

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

Tuesday 2nd June 2009 at 1.30pm

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PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

- 1. Planning Officer to introduce application.
- 2. <u>Chairman</u> to invite Ward Councillors to address the meeting and ask questions, if any, with Officers responding.
- 3. Chairman to invite Parish Council or Neighbourhood representatives to present their case.
- 4. Members' questions to Parish Council or Neighbourhood representatives.
- 5. <u>Chairman</u> to invite objector(s) to present their case.
- 6. Members' questions to objectors.
- 7. Chairman to invite applicants, agent or any supporters to present their case.
- 8. Members' questions to applicants, agent or any supporters.
- 9. Officers to comment, if necessary, on any matters raised during stages 2 to 8 above.
- 10. Members to debate application and seek advice from Officers where appropriate.
- 11. Members to reach decision.

The total time for speeches in respect of each of the following groups of speakers shall not exceed <u>five minutes</u> or such period as the Chairman may allow with the consent of the Committee.

- 1. Parish Council or Neighbourhood representatives.
- 2. Objectors
- 3. Applicant or agent or supporters.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 2 June 2009 at 1.30 p.m LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent /Supporters/Parish Council/Town Council/Neighbourhood Representatives
4.1	1	17 Oundle Road, Woodston, Peterborough, PE2 9PB	Mrs Wheeler	Objector
			Anne Caprio	Objector
			Lance Wiggins	Agent
4.2	13	Bikes Trikes and Stuff First Drove, Fengate	Cllr Todd	Ward Councillor
4.3	19	The Erection of a Temporary Sports Club House including	Cllr Fitzgerald	Ward Councillor
		catering, bar and changing facilities (retrospective) on land to the north of the former	Andy Moore	Applicant
		Bretton Woods Community School Site, Bretton Park, Bretton	David Shaw	Agent
4.4	31	39 Farleigh Fields, Orton Wistow, Peterborough	Mr S Cleworth	Objector
			David Shaw	Agent
4.5	37	Arthur Mellows Village College, Helpston Road, Glinton Peterborough	Cllr Holdich	Ward Councillor
4.10	73	64-66 Dogsthorpe Road, Peterborough	Cllr Peach	Ward Councillor
4.11	81	98 Dogsthorpe Road, Peterborough	Cllr Peach	Ward Councillor

BRIEFING UPDATE

P & EP Committee 2 June 2009

ITEM NO | APPLICATION NO

		17 Oundle Road Woodston Peterborough PE2 9PB, Erection
1.	09/00258/FUL	of 13 dwellings with associated access, car parking and

SITE/DESCRIPTION

Revised plans were submitted following a meeting with the applicant, and consultation carried out.

The revisions related to alterations to the highway, access and parking layout, changes to the housing layout and design, and changes to the windows on plots 1 and 2 in order to avoid overlooking towards the existing houses on Oundle Road. The Committee Report was finalised after receipt of the revised plans and is therefore based on them and not the initial submission.

Further consultation responses

The Historic Environment Officer has advised that the site is in an area where archaeological remains are likely, and has requested a Condition.

The Landscaping Officer has reviewed the Arboricultural Survey submitted, and it is considered that outstanding matters can be dealt with by Conditions.

The root protection areas (RPAs) of the trees within and adjacent to the development site have not all been shown correctly, however correction of the RPAs and agreement on a suitable method of demolition and development can be agreed under Condition. The trees are mainly along the east and west boundaries of the site, where no built development is proposed close to the boundaries, with some small trees along the south boundary. The gardens can be laid out without affecting the RPAs, using appropriate protective measures and methods.

The Environmental Protection Officer has commented that the site is close to train lines and industrial activity, and may be contaminated. There may be concerns arising regarding noise and pollution, and Conditions are suggested to control these and also to control the impact of demolition on nearby residents.

Head of Transport and Engineering – The plans have been reviewed and there are no objections, subject to conditions and informatives.

Wildlife

Following concerns raised about the possibility of bats inhabiting the site, a survey was carried out by a suitably qualified ecologist. No evidence of bats was found. However some evidence of nesting birds was discovered, and it is considered appropriate to append a Condition regarding the timing of demolition in order to avoid danger to birds during the nesting season.

