

Application Ref: 15/01568/FUL

Proposal: Change of use from motorcycle sales to commercial units (use classes A1, A2, A3 and A5), industrial processes (use B1C), general industry (use B2) and storage/distribution with trade counter use (use B8). Minor external works including part demolition and site reconfiguration

Site: Webbs Yamaha Centre, High Street, Eye, Peterborough
Applicant: Riossi Limited

Agent: Mr Chris Dodds
 Planning Prospects Ltd

Site visit: 22.10.2015

Referred by: Cllr David Sanders

Reason: Lack of car/cycle parking, turning for delivery vehicles, impact on the Conservation Area

Case officer: Mrs J MacLennan
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Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings

The site covers an area of approximately 0.27 ha is located on the north side of High Street and close to the junction with Thorney Road, Eyebury Road and Crowland Road. The site contains a motorcycle dealership, with associated showroom, warehouse and workshops to the rear (Sui generis). The site lies within the Conservation Area boundary and opposite St Matthew's Church which is a grade II listed building and there are a number of listed buildings to the west of the site. The site is bounded to the east and north of the site (rear) by Moores Lane which provides access to residential properties to the rear of the site and rear access to the properties that front on to High Street. To the rear of the site there is a modern residential development (Bath Road). The immediate neighbouring character is predominantly residential with some commercial uses along High Street including an Indian Restaurant, Convenience Store and Post Office.

Proposal

The application seeks approval for a change of use to the existing motorcycle dealership to a mixed used development comprising:

Change of use of the showroom area to provide 3 retail units as follows:

Retail Unit A—63m² Gross Internal Area (G.I.A) - A1/A2/A3 or A5 uses

Retail Unit B—70m² G.I.A – A1/A2/A3 or A5 uses

Retail Unit C—418m² G.I.A – A1 food retail

Use of workshop to the rear of the site – 550m² for industrial processes (use B1C), general industry (use B2) and storage/distribution with trade counter use (use B8).

The proposal also includes minor alterations to the elevations including:

Demolition of an extension to east elevation (approximately 91 sqm) and a small freestanding building (approximately 83 sqm)

New shop front

New fire door to west elevation
New window to west elevation
Provision of concrete ramp to west elevation

Update on proposal

The scheme has been revised since the initial submission reducing the workshop units from two units to one unit. This was further to the objections made by the Local Highway Authority (LHA) as it was not possible for all the uses to be independently serviced.

In addition it is now proposed to use Moore's Lane to access the site. Moore's Lane is a private road and has now been included within the red edge of the application site to the point where it abuts the public highway (High Street). Certificate C has been completed.

A further re-consultation has been undertaken on the amended details received.

2 Planning History

Reference	Proposal	Decision	Date
P0214/74	Use of rear garden as car park area	Permitted	29/08/1974
P0543/77	Change of use of gardens to car parking	Refused	12/08/1977
P0310/79	Alterations to elevations	Permitted	02/05/1979
03/00225/ADV	Ten flagpole signs	Refused	24/04/2003
04/01440/ADV	1. Internally illuminated shop signs 2. Totem signs	Split Advertisement Decision	04/10/2004
05/00843/FUL	Erection of temporary motorcycle showroom	Permitted	21/10/2005
10/01601/FUL	Retention of existing temporary showroom and extension of existing (A1) retail use to include use as A2 (office) or B1 (office) use as a sole entity	Permitted	12/05/2011

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.

Section 72 - General duty as respects conservation areas in exercise of planning functions.

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

National Planning Policy Framework (2012)

Section 2 - Retail Development Outside Town Centres

A sequential test should be applied to applications (except in relation to applications for small scale rural offices or other development). Proposals which fail the sequential test or would have an adverse impact should be refused.

Section 3 - Rural Economic Growth

Should be encouraged through sustainable growth and the expansion of business/ enterprise including sustainable rural tourism/leisure developments which respect the character of the countryside, via the conversion of existing buildings and well designed new buildings. The retention and development of local services and community facilities should be promoted.

Section 11 - Noise

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

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.

Section 12 - Development Affecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

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.

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.

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 Site Allocations DPD (2012)

SA04 - Village Envelopes

These are identified on the proposals map. Land outside of the village envelop is defined as open countryside.

SA05 - Key Service Centres

Identifies the sites within the Key Service Centres which are allocated primarily for residential use.

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.

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.

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.

