the grounds that the glazing would not be sympathetic to the character and appearance of the Arcade. It has also been commented that the proposal would contravene the right of way status of the Arcade and the legislation relating to rights of way. Finally, it is suggested that the application has not fully acknowledged the presence of the right of way.

5 Assessment of the planning issues

The main considerations are:

- Impact of the proposal upon the character and appearance of the Arcade and the streetscene
- Impact of the proposal upon the passage of people through the Arcade

a) Impact of the proposal upon the character and appearance of the Arcade and the streetscene

It is acknowledged that St Peters Arcade was historically designed as an open passageway through the Town Hall building and, that as a result of the proposed glazed screens, some of this open character and the appreciation of openness would be lost. However, the City Council's Conservation Officer has not raised any objections to the proposal and advised that the harm that would result would be less than substantial. It is noted that the Conservation Officer has advised that the screens should be positioned behind the stone columns of the Arcade to give a better appearance and, that the detail of the frames to be used is key and should be submitted for approval. These requirements can be secured by way of conditions

The proposed screening would result in an improved micro-climate within the Arcade, to the overall benefit of businesses and customers and the future optimal use of this heritage asset. This improved micro-climate would ensure the optimal use of the Arcade, preserving its heritage value for the future.

On balance, it is considered that the proposal would fulfil the aim to improve the internal environment of the Arcade and that this benefit outweighs the limited harm that the screens would have upon the integrity of the locally listed heritage asset. Accordingly, the proposal is in accordance with paragraphs 131 and 134 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy CC3 of the Peterborough City Centre DPD (Submission Version) (2014).

b) Impact of the proposal upon the passage of people through the Arcade

The proposal would retain a right of passage through the Arcade on a 24 hour basis. The 2

metre wide openings at either end of the Arcade are considered appropriate for the type of footfall through the Arcade. This is a position supported by the Local Highway Authority, who have raised no objections.

It is noted that concerns have been raised with regards to the use of those areas immediately behind the screens by vagrants as overnight shelter. However, the Arcade is already a location where vagrants sometimes take shelter and it is considered that the proposal would not make the situation any worse.

With regards to concerns in relation to the public right of way, it should be noted that the granting of planning permission does not negate the need for the City Council (as Applicant/Developer) to obtain the requisite right of way consents to narrow the width of the right of way where the screens are to be installed. This would be undertaken most likely through a gating order and not through a diversion or extinguishment.

On the basis of the above, the proposal would not have an unacceptable impact or restriction upon the free flow of pedestrians through the Arcade link of St Peters Road and Bridge Street, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

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 will provide increased protection for the tenants and the patrons of the Arcade from inclement weather, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011);
- the design, appearance and location of the screens is considered appropriate for their purpose and would not result in unacceptable harm to the appearance of the Arcade, in accordance with paragraphs 131 and 134 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy CC3 of the Peterborough City Centre DPD (Submission Version) (2014); and
- whilst the screens would result in the narrowing of a rights of way at either end of the Arcade, the proposed width of 2 metres would not significantly compromise the accessibility to users, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

Consideration of the planning application does not grant permission for any change to the highway rights through the Arcade which will have to be subject to a separate legal process, which will include public consultation.

7 Recommendation

The Director of Growth and Regeneration recommends that planning permission is **GRANTED** subject to 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 Notwithstanding the submitted information and prior to the commencement of development, details of the profile of the materials and framework to be used in the glazed screens shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the setting, character and the appearance of the St Peters Arcade, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 3 Notwithstanding the submitted information, the glazed screens, at both the openings to St Peters Arcade, shall be positioned behind the stone columns in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the setting, character and the appearance of the St Peters Arcade, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 4 Notwithstanding the submitted information, the gap between the glazed screens at either end of the Arcade shall be of a width no less than 2 metres.

Reason: To ensure that there is sufficient space for users of the Arcade to pass one another when entering/exiting the Arcade, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors M Nadeem, N Khan MBE, M Jamil