

ORCHARD PARK AND GREENWOOD

00025518B

Orchard Park Shopping Centre, Ellerburn Avenue, Kingston Upon Hull, HU6 9RR,

Erection of replacement shopping centre for retail, financial and professional services, restaurant and hot food takeaway uses (classes A1, A2, A3 & A5 uses) with associated public square, landscaped areas, parking, servicing areas and vehicle accesses to Hall Road, Ellerburn Avenue and Orchard Park Road.

Mr Mark McNamee

SUMMARY

- Creation of new shopping centre with public square, parking and landscaped areas.
- No objections received.
- Recommended for conditional approval.

SITE

Part of existing Orchard Park District Centre bounded by Hall Road to the north, Ellerburn Avenue to the west, NISC building to the east and St. Michaels church and the youth centre to the south. Site does not include the Pint Pot public house adjacent to Hall Road.

PROPOSAL

Erection of replacement shopping centre for retail, financial and professional services, restaurant and hot food takeaway uses (classes A1, A2, A3 & A5 uses) with associated public square, landscaped areas, parking, servicing areas and vehicle accesses to Hall Road, Ellerburn Avenue and Orchard Park Road.

PLANNING HISTORY

Various related to retail uses.

2007 - Erection of three storey building to provide accommodation for health centre including G.P. practice, Customer Service Centre, Pharmacy, ancillary office accommodation, provision of car parking facilities and hard and soft landscaping – approved with conditions (and now built and in operation).

REPRESENTATIONS

Environmental Health – no objections subject to conditions.

Highways Development Control

Environment Agency – no objection subject to conditions.

HAIG – no objections but raises points re barriers, access to accessible WCs, and path finishes.

Letter from local business stating pleased that centre is being replaced, but not happy with restaurant and hot food uses.

APPLICANTS CASE

The application includes a Design and Access Statement which incorporates a planning statement with the following Consultant appendices: Sustainability report, Site Waste Management Plan, Flood Risk Assessment, Foul Drainage Strategy, BREEAM Pre-Assessment survey, External Lighting report, Phase 1 ecological appraisal, Transport Assessment, Contaminated land and geo-technical desk study, Retail Statement, Arboricultural Survey, and Existing Services Report.

PLANNING FRAMEWORK

Regional Spatial Strategy

E1 - create successful and competitive regional economy.

Focus development to centres of regional cities (including Hull). No further development of out of centre regional or sub-regional shopping centres should be permitted.

ENV5 - maximise energy efficiency and increase renewable energy capacity (Humber targets 124MW to 2010, 350 MW to 2021)

Joint Structure Plan (adopted July 2005)

SP2 - Maintain and strengthen vitality and viability of city centre.

SP5 - High standard of design in development proposals.

Local Plan - within important local centre

G2 - Allow development subject to location and detailed considerations being acceptable.

G4 - Compatible with predominant land use.

BE1 - Seek high standards of design.

BE6 - Good landscaping required.

BE10 - Access for the impaired.

BE11 - (a) Good standard of shop front design,
(b) Avoid solid external shutters.

BE12 - Minimise opportunity for crime.

M29 - (a) Development allowed if access, servicing and parking satisfactory.
(b) Traffic generation and road safety must be acceptable.

M30 - Development outside City Centre to meet parking standards in table M1.

S1 - Shopping development allowed subject to details.

S2 - Existing shopping centres supported.

S5 - Shopping development allowed in existing shopping centres if it does not undermine vitality/viability of a shopping centre.

S11 - Financial/professional development in shopping centres allowed subject to considerations. Outside shopping centres, conditioned to prevent use as shops.

S12 - Food and drink development in shopping centres allowed subject to considerations. Outside shopping centres, conditioned to prevent use as shops.

PLANNING APPRAISAL

The proposal is for the provision of a single storey building to provide 10 retail units with associated car parking and landscaped areas.

The proposal would create 2,241sqm (24,122sqft) of retail floorspace. This is 367sqm (3,950sqft) less than accommodated in the original centre. A total of 175 car parking spaces with 6 motorcycle parking spaces would be provided along with a service yard to the rear of the shop units. Cycle parking would be provided within the pedestrian areas.

The existing centre is in poor condition and in need of redevelopment. The open spaces around the shops are of poor quality and offer a poor visual environment. The centre is currently in decline. However it is in a sustainable location and its regeneration is considered to be acceptable and desirable.

The proposed retail floor space is less than the floor space offered in the centre previously and is considered to be a realistic quantum for the location and role of the centre. The proposal would provide a mix of units of varying floorspace and make provision for market stalls in the public areas. The proposal is close to major bus routes and is easily accessible by sustainable means of travel.

Design and Conservation

The site is not located within a conservation area.

The design and access statement sets out the design principles of the development as being to integrate the new centre with the wider neighbourhood, to create a strong cluster of diverse retail activity in the heart of the scheme, to create an exemplar of sustainable retail development, and, to enhance the environmental quality of the place.

The proposed buildings would be of contemporary design with butterfly roof. This provides a strong architectural element, is difficult to climb, creates the opportunity to provide a covered

arcade to the fronts of shops, and allows large glazed areas to shop fronts. Materials proposed are brick, glazing, standing seam roof and, resin laminated timber. Samples will be displayed at committee.

