

11/00879/FUL: CHANGE OF USE OF EXISTING RESIDENTIAL STORE TO STORE ROOM FOR BUSINESS USE (PART RETROSPECTIVE), REMOVAL OF EXISTING MONO PITCH ROOF, AND REPLACE WITH FLAT ROOF AND COVERED ACCESS TO STORE ROOM, CHANGE OF USE OF PART OF EXISTING GARAGE TO UPGRADED TOILETS AT 55 CHERRY ORTON ROAD, ORTON WATERVILLE, PETERBOROUGH

VALID: 3 JUNE 2011

APPLICANT: R AND P MEATS LTD

AGENT: MR M WATSON

REFERRED BY: CLLR STOKES

REASON: APPLICATION OF WIDER PUBLIC INTEREST

DEPARTURE: NO

CASE OFFICER: SAM FALCO

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development;
- Design and visual amenity
- Whether the proposal will impact on the Conservation Area
- Highway Implications

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

2 PLANNING POLICY

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

Development Plan Policies

CS16: Urban Design and Public Realm

Planning permission will only be granted if:

- (a) the proposal is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- (b) creates or reinforces a sense of place; and
- (c) does not create an adverse visual impact
- (d) can be satisfactorily accommodated on the site itself; and
- (e) Would not adversely affect the character of the area; and
- (f) Would have no adverse impact on the amenities of occupiers of nearby properties.

CS17: The Historic Environment

All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas of high heritage value.

OIW7: Employment Uses outside Identified Areas

Within the Urban Area, planning permission for employment uses on sites outside the identified employment area will be granted provided that the proposed development:

- Would not be unacceptable in terms of smell, noise, impact on health and safety, or traffic generation, or otherwise be detrimental to amenity; and
- Is necessary to enable an existing employment use to modernise or expand on site

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, livable and mixed communities with good access to jobs and key services for all members of the community.

Planning Policy Guidance (PPS) 5: Planning and the Historic Environment

The PPS states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. The historic environment is also of immense importance for leisure and recreation.'

'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area.'

'The setting of a building may....often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration....Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building'.

'The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest'.

3 DESCRIPTION OF PROPOSAL

Planning permission is retrospectively sought for the change of use of an existing store, formerly used by a nearby dwelling, to storage for R & P Meats. Also proposed is the removal of the existing mono pitch roof to the toilets and its replacement with a flat roof and creation of a covered access to the store room. Finally, there is a proposal to extend the existing single toilet, using part of an existing residential garage building.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located on the southern edge of the Orton Waterville Conservation Area. The site consists of a dwelling to the front of the site that has been rendered and remodelled over the years and is no longer of historic character. Along the left hand side of the site and to the rear is the meat wholesale premises that has been in operation since the mid 1950's. Along the left hand side of the site these are relatively narrow, single storey brick built outbuildings that are in commercial use. To the rear of the site is a larger modern structure which is in mixed use of commercial, incorporating residential garaging. To the centre of the site there is a garden space and gravel driveway that is used for the parking and turning of the 4 commercial vehicles stored on site.

5 PLANNING HISTORY

11/00340/FUL Proposed canopy to the front of existing building (Retrospective) APPROVED

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Conservation: No Objections as none of the proposals are visible from the public realm or the wider conservation area and I therefore have no objection.

Landscape Officer: No objections as nearby trees are unlikely to be affected

Transport & Engineering: Comments awaited

EXTERNAL

Orton Waterville Parish Council: Objects. The proposed expands an existing business which is not conclusive to the existing infrastructure as:

- Articulated lorry's completely blocking the narrow road whilst unloading
- Resident unable to get out of driveway because exit is blocked by Lorries unloading
- Noise from van's unloading at night after returning to R & P Meats,
- Corner of neighbour's house damaged several times by vehicles
- Two Lorries being unloaded back to back and leaving cooling system running over one hour and it could be heard by resident as lorry was parked right out side house. Over the path

This is a conservation village and over the years this business has expanded from a small business employing about six people and I now understand it employ's about seventeen.