4 Consultations/Representations

PCC Transport & Engineering Services – No objection - The trip rates in the Transport assessment are acceptable. Modelling has not been carried out on the existing base scenario and therefore cannot be validated. The parking provision for the retail element is insufficient, 20 spaces are required. TRICS parking data has not been included. Customer and staff cycle parking provision is insufficient. Visibility splays to Moore's Lane are not provided. The LHA considered that the initial scheme as submitted proposing 2 workshops would not provide adequate parking and turning for the servicing elements of the scheme and recommended refusal. However further to discussions with the applicant and the submission of revised information it has been agreed with the Local Planning Authority that a condition that limits the size of vehicles visiting the site to 10.35m is one which the LHA could support. In respect of manoeuvring of vehicles within the site the submitted TRACK plots show that the retail units and workshop would be serviced independently. This being the case the LHA would rescind its objections subject to a condition which limits the size of service vehicles

PCC Conservation Officer – No objection - The works will result in limited change to the building

and its impact on the character and appearance of the area. It is however deemed that the altered frontage elevation will result in improved composition within the streetscene. The loss of the panel of stone cladding to the front elevation is welcomed. Dark grey aluminium shopfront window frames will result in improvement to the buildings appearance. As the demolition of the entrance and service centre extensions will increase the prominence of the workshop to the rear east of the site within the streetscene it was advised that the window to be inserted into the front elevation of the workshop be dark grey aluminium to provide a cohesive appearance with those of the proposed retail frontages. The plans have been amended accordingly.

It was considered that the finials to the signage were superfluous and the 700mm projection should be reduced. The plans have been amended accordingly. No external shutters are proposed and this is welcomed.

The proposal to retain the soft boundary treatment to the east of the site is welcomed as it aids the screening of the workshops from the public realm.

The boundary wall adjacent to High Street as existing is very low and offers very little visual value to the conservation area. The existing wall would benefit from simple and well-proportioned railings topping the wall, to provide more denotation of the public and private realm. The wall and any railing attached should not exceed 1200mm in height. It is noted that the applicant is unwilling to add railings and whilst this would have been a significant improvement in strengthening the boundary line in this section of High Street, it is not considered that this could be used as a reason for refusal. In all other respects from a heritage consideration the proposed works can be supported.

PCC Tree Officer – No objections - It is noted that there are several field maple on the eastern boundary of the site. The change of use is unlikely to affect these trees, therefore there is no objection to the proposal.

PCC Policy Officer – no objections – the site is outside the Eye local centre and therefore a sequential assessment has been undertaken to demonstrate that there are no sequentially preferable sites in Eye local centre. It is considered that the sequential assessment could have been more robust, however considering the scale of the proposal and the catchment of the proposed development, it is considered to be adequate in this instance. All the vacant units in Eye local centre have been assessed for their availability, suitability and viability. The sequential assessment (appendix 5) carried out is sufficient and they have demonstrated that there are no sequentially preferable sites in Eye local centre. No impact assessment is required for this proposal, as it is well below the required floorspace threshold of 2,500 sqm.

PCC Pollution Control Officer – An assessment of the site should be undertaken to determine the noise climate of the site, taking into account both day and night-time noise levels. This will enable noise limits to be established for the range of uses that are proposed, and for potentially noisy plant, such as A/C units, to be appropriately selected. Details of provisions to be made for the control of noise emanating from the site should be agreed.

Industrial uses are likely to be unacceptable in this location, where noise levels will not describe the characteristics of industrial activity in close proximity to residential premises. In this situation time averaged noise limits will not provide effective control, since it will be likely that noise sources of concern will be characterised as non-continuous, short duration, high energy, impact events. Such noises are unpredictable, sudden and result in startle-effect which, by this nature, would be inherently annoying. Ancillary activities are just as likely to result in complaint as the principal work activities. Such noise sources might include deliveries; loading/unloading; fork lift truck movements; the manoeuvring of material and product on the premises; loading of refuse into waste skips; and work not conducted within the building with closed doors due to the nature of the work, the size/awkwardness of the workpiece, and the speed in conducting the activity.

Hours of use should be limited to prevent unacceptable impact during unsociable hours. Reference to existing opening hours for similar premises in the locality, which do not result in complaint, may

be a suitable indicator of acceptability.

Deliveries are a particular source of complaint and concern in this location. These should not be permitted during unsociable hours.

Before the development commences a scheme should be agreed with the local planning authority which specifies the provisions to be made for the control of odour emanating from the site.

For any hot food preparation the document prepared for the Department for Environment, Food and Rural Affairs (DEFRA) recommends best practice for 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (2005).

For new premises, or premises covered by planning conditions restricting the impact of odour, the objective of the guide is that the extraction system shall be designed to prevent harm to the amenity. It is advised that to achieve these objectives the odour control system shall include an adequate level of odour control and stack dispersion. The overall performance of the odour abatement system represents a balance of these two factors.

The Institution of Lighting Professionals has produced "*Guidance Notes for the Reduction of Obtrusive Light GN01:2011*".

The guidance recommends obtrusive light limitations for sky glow, light into windows, source intensity and building luminance. Acceptable limits are specified dependent upon location.

