

Application Ref: 19/01829/FUL

Proposal: Installation of mezzanine floor level (700sqm) and associated works

Site: Unit D, The Boulevard Retail Park, Maskew Avenue, New England
Applicant: C/O Agent

Agent: Mr Jonathan Ordidge
 Knight Frank

Referred by: Head of Development and Construction

Reason: Departure

Site visit: 17.01.2020

Case officer: Mr Jack Gandy
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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 application site is located within the Boulevard Retail Park, which contains 8 retail units (non food bulky goods) positioned in an 'L' shape formation, around a car park with approximately 490 spaces. Some but not all of these other retail units have mezzanine floors. The Retail Park is located to the south of Stoke Parkway (A47) and to the west of Bourges Boulevard (A15). Vehicular access is taken from Bourges Boulevard via Maskew Avenue. To the south of the retail park are the B&Q, Matalan and Argos stores.

The application site is Unit D located at the northern end of the Retail Park with 1073 sqm Gross Internal Area (GIA) of retail floorspace. The unit is currently vacant and has been since June 2019. It was previously occupied by Office Outlet.

Proposal

The application seeks permission for the addition of a mezzanine floor to Unit D, with a coverage of approximately 700 sqm.

There are no changes proposed to the external elevations of the unit.

2 Planning History

Reference	Proposal	Decision	Date
93/P0602	Erection of non-food retail warehouse park including garden centre associated car parking, retention of three tennis courts and bowling green and relocation of social club within site (outline) as amended by agent's letter dated 7.9.93, 13.9.93, 21.9.93 and plan numbers 2300/01 sketch site analysis, plans E827/6A, E827/3, E827/4A, E827/2A, E827/5A	Permitted	20/10/1994
95/P0300	Erection of non-food retail warehouse park and associated car parking (approval of reserved matters for 93/P0602)	Permitted	09/06/1995
17/01119/FUL	Facade refurbishment for all 8 units	Permitted	03/08/2017
18/01596/FUL	Facade refurbishment for all 8 units	Permitted	21/11/2018

3 Planning Policy

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

National Planning Policy Framework (February 2019)

Paragraphs 86/87 - Sequential Test

A sequential test should be applied to applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available) should out of centre locations be considered. When considering edge of centre or out of centre locations preference should be given to accessible sites which are well connected to the town centre. Flexibility should be demonstrated on issues such as format and scale.

Peterborough Local Plan (2019)

LP12 - Retail and Other Town Centre Uses

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate district and local centres. Retail development will be supported within the primary shopping area. Non retail uses in the primary shopping area will only be supported where the vitality and viability of the centre is not harmed. Only retail proposals within a designated centre, of an appropriate scale, will be supported. A sequential approach will be applied to retail and leisure development outside of designated centres.

The loss of village shops will only be accepted subject to certain conditions being met. New shops or extensions will be supported in connection with planned growth and where it would create a more sustainable community subject to amenity and environmental considerations provided it is of an appropriate scale.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate

mitigation.

LP13c) 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

PCC Pollution Team

No objections – This is unlikely to have any adverse effect on the local noise climate.

PCC Peterborough Highways Services

No Objections - Previous research carried out by the Local Highway Authority (LHA) has shown that mezzanine floor areas added to additional units do not generate as much traffic as that of a completely new unit. A new mezzanine floor would generate approximately 20% of the trips expected of a completely new unit. As a result of the additional internal GFA of 700sqm created by the new mezzanine floor the additional traffic generated would be approximately 4 vehicles entering and leaving the retail park in the Friday PM peak hour which would not result in a significant impact upon the adjacent highway network. It is also the view of the LHA that given the current usage of the car park and the significant 'under trading' of this particular retail park that car parking shall also not be an issue.

Local Residents/Interested Parties

Initial consultations: 2

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No representation received.

5 Assessment of the planning issues

Planning history

Planning permission was originally granted for the non-food retail park in Oct 1994 (ref: 93/P0602). The Park extends to circa 10,400 sqm and included a garden centre and car parking. A number of conditions were appended to the original consent which sought to restrict the use of the floor space within the units. Of particular relevance to the application are conditions 6 and 8 which state:

Condition 6:

"Except where provided for by Condition 08, the premises hereby approved shall be used for the purpose of storage, display and sale of: a) building and DIY materials and tools b) motor parts and cycles; c) camping equipment and boats; d) furniture and carpets; e) large domestic appliances; f) other goods that are ancillary to or directly associated with items a) to e), and for no other purpose (including any other purpose) of use Class A1 as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or any provision equivalent to that class in any statutory instrument revoking or re-enacting the Order without the prior permission of the Local Planning Authority."

Condition 8:

"With reference and subject to condition 07 of this consent, in addition, one unit of not more than 10,000 (ten thousand) square feet only may be constructed for the purpose of sales of goods normally found on a retail warehouse park and for no other purpose (including any other purpose) of Use Class A1 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 and any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order."

Retail impacts

The application site lies outside of a designated centre, hence the addition of the conditions on the original consent to restrict the goods which could be sold from the units. The proposal is considered against Policy LP12 of the Local Plan and para 86/87 of the NPPF. These policies seek to ensure that retail development is located within designated centres. Applications for retail development outside of a centre would be subject to a sequential test which demonstrates that there are no suitable sites higher in the retail hierarchy.

