

08/01472/FUL: ERECTION OF CANOPY AND ROLLER SHUTTERS AT 2 ELMFIELD ROAD,
PETERBOROUGH
VALID: 5 JANUARY 2009
APPLICANT: MR S AHMAIDI
AGENT: GOOD-DESIGN-ING LTD
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: TO ALLOW MEMBERS TO ASSESS THE IMPACT OF THE DOUBLE
FRONTED CANOPY.
DEPARTURE: NO

CASE OFFICER: MIKE ROBERTS
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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Impact of the proposal on the character and appearance of the area
- Impact of the proposal on the residential amenities of neighbouring properties
- Implications for Highways Safety

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Key policies highlighted below.

The Peterborough Local Plan (First Replacement)

DA1 Planning permission will only be granted for development if it:

- (a) is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- (b) creates or reinforces a sense of place; and
- (c) does not create an adverse visual impact

DA2 Planning permission will only be granted for development if, by virtue of its density, layout, massing and height, it:

- (a) can be satisfactorily accommodated on the site itself; and
- (b) would not adversely affect the character of the area; and
- (c) would have no adverse impact on the amenities of occupiers of nearby properties.

DA21 Planning permission for the installation of a fixed canopy will only be granted on the ground floor of a shop, cafe, restaurant or public house, but only if it can be installed without detracting from the character of the building or surrounding area.

T1 Planning permission will only be granted for development if:

- (a) appropriate provision has been made for safe and convenient access to, from and within the site by all user groups taking account of the priorities set out in the Transport User Hierarchy of the Local Transport Plan; and
- (b) it will not result in unacceptable impact on any element of the transportation network.

3 DESCRIPTION OF PROPOSAL

The application proposes the erection of a canopy on an A1 retail unit. The canopy would wrap around two elevations of the property forward of the two display windows in each elevation. It would have a projection of 3.0m, a height of approx 2.85m and comprise of a half hexagonal shape with sides of 4.145m, 3.761m and 4.092m. It would be constructed of a metal framework with glazed roofing which would give the canopy a lightweight appearance. The canopy would allow the covered display of retail goods. The original application proposed roller shutters to the outer edge of the canopy. These have now been deleted from the proposal.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site lies at the junction of Newark Avenue and Elmfield Road, where traffic movements and noise from traffic are a significant feature of the setting. An open grassed landscaped strip lies to the north beyond which are predominantly residential properties. The area has a mixed character comprising of residential, retail, employment uses and there is a school nearby. The site is on the western edge of the local centre which extends further to the east. The shop is set back from the highway within a generous frontage on which goods are currently displayed (permission is not required for this). It is positioned on the junction of Newark Avenue and Elmfield Road.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
06/01457/FUL	Two storey and single storey rear extensions	22.11.2006	Granted
07/01436/FUL	Ground floor rear extension	29.10.2007	Refused

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering –

No objection as the proposal does not affect the public highway or the access and parking arrangements for the property.

NEIGHBOURS

Letters of objection have been received from 7 residents objecting to the proposal on the following grounds –

- The proposal would create a blind spot and a blockage.
- Unsafe for students.
- Would appear untidy.
- Vehicles travelling to the shop make it unsafe for pedestrians – vehicles park on the pavement.
- Grass verge is untidy – delivery vehicles park on verge.
- More traffic.
- Would put customers off driving down Elmfield Road.
- How will tripling the size of the current floor area benefit the residents, proprietors or customers in the area?
- Similar stores close by.
- Would affect profitability of similar retailers.

- Will not increase the appeal of the area.
- Driveways of surrounding properties are already being blocked due to customer and delivery parking.
- Area of proposed structure is currently used for car parking by delivery vehicles and residents above the shop. Loss of parking area would create a further problem for access to surrounding properties.
- Visitors use the bus stop for parking which is dangerous for bus users and school children – loss of parking will further add to this problem.
- The junction is dangerous and there have been a number of accidents.
- Disturbance and litter already caused by people hanging around the shop drinking alcohol.
- Existing canopy has a bright halogen light which causes disturbance – concern that new canopy will make this worse.
- Would reduce the value of surrounding properties.
- Current shop exceeds its permitted trading hours.
- Would affect view of neighbouring properties when leaving driveway.
- Out of keeping with the building and surroundings.
- Shutters unattractive feature in area and will be prone to graffiti.

7 REASONING

Introduction

The design of the canopy currently being applied for has been arrived at through consultation with Planning Officers and is one of a number of similar proposals currently being considered. The use of quality materials with a simple design was suggested and it is considered that, where a canopy is acceptable in principle, it is this type of design that should be encouraged. In this instance, the canopy projects 3.0m from the building which makes the proportions slightly awkward but this is to be addressed via a change to the pitch of the roof to 18 degrees (see recommendation). This projection is considered to be the maximum limit that is acceptable on this site.

Canopies are an economical way to allow shops to provide a wider range of goods and thus improve the service they provide to local communities and thus play an important part in the local economy, however, it is important to ensure that the design and materials are appropriate for the individual building and location.

Residential Amenity:

It is considered that the open nature of the canopy and its glazed roof in relation to the position of the surrounding properties is such that the proposal would avoid unduly harming the amenities of the neighbouring properties. The closest dwellings directly adjacent to the canopy are approximately 30 metres away. To the north of the site is an open grassed strip, to the south and west is the highway and east is a separated neighbouring retail unit.

Impact on the character and amenity of the area:

It is considered that the attractive light and open design would avoid the creation of an incongruous feature despite its projection beyond the building line. In addition, the retail unit currently uses the land, which is part of its forecourt, for the display of goods at this time without the need for a planning application. It would provide protection for produce and customers and help this support this local business. A canopy is considered to be a reasonable addition to a use of this type.

Highways:

The Highway Authority has raised no objection to the proposal.

8 **CONCLUSIONS**

It is therefore considered that the proposal would comply with Policies DA1, DA2, DA21 and T1 of the Peterborough Local Plan (First Replacement) and the Shop Forecourt Canopies – Overview and Design Guidelines policy that is to be reported to the Committee for its support and adoption.

9 **RECOMMENDATION**

The Head of Planning Services recommends that subject to the receipt of suitable amended plans showing the roof of the canopy to have a slope of 18 degrees, this application is APPROVED subject to the following conditions and informatives:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re enacting that Order with or without modification), the sides and front of the canopy shall not be enclosed either permanently or temporarily but shall be left open as shown on the approved plans.**
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C3 Prior to first use, the canopy shall be coloured Olive Green, (BS12B27) and thereafter retained in that colour.**
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C4 Notwithstanding the provisions of the Town and Country Planning (Advertisement) Regulations 2007 no signage shall be erected either on the shop front or canopy unless agreed in writing by the Local Planning Authority.**
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

Notes Relating to this Decision

- 1 The applicant's attention is drawn to the need to adequately control the disposal of rubbish from the fruit, vegetable and/or other containers that will be displayed within the canopy.

Copy to Councillors Ash, Miners, Saltmarsh