S106

The applicant has submitted a viability report and contends that the scheme is not viable if they are required to make an infrastructure contribution. Officers will examine this and continue to negotiate. If no appropriate agreement can be reached then the application will be refused. It is considered that approval should not be granted without a suitable contribution.

Other representations

Cllr Lee has submitted comments, which are attached to this report in full.

Further comments have been received from one neighbour, as well as a petition signed by 47 residents, raising and reiterating the following points:

Why is there not a mix of two and three bedroomed houses/Not in keeping with traditional family houses

This is a small development and provision of two bedroomed homes only is considered acceptable. The provision of good quality small houses may improve the overall availability of family houses for families, as people may choose to downsize.

Where is the community benefit?

The intention of the S106 obligation is to secure a proportionate amount of community benefit.

Development may set the tone for future development of the rest of the brownfield site and will attract transient population instead of families

It is not clear which site this comment refers to. It may refer to the site to the south and east (Galvanising site), which is allocated for housing but currently in employment use. Any proposal to develop that site would be considered on its own merits in light of the policies and material considerations in force at the time.

Development does not provide enough open space or garden space for biodiversity This has been broadly covered in the Committee Report.

Small areas of open space are frequently not used in a productive way and can become a maintenance burden. The size of the site is not such that it could accommodate an area of open space that would serve a useful purpose to residents or the neighbourhood. Public open space that residents will be able to use and enjoy is available at Fletton Rec, and other nearby sites within the ward, e.g. local allotments, and the new sports field and community centre being provided at Riverside.

The gardens provided will be landscaped and planted and this would be more beneficial to wildlife than the current site conditions.

Crossing Oundle Road to Fletton Rec may result in road traffic accidents

The relationship is considered acceptable.

Proposals should not be detrimental to established properties/Invasion of privacy to existing properties

This has been covered in the Committee Report.

Neighbour has referred to "Gardening Manifesto" supported by a variety of national institutions

This document is not a material planning consideration. Grassed and landscaped gardens will be provided as part of the development. It is not within the remit of the Local Planning Authority to require retention of planting.

What measures will be taken to ensure privacy [to property in George Street] and protection of trees on neighbouring land

Boundary treatments will be agreed by Condition and are likely to be 1.8m tall, to ensure privacy of residents on both sides. Tree protection is discussed above, and will be ensured by Condition.

Development does not consider existing housing stock

This has been covered in the Committee Report.

Members are requested to approve the additional Conditions as well as those set out in the Report:

C14 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policy

Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- No works or development shall take place until a Tree Protection Plan (as per section 7.1 BS5837-2005) has been submitted to and agreed in writing with the Local Planning Authority. Development shall proceed in accordance with the approved Plan.

 Reason: In order to ensure the retention and protection of trees that make a positive contribution to the quality of the local environment, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).
- No works or development shall take place until an Arboricultural Method Statement (as per section 7.2 BS5837-2005) has been submitted to and agreed in writing with the Local Planning Authority. Development shall proceed in accordance with the approved Statement.

Reason: In order to ensure the retention and protection of trees that make a positive contribution to the quality of the local environment, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

C17 No trees that are being shown as being retained on the approved plan shall be cut back in any way, felled, uprooted, wilfully damaged, destroyed or removed without the prior written consent of the Local Planning Authority. All pruning works approved shall be to BS 3998-1989 Recommendations for Tree Work.

Reason: In order to ensure the retention and protection of trees that make a positive contribution to the quality of the local environment, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

C18 If any retained tree is damaged mitigation/remedial works shall be carried out as may be specified in writing by the Local Planning Authority.

Reason: In order to ensure the retention and protection of trees that make a positive contribution to the quality of the local environment, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

C19 Prohibited activities.