The 2016 Peterborough Retail Study which underpins policy LP12 identifies that there is no comparison goods expenditure capacity in the short term until 2021 to support any future floorspace. The study identifies that with strong population and expenditure growth, from 2022 onwards there may scope to accommodate some additional floorspace. It is likely that this future expenditure capacity would arise and be accommodated within the City Centre and Hampton District Centre. In addition some may be accommodated as part of the regeneration of the Orton District Centre. The study recognises the importance of the delivery of in centre comparison retail schemes to contribute to the vitality and viability of these existing centres, rather than this additional retail capacity being accommodated in less sequentially preferable edge of centre or out of centre sites. The study goes on to state 'that the growth in the sale of non-bulky comparison goods from out of centre shopping destinations needs to be carefully monitored to ensure that the future growth and expansion of the city centre is not compromised'.

There is no specific distinction between non-bulky goods and bulky goods comparison retail in both the Local Plan Policy LP12 and supporting retail study, in terms of the capacity for additional floor space and its impact on designated retail centres. However, it is generally accepted that due to nature, size, and scale of bulky goods being sold (e.g. furniture, DIY etc.) that these units cannot usually be accommodated within the designated city and district retail centres. They tend to be found within out of centre retail parks or industrial locations. As such it could not be argued that new bulky goods floorspace outside of Peterborough's designated retail centres would affect their vitality and viability, by drawing retail expenditure away from them that would otherwise be spent there, and as a result cause shop closures and decline.

In this instance, the proposed bulky goods mezzanine floorspace would be accommodated within an existing bulky goods unit, within an existing bulky goods retail park, therefore the principle of this use in this location has already been established. Linked trips are likely to occur between the different units within the retail park, offering a more sustainable bulky goods retail offer than other out of centre locations. This proposal would help bring back into use a vacant unit, and whilst the specific end occupier does not form part of this application, it is indicated that the occupier could be Wren Kitchens. The lack of comparison retail floorspace is not specifically quantified into bulky goods and non-bulky goods retail, and the limit on new floorspace is mainly in place to protect the designated retail centres, therefore it is not considered this proposal could be resisted on the basis that Policy LP12 states that there is currently no general comparison retail capacity in the city. In addition bulky goods cannot be accommodated within these centres. Therefore, so long as the sequential test has been passed, there would be no retail harm to the vitality and viability of retail centres. In addition the scale of bulky goods floorspace proposed in this instance 700sqm is not of such a scale as to undermine the retail strategy of the City.

Therefore, despite the current lack of comparison goods retail capacity in accordance with Policy LP12, it is not considered that this proposed 700sqm of bulky goods retail floorspace within an existing vacant retail unit on an existing retail park would undermine the retail strategy of the City or unacceptable harm the vitality or viability of any designated retail centres. The proposal would therefore not result in unacceptable conflict with Policy LP12 of the NPPF.

Highway Implications

A Transport Statement supports the application. The statement concludes that the additional trips generated by this new mezzanine floorspace would be of such a low level in comparison to the

existing trip generation of the Retail Park, so as to have no noticeable traffic impact on the existing local highway network. Officers agree that the additional trips would be minimal and so would not have any adverse impact on the adjacent highway network. Therefore there would be no unacceptable or harmful impacts on the adjacent highway network resulting from additional traffic movements, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

The access to the site along Maskew Avenue off Bourges Boulevard would be remain unchanged. The site benefits from a large communal car park comprising approximately 453 car parking spaces and 32 accessible parking spaces which are available for all customers within the wider retail park. Officers are in agreement with the Statement's conclusion that the existing parking provision would be sufficient to serve the additional mezzanine floorspace and would accord with policy LP13 of the Local Plan (2019).

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 addition of this bulky goods retail floorspace within this existing unit, is considered to be acceptable and would not affect the vitality and viability of designated retail centres, or undermine the Council retail strategy in terms of retail capacity and growth. The proposal would therefore not represent an unacceptable conflict with LP12 of the Local Plan and the NPPF.
- The access arrangements and traffic impacts are considered to be acceptable. There are no highway safety concerns with the proposal. The development is therefore in accordance with Policy LP13 of the Local Plan.

7 Recommendation

The Executive Director of Place and Economy 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 The development shall be implemented in accordance with the following plans:

- Location and Block Plan - BNY-Z1-08-0020 BOO
- Existing floor plan - BNY-Z1-08-0021 BOO
- Proposed ground floor plan - BNY-Z1-08-0022 BOO
- Proposed mezzanine floor plan - BNY-Z1-08-0023 BOO
- Proposed section - BNY-Z1-08-AL20 BOO

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

- C 3 The unit shall not be sub-divided to form separate units unless planning permission for such works has been granted on application to the Local Planning Authority.

Reason: This consent is based on the operating parameters of the Retail Assessment, to ensure that the development does not affect the vitality or viability of nearby retail centres in accordance with Policy LP12 of the Peterborough Local Plan (2019).

- C 4 The resulting unit hereby permitted shall be used for the purpose of storage, display and sale of: a) building and DIY materials and tools b) motor parts and cycles; c) camping equipment and boats; d) furniture and carpets; e) large domestic appliances; f) other goods that are ancillary to or directly associated with items a) to e), and for no other purpose (including any other purpose) of use Class A1 as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended or any provision equivalent to that class in any statutory instrument revoking or re-enacting the Order) without the prior permission of the Local Planning Authority.

Reason: To ensure that the development does not affect the vitality or viability of nearby retail centres in accordance with Policy LP12 of the Peterborough Local Plan (2019).

Copies to Councillors Ansar Ali, Shazia Bashir, and Mohammed Nadeem