North level drainage - no comments to make

Eye Parish Council - Objects to proposal. Over development of site. Not enough parking spaces for staff or visitors. Nearby High Street parking bays always well used. Not enough room for delivery service vehicles on site or to turn round safely. Concern as to who/what will be in the workshops as the site is in a residential area and these are currently only used for bike repairs during the shops opening hours. The exit is shown via Moore's Lane which as a private road - has the site got permission to use this road?

Cllr David Sanders – Objects – requests that the application is referred to committee for their decision. Cllr Sanders has received complaints from nearby constituents. Concerns raised with parking, servicing and impact on the Conservation Area. Eye Parish Council also request that the application be referred to committee.

Local Residents/Interested Parties

Initial consultations: 17

Total number of responses: 9

Total number of objections: 7

Total number in support: 0

8 letters of objection have been received raising the following issues:

- The Design and Access statement advises that in respect of servicing, the existing lay-bys on High Street can be utilised as per the current service arrangements. High Street is within the Conservation Area with very limited parking, the layby opposite is usually full with residents parking.
- There are already problems with delivery vehicles for the existing use which will be made worse.
- Provision should be made for vehicles to park, turn and leave the site without compromising parking provision for shoppers.
- The proposal is overdevelopment and the uses to the rear will add to the parking problem.
- This site is surrounded by Grade 2 Listed and building of historical interest as well as being in a conservation area

- There is no mention of employee parking and secure covered bicycle storage as well as delivery vehicle access and times as well as turning circles
- No mention of refuse storage areas and how the access will be made from the collectors
- As this is in the conservation area and so close to listed building consideration should be given and restrictions made so as there is no illuminated signage and external shutters: *Officer response: Illuminated signage will be subject to a separate application. No shutters are proposed.*
- Any application in a conservation area should be planning to improve the impact on the surrounding area a much better solution would be wooden shop front windows either painted or stained. Walls: Brickwork will need to match surrounding area.
- New cladding to be provided to the development which faces High Street and entrance to the Convenience Store.
- The materials are inappropriate
- This statement is totally incorrect as the area does not require regeneration and it does not improve the Conservation area in its design
- This is a conservation area, are all parties involved aware of this. This seems to be being overlooked.
- The proposed development will not regenerate the area.
- The workshop at the rear currently have relatively quiet usage and are close to residential properties
- Restrictions should be put in place regarding control of use category, noise and odours.
- I understand the Old Girls School and Boys School on the corner of Crowland Road and High street were on the list and are in close proximity to this site 'Peterborough City Council's 'Buildings of Local Importance in Peterborough' (2012) provides a list and description of buildings of local importance. *Officer response: None of these buildings are affected by the proposal.*
- Restrictions should be put in place so that deliveries do not disturb the local residents
- Moores Lane is an un adopted private road and any plans should not include access to it especially as to its poor road surface and further damage to it. *Officer response: The plans have been amended to include Moore's Lane. The surfacing of the road has been raised with the agent, however this would be private legal issues between the land owners.*
- We live opposite the planned area and already have difficulty parking outside our own house. *Officer response: This is public highway with limited time parking.*
- There is a weight limit through the High Street for vehicles and heavier HGV vehicles
- Deliveries and parking will congestion and problems for buses/general movement of traffic. *Officer response: Provision is made within the site for deliveries and parking and this is an existing commercial use.*
- The application boundary does not make any mention of our garage boundary which is fully enclosed in their planning application. *Officer response: The red outline of the application site has been amended removing the neighbours land.*
- We own one the houses behind this development. Currently, blue Triumph building protects our house from noise, lights etc. suitable protection in terms of hedging or a fence should be provided. *Officer response: Suitable noise mitigation would be secured by condition. However this is an existing commercial site.*
- As this development is opposite my house, I have grave concerns with regard to the signage on the top of three units. If these are to be allowed to be on all night. *Officer response: Illuminated lighting will require Advertisement Consent.*
- If the front wall against the pavement is retained, there will be problems with lorry parking / unloading. The lorry parking needs to be addressed. *Officer response: provision for parking is provided within the site.*
- Elevation of property - it is already an eyesore.
- We live directly opposite the area. The small building at the site obstructed our only view to countryside at the time.
- Collection of waste - there is already a large rat problem down the high street. If the waste was food or drink cartons, the problem would accelerate. *Officer response: This is a site management issue.*