Development shall be carried out in accordance with the following restrictions:

- a. No fires shall be lit on site within 10 metres of the nearest point of the canopy of any retained tree on or adjacent to the proposal site
- b. No equipment, signage, fencing or other item shall be attached to or be supported by any retained tree on or adjacent to the application site
- c. No temporary access shall be provided within designated Root Protection Areas without the prior written approval of the Local Planning Authority
- d. No mixing of cement, dispensing of fuels or chemicals shall take place within 10 metres of the tree stem of any retained tree on or adjacent to the application site
- e. No soak-aways shall be routed within the Root Protection Areas of any retained tree on or adjacent to the application site
- f. No stripping of top soils, excavations or changing of levels shall take place within the Root Protection Areas of any retained tree on or adjacent to the application site other than as agreed in the Method Statement to be approved under Condition 16
- g. No topsoil, building materials or other materials shall be stored within the Root Protection Areas of any retained tree on or adjacent to the application site
- h. No alterations or variations of the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

 Reason: In order to improve the visual amenity of the areas, in accordance with Policies DA1, DA2,

LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

C20 Private lighting shall be arranged so that no danger or inconvenience is caused to users of the adjoining or proposed public highway. Details of any proposed lighting shall be submitted to the Local Planning Authority and approved in writing prior to its first use.

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

The dwellings shall not be occupied until the site including areas shown for parking and turning of vehicles on the approved plans have been drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and the area laid out for the parking and turning of vehicles shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the dwellings.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, and in the interest of Highway Safety, in accordance with Policies T9, T10, T11 and U1 of the Adopted Peterborough Local Plan (First Replacement).

C22 Visibility splays clear of any obstruction over a height of 600mm above footway level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 43m measured along the channel line of the public highway from the centre line of the proposed access road. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access).

Reason: In the interests of Highway safety, in accordance with Policies T1, T3, T5 and T8 of the Adopted Peterborough Local Plan (First Replacement).

C23 No dwelling on the development shall be occupied before the access road and footway linking the dwellings to the existing public highway at Oundle Road have been completed to base course level in accordance with the approved plans.

Reason: In the interests of Highway safety, in accordance with Policies T1, T3, T5, T7 and T8 of the Adopted Peterborough Local Plan (First Replacement).

C24 Notwithstanding the layout shown on the approved plans, the junction of the proposed access road with Oundle Road shall be formed as a simple dropped crossing. Any surplus lengths of existing dropped crossing shall be reinstated back to full height kerbs and the footway resurfaced to suit the new levels before occupation of any new dwelling. Details of the means of closure of redundant lengths of the existing dropped kerb shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

Reason: In the interests of Highway safety, in accordance with Policies T1, T3, T5, and T7 and T8 of the Adopted Peterborough Local Plan (First Replacement).

Notwithstanding the layout shown on the approved plans, before the new dwellings are occupied, visibility splays of the following dimensions 2m x 2m shall be provided on both sides of car parking spaces 1 to 2 and 16 to 19 and of the following dimensions 1m x 1m shall be provided on both sides of the remaining car parking spaces and shall be maintained thereafter free from any obstruction over a height of 600mm measured from and along respectively the proposed highway boundary.

Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).

- C26 Prior to the commencement of works on site, unless otherwise agreed in writing with the Local Planning Authority, a Construction and Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:
- a) a noise management plan including a scheme for the monitoring of construction and demolition noise
- b) a scheme for the control of dust arising from building and site works

- c) a scheme of chassis and wheel cleaning for construction and demolition vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways
- d) a scheme of working hours for construction and other site works
- e) a scheme for construction access from the Parkway including measures to ensure that all

construction and demolition vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load and unload clear of the public highway and details of any haul routes across the site

- f) a scheme for parking of contractors vehicles
- g) a scheme for access and deliveries including hours
- h) temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Peterborough Local Plan (First Replacement).

- C27 No development approved by this planning permission shall be commenced until: a). A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information; and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
- a risk assessment to be undertaken relating to human health and ground / surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.
- c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.
- d) A Method Statement detailing the remediation requirements, including measures to minimise the impact human health and on ground / surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site. Reason: To ensure that the proposed site investigation and remediation will not cause a risk to human health or pollution of Controlled Waters, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).
- Condition 27 a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

 Reason: To ensure that the proposed site investigation and remediation will not cause a risk to human health or pollution of Controlled Waters, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).
- C29 An assessment of the site shall be undertaken to determine into which noise exposure category (NEC) the site falls, taking into account both day and night-time noise levels. Construction work shall not commence until a scheme for protecting the proposed

noise sensitive development from road, railway and industrial noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Planning Policy Guidance (PPG24 Planning and Noise), and Policy DA2 of the Peterborough Local Plan (First Replacement).

