

**Application Ref:** 14/01393/FUL

**Proposal:** Proposed car parking

**Site:** Unit B, Vision House, Fengate, Peterborough  
**Applicant:** Mr M Asghar

**Agent:** Mr Robert Gooding  
 GOOD-DESIGN-ING LTD

**Referred by:** Director of Growth and Regeneration

**Reason:** The proposal is contrary to Planning Policy to due Highway Safety

**Site visit:** 08.12.2014

**Case officer:** Mrs J MacLennan  
**Telephone No.** 01733 454438  
**E-Mail:** janet.maclennan@peterborough.gov.uk

**Recommendation:** **TO BE PROVIDED IN UPDATE REPORT TO FOLLOW**

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

Site and Surroundings:

The existing site is a commercial site, with Showroom facilities and is located on the north side of Fengate, directly opposite Second Drove and within the Fengate Employment Area. The immediate area is predominantly industrial in character however there are residential units approximately 130m to the west and Fengate Mobile Home Park directly opposite the site to the south east. To the front of the site is a grassed area and to the east of the site is a driveway, although there is no formal access off Fengate and no dropped kerb. The site currently has no on-site parking or vehicular access for visitors or staff as a consequence of selling off previous associated land and building without retaining access rights.

Proposal:

The application seeks approval for a vehicular access from Fengate and the provision of 7 no. parking spaces to the site frontage.

**2 Planning History**

Reference	Proposal	Decision	Date
10/00764/FUL	Formation of a new vehicular access, new parking area and repositioning of main entrance doors	Refused	29/10/2010
06/00874/FUL	Change of use to MOT testing station and autoservice repairs (retrospective)	Permitted	16/08/2006
09/00163/FUL	Change of use to MOT servicing garage, Body work repairs and car sales to front of site (Retrospective)	Permitted	09/10/2009

**3 Planning Policy**

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

## **National Planning Policy Framework (NPPF) (2012)**

### **Section 1 - Economic Growth**

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

## **Peterborough Core Strategy DPD (2011)**

### **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.

### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

## **Peterborough Planning Policies DPD (2012)**

### **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**

**Environment Agency** - No objections

**PCC Transport & Engineering Services** - Objects - Whilst visibility splays are shown on the drawings a site inspection suggest that the required vehicle to vehicle visibility splays of the road which is 30 mph is unlikely to be achieved within the site boundary or public highway. Potentially vehicle to pedestrian visibility splays could be provided. A former application 10/00764/FUL was refused for a number of highway reasons including lack of vehicle to vehicle visibility splays. A further site inspection is to be undertaken and the results of this will be given in the update report.

### **Local Residents/Interested Parties**

Initial consultations: 4

Total number of responses: 1

Total number of objections: 1

Total number in support: 0

1 objection has been raised by a neighbouring occupier stating:

There is no access to rear and that the land marked on the boundary plan is not the property of the vendor. There is no access to the front as it is opposite Second Drove junction. The vendor submitted an application 4 years ago for an access opposite Second Drove which was refused due the Second Drove junction being too dangerous. – *This issue is currently being investigated to*

*ensure the correct certificate has been completed and where necessary, notice has been served.*

Comments have been received from The Insolvency Service, Cambridge stating:

On 20 October 2014 a winding up order was made against Vision Home Design (Cambs) Limited with the registered and trading address being Unit B Vision House, Fengate, Peterborough PE1 5PE. I was also told the owner of the property was a Sabir Hussain and not the applicant M Asghar who appears to be some relation to the director of Vision Home Design (Cambs) Limited who is a Mrs F Ashgar. Whilst the site address is Vision Home Design Limited and not Vision Home Design (Cambs) Limited I have concerns that this is the same company and if it is the company has been wound up by the court and should not and cannot make an application for planning permission.

## **5 Assessment of the planning issues**

### **a) Background**

The application site was formerly part of a Builders Merchants with one large industrial unit and yard to the rear of the site. In 2006 an application was submitted for a change of use to MOT testing station and Autoservice repairs (retrospective) (06/00874/FUL). The application site included only the western part of the industrial unit (Unit A), the access to the site and land to the rear for parking. Temporary planning permission was granted for one year to enable the Local Planning Authority to assess the impact of the use on neighbouring amenity. In 2009 a further application was approved for Unit A for a change of use to MOT servicing garage, Body work repairs and Car Sales to the front of site (09/00163/FUL).

It would appear that Unit A has been sold off leaving Unit B, the application site, with no independent access. Unit B has been operating as a Windows and Conservatory Company at least since 2010 and it appears that an unauthorised access has been used. At that time a planning application was submitted for a formation of a new vehicular access, new parking area (10/00764/FUL). The application proposed the creation of 4 no. parking spaces with a new access to be created at the far western side of the site. The application was refused on highway grounds due to insufficient width of access, inadequate size of parking spaces and inadequate vehicle to vehicle and vehicle to pedestrian visibility splays.

### **b) Highway Implications**

The proposal, the subject of this application, would provide a new access central to the site with 7 no parking spaces including one disabled parking space. The Local Highways Authority has assessed the proposal and is concerned that the visibility splays available appear to fall short of what is required. Fengate is a 30mph road which requires vehicle to vehicle visibility splays of 2.4m x 47m. Revised plans have been submitted indicating the required visibility splays on the drawings. However the OS base mapping looks not to be accurate, as a site inspection suggests the actual available splays are shorter. A further site inspection is to be undertaken, the results of which will be reported to committee in the update report.

### **Loss of Employment Use**

Members will be aware that the site lies within the Eastern Employment Area and the NPPF encourages the support of sustainable economic growth and employment use. It is acknowledged that the access would be substandard, however, it is unlikely that the unit would be marketable without being served by a vehicular access with some parking. It is accepted that this should have been considered when the other half of the site, which included the access, was sold off, however the current situation is likely to leave a redundant industrial building.

Conversely the site could continue to operate without a vehicular access and parking provision which could ultimately result in delivery vehicles and customers parking unsafely along Fengate. It should also be noted that there are a number of existing businesses within the vicinity which also have access points which would not meet current highway standards and indeed it is likely that the driveway to the east of the site is used by vehicles albeit without a formal vehicular crossing. The vehicle to vehicle visibility splay is inadequate to the east of the site and for vehicles turning right

when exiting the site.

In light of the above Members need to give consideration to the proposal on this basis and balance the risk of highway safety (the proposal as is stands is contrary to policy PP12 of the Adopted Peterborough Planning Policies DPD which seeks that development does not result in an unacceptable impact on highway safety) against the possible loss of employment use.

**c) Visual Amenity**

It is not considered that the creation of an access and provision of parking to the site frontage would detract from the character and visual amenity of the area.

**d) Flood Risk**

The far southern point of the site is located within flood zone 2 as defined on the Environment Agency's Flood Maps. A Flood Risk Assessment has been submitted with the proposal. The EA have been consulted and raise no objections to the proposal. The proposal is less vulnerable development and it is considered with appropriate surface water management and attenuation measures on site that the proposal would not present further flood risk to neighbouring occupiers. The proposal therefore accords with policy CS22 of the Adopted Peterborough Core Strategy DPD.

## **6 Conclusions**

Due to the need for further highway assessment the conclusions and recommendations will be set out in the update report.

## **7 Recommendation**

To follow in the update report.