- We would not be able to open our windows without smelling food constantly. *Officer response: Appropriate odour mitigation would be agreed.*
- There are young children living across the road from the premises. We do not want them or ourselves being kept awake by customers going to takeaways late at night. *Officer response: opening times would be agreed.*
- We do not want it to become an area where drunks gather or teenagers gather outside making a noise, eating and being sick. *Officer response: This is not a matter that can be controlled by the Local Planning Authority.*
- There is an ancient stone wall next to the premises. *Officer response: No changes are proposed.*
- B1c & B2 - Noise. We live opposite and do not want constant noise.
- It is unacceptable to place an industrial estate in a residential area causing noise pollution, smell pollution to residents. *Officer response: This is an existing commercial site.*
- The retail elements of the development require 27 spaces, but the site plan only allows for 17.
- It is also not clear where the food store is to be serviced from.
- The service door to the west elevation is too small for such a large convenience store. A delivery lorry would have to be parked in close proximity to this door, but in doing so, will block off access to the workshop entrance and to the workshop car parking spaces. There is also a possibility that the delivery vehicles or customers to the food store and the workshop would have to wait on the highway for this to become clear if it was blocked by deliveries to either the workshop or the food store. *Officer response: The service arrangements are acceptable.*
- The sheer numbers of users (food store, two separate retail users and two workshops) on site will also have a heavy impact on transport issues. With each individual unit having their own staff on site and each having their own visitors, the problems of parking and vehicles interfering with each other will be greatly exacerbated. *Officer response: The level of parking proposed is acceptable.*
- The applicant site falls outside of the local centre and therefore any retail development outside of this should be discouraged.
- Planning policy requires a sequential approach to new retail development, with the first level being within existing Local centres. The applicants own sequential tests shows a more suitable site (the former Red Lion pub that is nearing completion), with the same amount of retail floor space. The applicant's statement advises that this is not of adequate size.
- The applicants floor space is not split between retail and back of store space, but 3000sq ft is the industry standard. The applicants sequential tests states that the former Red Lion pub is: "Whilst the site is suitable in terms of location, it is not of an adequate size to accommodate the proposed development. It also states the site has planning permission which is being implemented, suggesting it is not available for the development proposed and not considered viable as a result. The retail size would be exactly the same as the applicant site for the foodstore element. This site is available for the development proposed and is providing the same need, therefore I disagree with it not being viable. If this does not apply, then new retail could appear in any location regardless of sequential testing. More viable and available sites would be dismissed on the basis that they are not exactly the same as the proposed, thereby making sequential testing pointless. *Officer response: This is covered in the report.*
- While there is expected to be population growth in Eye & Eye Green, the existing and implemented retail proposition is more than capable of meeting this need. By allowing another large convenience store within the village; the viability and sustainability of the existing local centre will be greatly put at risk. The existing users are all within a very close proximity to each other and compliment each very well. There are the pub, the existing convenience stores, a restaurant, the post office, a butchers and a pharmacy. The existing and the new convenience store will undoubtedly be the anchors which sustain the viability of the current high street. By introducing a third convenience store; there will be a substantial over provision which will not be sustainable and will ultimately damage the high street. Even with the planned extra houses at Eye Green, there will be over 9000 sq ft of convenience retail floor space including the applicants for the expected 3000 houses in total, which is a greater provision than any other area in Peterborough with the exception of Lincoln Road. The policy only allows for new provision outside of the local centres when it would achieve a more sustainable more rural community and to safeguard these vital facilities in rural areas, and where it is at an appropriate scale; the

applicant's proposals do not adhere to these policies. *Officer response: This is covered in the report.*

5 letters of objection have been received following re-consultation on the amended scheme raising the following issues:

- We do not need another convenience store in the village. Coop are about to open further up the High Street and we already have a convenience shop providing everything required, as well as every type of takeaway
- The comments about the HGV - I know from experience, most large vehicles park on the road anyway that service Webbs at the moment. I hope this does not continue as it causes traffic issues
- High Street is not designed for large heavy vehicles and has a weight limit
- This is a conservation area, and became so after Webbs opened. This should be looked at again.
- We already have enough traffic coming through the village, without more noise from cars pulling in and out of spaces across the road from us, effecting traffic already on the road.
- I would like to know how long the lights on the signage would be on and in what colour? Lights would be shining directly into the bedroom. *Officer response: The details of lighting would be secured by condition. Lighting to signage will require Advertisement Consent.*
- The revised plan indicates that the entrance to the site is from Moore's Lane. This is also the shared access, right of way for 12 properties on High Street. It is the only access residents have to their garages/land. It does not belong to the applicant. *Officer response: It is not known who owns Moore's Lane and the applicant has submitted Certificate C. This entrance would be used by service vehicles to the retail units only. Access to Moore's Lane would be maintained for existing residents.*
- There is no case for Webbs to claim ownership of the end of Moore's Lane; the existing residents have been here for many years. It is essential that their access continues.
- Allowing the applicant to claim ownership of this part of Moore's Lane would be detrimental to residents and would cause considerable increase in parking on the High Street, detrimental to traffic flow.
- The only way to access the garages at the rear of my property is by passing over and across Moore's Lane. In 2003 we successfully applied for a 'Statutory Declaration' regarding access to our garages. In addition a 'Caution Against First Registration' was also granted.
- None of the occupiers of the site have contributed to the maintenance of Moore's Lane. *Officer response: This is a private legal matter between land owners.*
- Any redevelopment of this site should be sympathetic to the Conservation Area and Listed Buildings.