NEIGHBOURS

None received at time of writing

7 REASONING

a) Introduction

The proposal was subject to an enforcement enquiry into unlawful development upon this site and as such, this application is part retrospective, due to the residential store already being used for business purposes. The extension of the existing toilets into part of the residential garage and covering the courtyard area remain as proposals.

b) Policy context and the principle of development

Due to the business premises being within the Orton Waterville Conservation Area in a predominantly residential location, consideration must be given to any detrimental impact that the proposal could have on the historic environment and therefore will be assessed against Policy CS16 and CS17 of the Peterborough Core Strategy DPD 2011.

Furthermore, the extension of the premises on the site must be considered against Policy OIW7 of the Adopted Peterborough local Plan (First Replacement) 2005 (Employment uses outside identified areas).

It must however be considered that the use of the site exists as such and has done for a significant time period and that what is being considered is the acceptability of a residential store room being used for business storage, the extension of existing toilets into part of a residential garage and a roof being placed over a small external courtyard allowing covered access to the new business store. The acceptability of the use of the site as a whole is not being considered within this application.

c) Design and visual amenity

The proposal (part retrospective) is surrounded by existing development on the site and therefore no part of the proposal can be seen from the public realm. This proposal is considered to not pose significant detriment on the character and appearance of the area and therefore is in accordance with the relevant part of Policy CS16 of the Peterborough Core Strategy DPD 2011 and Planning Policy Statement 1.

d) Impact on the Historic Environment:

The proposal is located within the Orton Waterville Village Conservation Area, however, as stated above, the proposal is not considered to have any detrimental effect upon the conservation area or the setting of any listed property in the vicinity. Due to the fact that it is surrounded by existing development and for that reason is in accordance with Policy CS17 of the Peterborough Core Strategy DPD 2011 and Planning Policy Statement 5.

e) Residential Amenity:

Concern has been raised by Orton Waterville Parish Council as to the potential detriment that could be caused to neighbour amenity as a result of this proposal going ahead. The consultation response stated that the Parish Council has received a number of complaints related to the use of the site such as noise and damage caused by goods vehicles entering and leaving the site.

It is the planning officer's view that the proposal would not result in any significant intensification of the R&P Premises. The proposal to extend the current single W/C into a W/C with 2 cubicles taking approximately 5.4m² from a large residential garage would not cause any additional intensification on the site and it is considered that the size premises that already exist do not currently have adequate provision of W/C facilities.

When the case officer visited the site, the store building was being used for general storage of packaging, plastic tubs and unused equipment, as detailed in the design and access statement, rather than an extension to the factory facility. With regard to the small size and the use of the store, it is considered unlikely to have any significant impact on the amenity of the surrounding area, or to exacerbate any of the problems that have been experienced in the past. The application states that the extension will not lead to additional staff being required on site above the 17 already employed.

This proposal is being considered on the works proposed and not the existing use at the site and is therefore deemed in accordance with policy CS16 of the Peterborough Core Strategy DPD 2011 and PPS 1.

8 CONCLUSIONS

The proposal will not impact on the character and appearance of the Conservation area and associated historic fabric. Also, because of the proposed uses and limited size, the proposal is unlikely to cause any significant intensification of business activity on the site and therefore is unlikely to be detrimental to residential amenity or highway safety.

The proposal therefore accords with policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), OIW7 of the Adopted Peterborough Local Plan (First Replacement) 2005 and Planning Policy Statement 1 and 5.

The Head of Planning Services recommends that this application is **APPROVED** with the following conditions attached:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 The store room shall only be used for the storage of dry goods, packaging and plastic tubs and shall not be used for the preparation, processing or storage of food.

Reason: In order for the Local Authority to protect the amenity of adjoining neighbours, in accordance with policy CS16 of the Peterborough Core Strategy 2011

C3 The materials to be used in the construction of the external surfaces of the proposals hereby permitted shall match those used in the existing building.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

Copies to Councillor Stokes and Councillor Elsey

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