The landscaping will build on the positive elements of the surrounding area in particular the Orchard Centre, the church and vicarage, the backdrop of mature trees on Hall Road. Open spaces would be arranged to provide integration of the Orchard Centre with the proposal and provide the opportunity to move freely across the site and create sheltered spaces for sitting and relaxing. Planting will comprise parkland trees, such as ash oak, aspen, street type trees, such as London Plane, orchard trees, birch, and evergreen hedgerows. Surfacing materials include hot rolled asphalt with decorative stone chippings, paving units of concrete with natural stone aggregates bonded to the surface, self binding gravel and mown grass. Street furniture will comprise bespoke seating, 'randomly' distributed in proximity to orchard tree planting, and, in other areas, simple, practical, comfortable and robust design will be used, provided at strategic locations.

Lighting will achieve recognised safety standards and be used to enhance the varied character of key spaces.

Equalities

This proposal has a duty of the Council to consider equality issues. The proposal would provide retail units in an accessible location and includes parking provision for persons with a mobility impairment. Concerns have been raised regarding some elements of street furniture and the number and location of designated parking bays and the use of self binding gravel as a surface treatment. These are considered to be detailed considerations which can be addressed at a later stage through conditions. Subject to these matters being addressed by conditions it is considered that the proposal is acceptable in terms of equality matters.

Renewables

A condition requiring 10% of energy from renewable sources would be appropriate.

Biodiversity

Given the details of the proposal and the characteristics of the site it is considered that there would be no adverse impact on areas or species of ecological significance.

Crime and Disorder

The proposal is part of the regeneration of the centre. It would remove old vandalised properties and create a more attractive environment providing retail units which should be more attractive to retailers which will bring activity to the centre. It is considered that such activity, in an attractive setting, would reduce the likelihood of crime and disorder.

Flood Risk

This area is identified as High Risk medium hazard (Zone 3a(ii)) by the Environment Agency, flood risk issues can be addressed by condition.

Conclusion

The proposal is for shopping development in a shopping centre comprising new buildings, car parking and public areas. The proposal is supported by policies in the local plan in the shopping chapter, which encourage support of existing shopping centres. The proposed floor space is considered to be appropriate for the size and function of the centre. The design of the buildings is considered to be acceptable and the open spaces are, subject to surfacing materials, also acceptable. The proposed materials as specified in the design and access statement are considered to be acceptable.

RECOMMENDATION

That the application be approved for the following reason:-

The proposed retail units, car parks and public spaces would have an acceptable effect on the function of the shopping centre, the surrounding area and the amenities of neighbouring occupiers, and would comply with policies BE1, S1, S2 and S5 of the Local Plan

and subject to the following conditions: -

1 DET2A time limit - 3 years

2 The development hereby approved shall be carried out in accordance with the terms of the submitted application and as shown on plan nos 7270P_PL001, 002, 010, 110, 111, 112, 113, 215, 216, 220, 225, 226, 300, 2245.101 rev. B except where:

- (i) amended by other conditions of this permission, or
- (ii) subsequently otherwise approved in writing by the Local Planning Authority,

(to define the terms of the permission and in accordance with policy G2 of the Local Plan).

3 DES6(recessed fascias)

4 The building(s) hereby approved shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans (in the interests of amenity and public safety and to comply with policy M29 of the Local Plan).

5 The building(s) hereby approved shall not be occupied until a vehicle parking area has been provided in accordance with the approved plans. The vehicle parking area shall be retained in its entirety for such use (in the interests of amenity and public safety and to comply with policies M29 and BE1 of the Local Plan).

6 The building(s) hereby approved shall not be occupied until cycle parking facilities have been provided in accordance with the approved plans. The cycle parking shall subsequently be retained in its entirety for such use (in order to ensure adequate provision for cyclists and to comply with policies M33 and BE1 of the Local Plan).

7 The building(s) hereby approved shall not be occupied until parking facilities for motor cycles, mopeds and scooters have been provided in accordance with the approved plans. The parking facilities shall subsequently be retained in their entirety for such use (in order to ensure adequate provision for motor cyclists and to comply with policies M19, M29 and BE1 of the Local Plan).

8 In accordance with the approved plans provision shall be made and retained within the site at all times for the parking, loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear (in the interests of public safety and to comply with policies M29 and BE1 of the Local Plan).

9 H20(No open storage)

10 i) No development shall take place until a landscaping scheme with full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the species, size at planting, numbers, densities, location of new planting, an implementation programme and proposed finished levels or contours.

ii) The building(s) hereby approved shall not be occupied until the hard landscaping works have been carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting season following the commencement of the development unless an alternative phasing scheme has been approved by the Local Planning Authority. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of 5 years from the implementation of the landscaping scheme, shall be replaced in the next planting season with others of similar size and species, (in the interests of environmental improvement and to comply with policies BE1 and BE6 of the Local Plan).

11 NE3(Tree and Hedge Protection)

12 REFUS3(Storage of Refuse, Scheme)

13 CONTA1(Contamination)

14 DRAIN1(Foul Drainage)

15 DRAIN2(Surface Water Drainage)

16 DRAIN3(Surface Water Interceptor)

17 MOBIL1(Access for Persons with a Mobility)

18 MOBIL2(Transfers on doors/windows)

19 FLOOD2(Flood Risk - 600 mm)

20 FLOOD3(Flood Risk - 5m)

21 RENEW(Renewable energy)