5 Assessment of the planning issues

The principle of development

The site is approximately 0.27ha and lies within the village settlement boundary of Eye which is designated as a Key Service Area within the Peterborough Core Strategy. Eye is a comparatively large village and provides a number of services and facilities to meet the needs of its residents including a primary school, doctor's surgery and a range of shops and services, particularly a post office and food shopping. Although the site does not lie within a designated local centre, the site has an existing commercial character and is situated along the High Street where there are a number of designated Primary Shopping Areas (PSAs) 6 in total. The nearest is located 60m to the west of the site.

Policy CS15 of the Core Strategy advises that 'a new village shop, or the extension of an existing village shop, will be permitted where this is in connection with the planned growth of the village or where it would help to achieve a more sustainable rural community, subject always to amenity and environmental considerations, and the requirement that the scale of any additional retail provision should be appropriate for the size of the village and its catchment'.

In addition the NPPF supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; promote the retention and development of local services and community facilities in villages, such as local shops.

In accordance with policy PP9 of the Adopted Peterborough Planning Policies DPD the application is supported with a sequential assessment of 6 PSAs within Eye for an available, suitable and viable sequentially preferable site. The assessment has concluded that there are no sequentially preferable sites in the PSAs/Local Centre of Eye. This is emphasised through the constrained nature of Eye's Local Centre which consists of small shop fronts and limited on-street servicing.

Officers have considered the assessment and consider that the assessment has demonstrated that there are no sequentially preferable sites in Eye local centre. It is considered that the sequential assessment could have been more robust, however considering the scale of the proposal and the catchment of the proposed development, it is considered to be adequate in this instance. All the vacant units in Eye local centre have been assessed for their availability, suitability and viability. The sequential assessment (appendix 5) carried out is sufficient and they have demonstrated that there are no sequentially preferable sites in Eye local centre. No impact assessment is required for this proposal, as it is well below the required floorspace threshold of 2,500 sqm.

Having considered the PSAs within the village of Eye as preferred sites it is considered that the proposal would not affect the vitality or viability of these centres.

It is accepted that the site is not within the allocated centres, however, this is an existing commercial site, close to the allocated centres and the scale of retail floorspace is appropriate for the village. Planning policy is also favourable for shops in villages that support the growth of the villages.

As part of the existing motorcycle sales use there is an existing workshop to the rear of the site which is used for motorcycle repair and maintenance. The site currently therefore generates vehicle movements and general activities of a commercial nature associated with the motorcycle sales use. The principle of the workshop use at this site is therefore established. However, Officers are mindful that whilst there is an existing workshop to the rear of the site it is associated with the existing motor sales use and therefore it does not have unrestricted B2 use. It will therefore be necessary to consider the proposal against other relevant planning policy, e.g. to restrict the hours of use and the secure a noise management scheme, to minimise the impact on surrounding residents.

The principle of a mixed use development on this site is acceptable subject to meeting the requirements of other relevant planning policies and material considerations and would be an enhancement on the existing retail offer in Eye, as well as providing employment opportunities.

Design and Visual Amenity

The building is a single storey, flat roof structure with a wide frontage. The site occupies a prominent position within the high street. It has commercial character with little architectural quality or merit, therefore it offers little to the character and appearance of the Conservation Area. The main alterations would be to the front elevations where a new shop front is proposed to facilitate the new uses. Aluminium shopfront glazing and doors would be provided and polyester powder coated finished in grey. The brickwork would match the existing.

Minor external alterations also include provision of a new concrete service ramp and associated handrail (for retail Unit 3), removing existing windows and doors and provision of new windows and doors, and will generally bring the building into line with modern operational requirements and facilitate the continued use of the building.

It is considered that the alterations and new shop frontage would be sympathetic to the proportions and character of the existing building and would not detract from the character and appearance of the street scene or that of the conservation area. The proposal therefore accords with policy PP11

of the Adopted Peterborough Planning Policies DPD, policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD.

Impact on Conservation Area

The site is located within the Eye conservation area boundary and lies adjacent to a number of listed and locally listed buildings. The proposal is therefore considered against policy CS17 of the Peterborough Core Strategy Policy CS17, policy PP17 of the Peterborough Planning Policies DPD and section 12 of the NPPF. The main consideration is that the proposal should respect and enhance the local character and distinctiveness of the area.

