

09/00273/FUL: SINGLE STOREY REAR EXTENSION AND EXTERNAL CANOPY TO SHOPFRONT AT 83 PERCIVAL STREET, WEST TOWN, PETERBOROUGH
VALID: 11 MARCH 2009
APPLICANT: MR P IQBAL
AGENT: MR S AYUB
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: TO ALLOW MEMBERS TO ASSESS THE IMPACT OF PROPOSED CANOPY
DEPARTURE: NO

CASE OFFICER: LOUISE LOVEGROVE
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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the proposal upon the character and appearance of the area
- The impact of the proposal extension and canopy upon residential amenities
- The impact of the proposal upon highway safety

The Head of Planning Services recommends that the application is **REFUSED**.

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.

Development Plan Policies

Key policies highlighted below.

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

Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have 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.

Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants 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.

Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.

3 DESCRIPTION OF PROPOSAL

The proposal is for the erection of a canopy to the front of a retail shop. It is proposed to front towards Percival Street and would cover the majority of the area of hard standing to the front of the shop. The canopy is proposed to project by 2.5 metres from the front elevation to a width of 5.3 metres. The roof is proposed to be of a shallow sloping mono-pitch design of 6 degrees with the highest end being 2.7 metres attached to the building, and 2.45 metres at the lower end. The frontage of the canopy would be set back slightly from the back edge of the pavement.

The canopy is proposed to be constructed of transparent PVCu sheeting and supported by a powder coated steel frame of small section profiles of approximately 75mm x 75mm. It is proposed for the display and sale of fruit and vegetables to the front of the shop.

The proposal also includes the erection of a single storey extension to the rear of the retail shop. The extension is proposed to replace a garage which was demolished due to being structurally unsafe. The proposed extension is to project 5.2 metres from the rear elevation of the existing and will stand at a depth of 5.4 metres. It is proposed to be of a mono-pitch roof design with door and windows facing on to Alderman's Drive. The extension is proposed to be at a height of 3.6 metres to the ridge and 2.5 metres to the eaves. It will be used for cold storage and would extend the floorspace of the retail shop by 25 square metres.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The established retail unit is located within a predominantly residential area comprising mainly terraced properties with strong building lines to the north, south and east. The application property is located at the junction of Percival Street and Alderman's Drive. The building occupies a prominent location within the streetscene given that it is located on a corner plot. The plot runs north to south and is long and narrow, abutting residential properties to the south and east. Vehicular access is provided from Alderman's Drive and the boundary is formed by a low 1 metre high wall.

The area of hard standing to the front of the property is already used for the storage and sale of fruit and vegetables.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
99/00923/FUL	Extension to front (retrospective)	21.09.1999	Refused

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – Provided that no part of the canopy projects over the public highway, the LHA raise no objections to the proposal.

Building Control – Building Regulation approval is required. Part 'M' relating to disabled requirements is also applicable.

7 REASONING

a) **Introduction**

Over the last decade the retail community, has been targeted by firms proposing to extend shop premises at the front by installing shutters on canopies to effectively create a front extension and therefore more retail floor area.

Many grocers and green grocers have put up canopies to the front of their premises, a number of which have received permission, some have been refused on appeal and others have never been applied for. Since 2006 planning enforcement has sought the removal of large numbers of unacceptable canopies. Each case has to be treated on its own merits.

Notwithstanding the above, Planning Officers recognise the contribution that these businesses make to the local community (as places of employment and the provision of local services). However, some canopy designs still being proposed fail to address issues relating to the impact on the character of the appearance of the area.

The design of the canopy currently being applied for is one such proposal currently being considered and is put forward as an example of the style of canopy that should be refused. It proposes the use of poor quality materials with a design that would detract from the overall appearance of the streetscene.

b) **Residential Amenities**

The canopy is proposed to abut the neighbouring residential property of No.91 Percival Street and it is considered that the canopy would have a detrimental impact on the outlook from this property, to the detriment of the occupiers.

Given the orientation of the application site and the location of No.93 Percival Street on a junction, other nearby residential properties are considered to be sufficient distance away from the canopy so as to be little affected by either its structure or use. It is also considered that the proposed single storey rear extension is unlikely to cause significant harm to the amenities of surrounding residential properties.

c) **Impact on the character and appearance of the area**

The application property is at a road junction and as such, occupies a prominent position within the streetscene. It is clear that in the demanding retail climate where the small retailer faces stronger competition from the major superstore operators the smaller retailer is finding it difficult to survive. The loss of small retailers results in unemployment, a shop unit that may stay vacant for a considerable time offering no value to the city economy, ultimately pressures for other commercial uses but also the loss of a valued service to the local community where opening hours are lengthy. Whilst it is acknowledged that a canopy addition could assist in maintaining the vitality of such small shop units, it is essential that the design of such a proposal fully reflects and respects the character of the wider area and does not detract from its visual amenity.

It is considered that an attractive light and open design that has been carefully chosen would avoid the creation of an incongruous feature within the streetscene despite its projection beyond the building line. However the proposed canopy fails to adhere to these principles. The quality of the design of the canopy is such that it would represent an unduly obtrusive and unattractive feature

along Percival Street. The proposed canopy does not respect the existing sight lines along Percival Street and the angle of the roof pitch is too shallow to respect the character of the host property.

The erection of the canopy would result in the addition of an incongruous feature within the streetscene which does not respect the character of the host property.

It is considered that the proposed single storey rear extension reflects the character of the existing property and has been designed to remain in keeping with the character and appearance of the wider area. The amount of development proposed would not represent overdevelopment of the site and the design is such that it would not appear unduly obtrusive within the streetscene.

d) **Highways:**

The Local Highways Authority has raised no objections to the proposal.

It is therefore considered that the proposal is contrary to Policies DA1, DA2 and DA21 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.

8 CONCLUSIONS

It is considered that the unattractive appearance of the proposed canopy would create an unduly obtrusive and incongruous feature in the street scene that would appear out of keeping with the character of the area. The proposal therefore conflicts with Policies DA21, DA1 and DA2 of the Peterborough Local Plan (First Replacement) and is unacceptable.

9 RECOMMENDATION

The Head of Planning Services recommends that the application is REFUSED for the following reason.

R1 It is considered that the proposed canopy structure would form an incongruous addition to a building in a prominent position in the streetscene and will have an adverse effect on the outlook from an adjacent dwelling. The proposal conflicts with Policies DA1, DA2 and DA21 of the Peterborough Local Plan (First Replacement) which state:

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:

- (d) can be satisfactorily accommodated on the site itself; and**
- (e) would not adversely affect the character of the area; and**
- (f) 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.

Copy to Councillors Burton, M and S Dalton