C30 No demolition or site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

		Bikes Trikes And Stuff First Drove Fengate Peterborough,
2.	08/01602/FUL	Continued siting of 3 static caravans for use as storage,
		office/canteen and night watchman's hut

Following discussion with the applicant, the application now seeks permission for the continued siting of only one of the static caravans, shown as 'caravan 1' on the submitted block plan. It is proposed that this caravan would be used as offices and a staff canteen during operation hours and a night watchman's hut out of operation hours. The uses would remain as ancillary to the existing vehicle repair premises. Therefore, the proposal should read 'continued siting of one static caravan for use as storage, office/canteen and night watchman's hut'.

The Committee Report was finalised before receipt of this information and is therefore based on the initial submission.

The caravan will not be occupied by a single person at all times of the day, as would be the case if it were a residential dwelling. The night watchman's role is carried out by different people throughout the week and will not be occupied at all for this purpose during the day time when the premises are in operation.

Pollution Team – no observations regarding this application.

		Bretton Woods Community School Flaxland Bretton
3.	08/01239/FUL	Peterborough, Erection of temporary sports club house
		including catering, bar and changing facilities

The Peterborough Sports Strategy has been adopted by Full Council and relates to sports provisions from 2009 -2014. Two aims of the Strategy are as follows:-

- Support sports clubs, including those with facilities, to broaden access and to encourage participation by a wider audience.
- Improve and promote the range of local facilities and activities available, including expanding
 access to sport in a wider range of community venues such as religious venues, community
 halls and parks and open spaces.

A key priority of the Strategy is to – 'Support sports clubs, associations, community organisations, and partners to meet the needs of the people of Peterborough'

C7 should read:-

Within 4 weeks of the date of this permission a noise limiter, including its setting, shall be connected to the amplification system in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the noise limiter shall remain installed in accordance with the approved details, shall be kept entirely free from obstruction and shall be in use for the duration of functions held in the marquees. The agreed noise level restriction, shall not be altered unless by written agreement with the Local Planning Authority. The effectiveness of the noise limiter will be monitored by the Local Planning Authority and should the set level be found to be too high the noise meter will be reset accordingly. The applicant shall afford access at all reasonable times to an Officer nominated by the Local Planning Authority to enable the resetting to be undertaken.

Clir Nash has made the following comments

Why was it necessary to take the metal poles out of the concrete pillars outside the court area? Why have we three massive containers belonging to the Lions Cricket Club? Why has this ever been allowed to get to this stage as there has been no planning permission granted in the first instance?

I understand that this year's Bretton Festival is being held on the site? Is this permissible? Is it down to the Rugby Club to allow this?

I have received 15 complaints in just under 24 hours on the use of the tennis courts and I know that PCC used to charge for the tennis courts but this was a long time ago.

I want to see the metal poles reinstated and the concrete poles made good.

I want to see the tennis courts charge stopped.

The tennis courts have not been made good, they have only had new nets put up.

I want to see more co-operation between the Rugby Club and the residents overall.

I am very disappointed that things have got to this stage in that we are so far along the line and planning permission is being asked for and I strongly object

		39 Farleigh Fields Orton Wistow Peterborough PE2 6YB,
4.	09/00244/FUL	Two storey side, single storey rear and front and two storey front
		extensions

Condition 3 to be reworded as follows:

In the event that the existing leylandii hedging along the southern boundary of the site has to be removed as a result of the construction of the two storey front extension hereby approved it shall be replaced for its entire length with 2m high vertical boarded fencing in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented prior to the first occupation of the two storey extension in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with policy DA2 of the Peterborough Local Plan (First Replacement)

Objections have been received from the occupiers of No 40 Farleigh Fields on the grounds that:-

- The proposals represent a gross over development of the property
- The scale of the extensions would be overpowering to existing properties in the local area
- The first floor window of the two storey front extension would overlook their driveway, garden room and garages. This window should be obscure glazed.
- The boundaries on the site plan are incorrect. The two storey front extension would result in the removal of a boundary leylandii hedge that is within their ownership, not the applicants.