The scheme proposes the demolition of an extension to the site of the building and an ancillary building which are considered to have no architectural merit. Changes are proposed to the shop front to update the building and facilitate the uses; a new concrete service ramp and associated handrail (for retail Unit 3), removing existing windows and doors and provision of new windows and doors.

The width of the frontage and the minimal boundary treatment result in this building dominating the streetscene in this part of the conservation area. It also forms a break in the building line with a large open frontage. The site is located directly opposite the grade II listed St Luke's Church and is in the vicinity of other listed and locally listed buildings.

The proposal is for a change of use of the site, to retain and refurbish the building predominantly as it currently exists, with the demolition of later lobby and service centre extensions to the east of the building. The Conservation Officer considers that alterations to the frontage will result in an improved composition within the streetscene. The loss of the panel of stone cladding to the front elevation is welcomed; and the dark grey aluminium shopfront window frames will result in improvement to the building's appearance. However the demolition of the entrance lobby and extension would increase the prominence of the workshop to the rear east of the site within the streetscene. The Conservation Officer requested that the window to be inserted into the front elevation of the workshop should be dark grey aluminium to provide a cohesive appearance with those of the proposed retail frontages. The drawings have been amended accordingly.

Alterations are proposed to the shop frontage which includes signage. The initial plans showed finials to the signage which were deemed to be superfluous. However the signage has subsequently been amended.

No external shutters are proposed and neither would they be supported in this location.

The proposal to retain the soft boundary treatment to the east of the site is welcomed as it aids the screening of the workshops from the public realm.

The Conservation Officer has advised that the scheme would benefit by the addition of railings above the existing low boundary wall to the site frontage. At present the site forms a significant and detrimental break in the otherwise built up character formed by buildings and boundary treatments adjacent to the High Street. The boundary wall adjacent to High Street as existing is very low and offers very little visual value to the conservation area. This enhancement is accepted however the applicant is reluctant to add the railings. Whilst low level railings would have been a significant improvement in strengthening the boundary line in this section of High Street, as the proposal is primarily for a change of use it would not be reasonable to insist on this amendment.

It is considered that the work will preserve the character and appearance of the Eye Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with policy CS17 of the Peterborough Core Strategy DPD (2011), policy PP17 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations)

Highway implications

Car Parking

The scheme proposes a total of 29 car parking spaces including 2 mobility impaired spaces which have been relocated to the east of the site. 20 spaces will be provided for the proposed retail units fronting the building whilst the remaining 9 spaces will be for the use of staff and visitors of the workshop unit to the rear.

There will also be 2 cycle stands provided which will provide parking for up to 4 cycles.

The scheme as initially submitted proposed chevron parking along the retail frontage. However, this has now been deleted to provide access for delivery vehicles.

The maximum parking requirement for the retail units would be 37 spaces, but in this location, given that this would be small local retail units serving a local catchment, and that there is on-street parking along the High Street, the proposed parking provision is considered to be acceptable.

Servicing

The application has been amended and one workshop unit would be provided to the rear of the site. The scheme initially proposed two workshop units. This has removed a fundamental planning constraint; and it would now allow the independent servicing of the individual units on site. The proposed retail units would be serviced via the loading bay located to the front of the site. Service vehicles would enter the site from the east via the access off Moore's Lane and exit the site via the main vehicular access onto High Street to the west.

The proposed workshop unit will be serviced via the main vehicular access off High Street and servicing will be undertaken in the service area located to the west of the workshop unit. It has been agreed that the maximum sized vehicle that would serve the development is a 10.35 metre rigid HGV. The control of the size of vehicle would be secured through a suitably worded condition. A swept path analysis using a 10.35 metre vehicle has been undertaken and this demonstrates that service vehicles can access and egress the site in a forward gear.

Concerns have been expressed regarding the current operation of the site and that large delivery vehicles often park on the High Street. It is considered that the proposal would be a betterment on the existing situation as the condition would prevent large vehicles servicing the site which is enforceable.

The LHA is satisfied that the units can be serviced independently subject to the imposition of the condition restricting the length of vehicle. The LHA raises no objection to the proposal subject to the appending of additional conditions requiring 3 no covered and overlooked cycle parking spaces, temporary facilities for construction traffic and the scheme to be implemented in accordance with approved plans.

The proposal would not unduly impact upon the adjacent highway and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and policy CS14 of the Adopted Peterborough Core Strategy DPD.

Neighbouring Amenity

The site currently operates as a motorcycle dealership with ancillary workshop to the rear and was formerly a motor dealership. As such there is an acceptance that the site presently and historically generates noise, vehicle movements and a general level of activity associated with the business use. Any new unrestricted B2 use on the site would require consideration of the likely increase in noise and disturbance to neighbouring occupiers, over and above the existing situation.