- It is considered that the land between the application property and the Council footpath to the north is owned by the Council and not no.39.
- Should planning permission be granted the occupiers of no.40 have stated that they will not permit scaffolding on their property to carry out the works, the foundations for the two storey extension would undermine the foundations and structural stability of their property and may also damage their driveway. Structural support details are submitted to them for the works during excavations. Delivery vehicles to the property should be restricted to 9am to 3.30pm to restrict the driveways from becoming blocked with vehicles and thus restricting access to no.40. The parking of contractor's vehicles is limited to the driveway of no.39. Working hours should be restricted to Monday to Fridays only. Dust and noise from the construction works should be suppressed and no fires lit. The side extension including the garden room is to be built over a drain that connects to no.40 which has the potential to be damaged to the detriment of the drainage system.

		Arthur Mellows Village College Helpston Road Glinton
5.	09/00313/FUL	Peterborough, Construction of new gym and refurbishment of
		existing gym to innovation centre on school campus site

Health and Safety Executive: Do not advise against the proposal.

6.	08/01472/FUL	2 Elmfield Road Peterborough PE1 4HB Retail Shop Canopy
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The proposal should read as the 'Erection of Canopy'. The roller shutters have been deleted from the design.

Condition 3 should read:

Prior to first use the canopy structure shall have a glass roof and all metal work shall be coloured Olive Green (BS12B27) and thereafter the metal work shall be retained in that colour and the roof shall remain of glass.

Additional Condition 5: Prior to the commencement of the use of the canopy bollards shall be erected within the forecourt area of the shop premises in accordance with a scheme to be submitted to and approved in writing with Local Planning Authority. Thereafter the bollards shall be retained.

Reason: In the interests of highway safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement).

Further objections have been received from 6 local residents on the ground that:-

- Cars and vans visiting the shop regularly use the forecourt of the shop for parking in a manner that is dangerous to pedestrians and other vehicles on the public highway. Often this involves more than one vehicle.
- The shop has no safe parking area or a safe access to a parking area.
- The front of the shop is an eyesore
- Youths often use the many crates that are left out overnight for sitting on and they are used for holding up the existing canopy. The lack of security shutters will provide a sheltered area for the youths to congregate and the distinct possibility for passers by to be intimidated whilst creating noise and litter.
- Cars have been parked in the forecourt of the shop for sale which causes other vehicles to park more dangerously
- The frontage of the site has turned into a garage
- The tenant of the flat above the shop parks in the forecourt area
- Opening hours of the shop are not being adhered to.

- The shop owner or one of the shop workers keeps his/her children in a car parked on the forecourt whilst working in the shop.

0	09/00273/FUL	83 Percival Street West Town Peterborough PE3 6AT, Single
Э.	09/002/3/1 UL	storey rear extension and external canopy to the shopfront

No Further Comments

10.	08/01223/FUL	64-66 Dogsthorpe Road Peterborough PE1 3AQ , Retail shop
10.	00/01220/102	canopy

Head of Transport and Engineering Services – No objections to the revised proposal as the canopy will not overhang the public highway.

Condition 3 should read:-

Prior to first use the canopy structure shall have a glass roof and all metal work shall be coloured Olive Green (BS12B27) and thereafter the metal work shall be retained in that colour and the roof shall remain of glass.

11	08/01443/FUL	98 Dogsthorpe Road Peterborough PE1 3AQ , Replacement
' ' '	00/01440/102	canopy

Condition 3 should read:

Prior to first use the canopy structure shall have a glass roof and all metal work shall be coloured Olive Green (BS12B27) and thereafter the metal work shall be retained in that colour and the roof shall remain of glass.

Objection received from a local resident on the grounds that the frontage are of the shop is untidy and general cluttered with an existing unauthorised canopy and a proliferation of signage, the rear curtilage of the shop is a constant mess. Boxes are left out overnight that frequently end up in the street either due to the wind or passersby. The canopy will fall into disrepair and become unsightly.