The Pollution Control Officer has been consulted on the proposal and considers that notwithstanding the existing use certain restrictions will need to be imposed. These will include noise mitigation measures, control of delivery times and opening times, filtration and so on.

Noise

The Officer recommends that an assessment of the site be undertaken to determine the current noise climate of the site, taking into account both day and night-time noise levels associated with the motorcycle dealership use. This will enable noise limits to be established for the range of uses that are proposed above the current base level, and for potentially noisy plant, such as A/C units, to be appropriately controlled. A condition would be appended to the decision notice requiring provisions to be made for the control of noise emanating from the site.

The Officer has stated that some uses are unlikely to be acceptable in this location due to the characteristics of industrial activity as the noise sources of concern will be characterised as non-continuous, short duration, high energy, impact events. The Officer advises that ancillary activities are just as likely to result in complaint as the principal work activities, including deliveries, fork lift truck movements, loading of skips and activities which take place outside the building. These noise sources are difficult to effectively assess the impact and, being essential to the conduct of business, would also present difficulties for control by the developer and enforcement by the regulator. The operator would have a defence of having used the best practicable means in such situations.

However, this is an existing site and such noises could arise from the use of the site by the current or subsequent occupier. It is possible that the current occupier and any subsequent occupier, could undertake activities which generate noise and result in disturbance to neighbouring occupiers and the Local Planning Authority would have no control over this. It is accepted that the site is located close to residential properties and the future occupier of the workshop is currently unknown. However, it is considered that the change of use would be a betterment on the existing situation as the proposal would allow the opportunity to append conditions restricting, for example, opening times, delivery times, noise mitigation measures, lighting, etc. and therefore reducing the impact of the business on the amenity of neighbouring occupiers.

Officers are content that the carrying out of an existing noise survey to establish baseline conditions, and then ensuring any proposed noise levels over and above these is reasonable or can be mitigated against to an acceptable level. Officers are satisfied that this can be dealt with by condition.

Odour

As the use of units A and B is flexible and could accommodate A3 and A5 uses a condition would be appended to the decision notice requiring details of the provisions to be made for the control of odour emanating from the site.

Lighting

No information has been provided on whether any additional lighting is proposed within the site and a condition would be appended requiring any lighting which is to be installed shall be in accordance with the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".

Given the existing use of the site it is considered that with the appending of appropriate conditions the proposed change of use would not unduly impact upon the amenity of the neighbouring residential properties and hence the proposal accords with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

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 site is an existing commercial use and is located within the village of Eye which is designated as a Key Service Centre. The proposed uses are considered to be acceptable in this location.
- The scale of retail floorspace is appropriate for the village and would be an enhancement to the existing retail offer.
- The proposal would provide adequate parking provision and servicing arrangements and would not adversely affect the adjoining highway.
- The proposal would preserve the character and appearance of the conservation area.
- Due to the existing characteristics of the site the proposal would not unduly impact upon the amenities of the occupiers of neighbouring properties.

Hence the proposal accords with policies CS3, CS14, CS15, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD, policies PP1, PP2, PP3, PP9, PP12, PP13 and PP17 of the Adopted Peterborough Planning Policies DPD and the NPPF.

7 Recommendation

The case officer 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 No development shall commence until samples of the materials to be used in the external surfaces of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in accordance with policy PP2 of the Peterborough Planning Policies DPD and policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD.

- C 3 The parking, turning, loading and unloading areas for the proposed retail and workshop units shall be laid out in accordance with the approved drg. no 8364s/06H. The respective areas shall thereafter be used for the parking, turning, loading and unloading of vehicles in associated with the approved uses.

Reason: In the interests of highway safety and in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

- C 4 Notwithstanding the cycle parking shown on drg. no. 8364s/06H, prior to the occupation of any of the development, three secure, covered and overlooked cycle parking stands shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to encourage alternative modes of transport to and from the site and in accordance with policy CS14 of the Adopted Peterborough Core Strategy DPD and policy PP13 of the Adopted Peterborough Planning Policies DPD.

- C 5 Adequate space shall be provided within the site for temporary parking, turning loading and unloading of construction vehicles during the period of construction.

Reason: In the interests of highway safety and in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

- C 6 Servicing of the approved development shall be restricted to vehicles no larger than 10.35m long rigid heavy goods vehicles or refuse vehicles. No part of the development shall be serviced by articulated or drawbar heavy goods vehicles at any time without the prior approval of the Local Planning Authority.
- Reason: In the interests of highway safety and in accordance with policy PP12 of the Adopted Peterborough Planning Policies DPD.
- C 7 The workshop unit shall be restricted to a maximum floor space of 550m as indicated on the approved drawing and shall not be subdivided.
- Reason: In the interests of highway safety and in accordance with policy PP12 of the Adopted Peterborough Planning Policies DPD.
- C 8 The workshop unit shall not be open to customers outside the following hours 7.00 am - 7.00 pm Monday to Saturday and shall not be open to customers on Sundays or Bank Holidays.
- Reason: To protect the amenities of neighbouring occupants, in accordance with the Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).
- C9 Deliveries to the workshop shall take place solely in keeping with the following hours:- 7.00 am - 7.00 pm Monday to Saturday. No deliveries to the workshop shall take place on Sundays or Bank Holidays.
- Reason: To protect the amenities of neighbouring occupants, in accordance with the Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).
- C10 Any 'trade counter'/customer area associated within the workshop use shall be limited to 15% of the floorspace associated with the workshop unit. That area shall not be occupied or used at any time other than for purposes ancillary to the use of the unit hereby permitted and shall not be occupied, leased or rented as a separate unit.
- Reason: Reason: The Authority is concerned that an increase of the retail floorspace above that approved could lead to an intensification of use that would give rise to highway safety issues in accordance with policies PP12 and PP13 of the Peterborough Planning Policies DPD
- C11 In accordance with Schedule 2, Class 3, Part V of the Town & Country Planning Permitted Development (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the workshop unit shall benefit by permission to interchange between B1c, B2 and B8 uses.
- Reason: In order for the applicant to benefit from the permitted development rights for uses which are acceptable within this location in accordance with policy CS3 of the Adopted Peterborough Core Strategy DPD.
- C12 Any ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Full details of any filtration and/or extraction equipment to be installed shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the nature and location of filtration equipment to be used (including Sound Power Level data), the height of termination of the flue above the ridge height of adjacent buildings and the efflux velocity of air discharged from the ducting. Development shall be carried out in accordance with any such approved details and implemented prior to that use hereby approved commencing and shall be operational during the times that the use is operating.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C13 Before any of the development is occupied an assessment of the site shall be undertaken to determine the noise climate of the site, taking into account both day and night-time noise levels. This will enable noise limits to be established for the range of uses that are proposed, and for potentially noisy plant, such as A/C units, to be appropriately selected. Subsequent to the noise data produced a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the site. These provisions could include physical and/or administrative measures.
The scheme shall be implemented in strict accordance with the approved details before any of the development is occupied. The agreed noise mitigation measures shall be maintained in perpetuity.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C14 The use of the columns for lighting the development shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in environmental zone 3 in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

Reason: In order to protect the amenity of local residents and highway safety and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

- C15 In accordance with Schedule 2. Class 3, Part V of the Town & Country Planning Permitted Development (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), units A and B shall benefit by permission to interchange between A1, A2, A3 and A5 uses.

Reason: In order for the applicant to benefit from the permitted development rights for uses which are acceptable within this location in accordance with policy CS15 of the Adopted Peterborough Core Strategy DPD.

- C16 The retail floor area shall be restricted to that shown within drawing no. 8364s/04 D. For the avoidance of doubt Unit C shall be retained as A1 retail use.

Reason: The Authority is concerned that an increase of the retail floorspace above that approved could lead to an intensification of use that would give rise to highway safety issues in accordance with policies PP12 and PP13 of the Peterborough Planning Policies DPD

- C17 Should units A and B be used for A3 (restaurant/Cafe) or A5 (takeaway) purposes, prior to their occupation the opening hours and delivery times shall be agreed in writing by the Local Planning Authority. The uses shall be implemented in accordance with the approved details.

Reason: In the interests of the amenities of the occupiers of nearby properties and in accordance with policy PP3 of the Peterborough Planning Policy DPD

- C18 Deliveries to the convenience store (Unit C) shall take place solely in keeping with the following hours:- 7.00am to 9.00pm Mondays to Saturdays – 8.00am to 6.00pm on Sundays and Bank Holidays

Reason: In the interest of the amenities of the occupiers of neighbouring residential properties in accordance with policy PP3 and PP12 of the Peterborough Planning Policies DPD

C19 The convenience store (Unit C) shall not be open to customers outside the following hours 7.00am and 9.00pm Mondays to Saturdays - 8.00am to 6.00pm on Sundays and Bank Holidays.

Reason: In the interest of the amenities of the occupiers of neighbouring residential properties in accordance with policy PP3 and PP12 of the Peterborough Planning Policies DPD

C20 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Proposed building plan drg. no. 8364s/04D
- Proposed elevations drg. no. 8364s/05D
- Proposed site layout drg. no. 8364s/06H
- Site location plan drg. no. 8364s/01C
- Technical Note – January 2016

Reason: For the avoidance of doubt and in the interest of proper planning.

Copies to Councillor D A Sanders, R Brown

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