

Public Document Pack



Minutes of a Meeting of the Planning and Environmental Protection Committee
held at the Town Hall, Peterborough on 12 October 2010

Members Present:

Councillors – North (Chairman), Burton, Hiller, Serluca, Thacker, Todd, Winslade, Ash, Lane and Harrington

Officers Present:

Nick Harding, Group Manager, Development Management
Julie Smith, Highway Control Team Manager (Item 5.1)
Jez Tuttle, Senior Engineer (Development) (Item 5.2 and 5.3)
Carrie Denness, Principal Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Lowndes (Vice Chair).

Councillor Winslade attended as substitute.

2. Declarations of Interest

There were no declarations of interest.

3. Members' Declaration of Intention to make representations as Ward Councillor

There were no declarations from Member of the Committee to make representation as Ward Councillor on any item within the agenda.

4. Minutes of the Meeting held on 7 September 2010

The minutes of the meeting held on 7 September 2010 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 10/00738/FUL – Construction of three two bed and five three bed dwellings at land between 45 and 55 North Street, Stanground, Peterborough

The application sought permission for the construction of five three bedroom properties and three two bedroom properties. The application had arisen out of extensive pre-application discussions with the Local Planning Authority regarding the redevelopment of the site and broadly reflected the advice given. All eight units were proposed as affordable housing.

The layout provided for the construction of one two storey terrace of three two bedroom properties and one two storey pair of three bedroom properties fronting onto North Street. A two and a half storey terrace of three, three bedroom properties, with small single storey rear wing was proposed to the rear of the frontage

development. The block was orientated so that frontage faced east and overlooked the communal car parking court.

The proposed vehicular access and shared driveway was situated between the frontage blocks and provided access through to the rear houses and shared car parking court. It was proposed that a pair of manually operated access gates be provided to the access in order to create a defensible space.

The application site comprised 0.214 hectare of unallocated brownfield land. To the north the site abutted the 'Back River', with the Nene Washes located beyond. The Washes, including the Back River, were designated as the Nene Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site. The character of the area was predominantly residential with dwellings located to the east, south and west of the site, although it was noted that there was an active boat yard to the north west of the site.

The site contained a copse of trees which were proposed for removal. However, a sycamore tree on the site was to be retained.

The area was characterised by frontage developments situated within long thin plots. Many of the properties had outbuildings/boat storage located within the rear curtilage. The street scene comprised a varied design, scale and age of properties.

Historically, the site had been used as a boat builder's yard, but had been vacant for a significant period of time and primarily comprised overgrown scrub land. There were a number of mature trees located within the site, however their individual form was poor and it was proposed that the majority of these were removed and replacement planting secured. The site levels sloped significantly (approximately 1.6m) from the highway down to the northern boundary with the Back River.

Approximately 70% of the application site was located within Flood Zone 1. The northern part of the site was located within Flood Zones 2 and 3.

An ecological assessment had been undertaken and submitted by the applicant. No features or species of value had been identified.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that although the City Council was in ownership of the site, it was not the applicant. The applicant was Cross Keys Homes.

The main issues for consideration in relation to the application were highlighted as being the principles of development, the design and impact on the character of the area, residential amenity, the impact of the development on neighbour amenity, highway implications, landscape, flood risk and drainage, land contamination and the issue surrounding the S106 planning obligation.

Approval by the Committee was sought for the proposal subject to the signing of an S106 agreement and also the submission of a Phase 1 Contaminated Land Report. Members were advised that previously, Environmental Health had implemented a contaminated land condition, however recent case law had come to light which indicated that where there was a reasonable prospect of the site being subjected to contamination, the local authority making the decision on the application should as a minimum obtain a detailed Phase 1 Contamination Report, which was to be submitted to it by the applicant.

Members were informed that the application had been brought before the Committee for it to consider in the first instance and if approval was granted for the proposal then

the Phase 1 Contamination Reports would be obtained. Once obtained, these would be dealt with by Officers under delegated authority outside of the Planning Committee.

With regards to the development, Members were advised that the two and half storey block to the rear of the development was comprised of specific deliberate design features, these being so that the windows would be directed towards the river and to ultimately limit the amount of overlooking of the adjacent properties which would stand approximately 20-23 metres away.

Being adjacent to the river, the site would be liable to flood risk. The built part of the development would be built back from the 1 in 1000 year flood line and therefore the properties as proposed were considered to be acceptable to flood risk.

Concerns had been highlighted regarding the suitability of the visibility splays. In order to address these concerns, the applicant had undertaken a speed survey which indicated the speed of traffic using North Street. The conclusion reached from the speed survey was that the visibility splay, as proposed, was acceptable.

Members' attention was drawn to additional information contained within the update report and it was highlighted that there were a number of proposed revisions to the highways conditions and also a slight change to the wording relating to the condition for flood risk. There were also written submissions attached to the report that had been provided by one of the speakers on the proposal.

In summary the Committee was informed that the proposal was acceptable in terms of flood risk and highways safety, there being adequate visibility splays at the proposed junction and there also being adequate car parking on the site. Given the proposed distances and the direction of the views from the windows in the development, the level of overlooking was considered to be acceptable.

Councillor Irene Walsh, Ward Councillor, addressed the Committee on behalf of local residents and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The location of the proposed development. North Street was located in the older part of Stanground Village, where the local residents took extreme pride in their properties
- The regard for the river that local residents had and the lengths that local residents went to in order to make the rear of their properties aesthetically pleasing to the people using the river. The implementation of a block of flats next to these properties would not fit in with, or compliment the surrounding one and two story properties
- Boat users and visitors coming in to the city by train, would surely not be impressed by the view of a block of flats and a car park
- The proposal for a gated entrance was not acceptable. During night time hours, people wishing to gain access to the site in their vehicles would cause light nuisance to the surrounding properties, because of their vehicle head lights shining through bedroom windows. This objection had been specifically raised by a local resident with young children, who lived opposite the proposed development
- What would happen if more than one car approached the gated entrance at any one time?
- Previous experience with a gated development in Church Street, Stanground had shown that people could not be bothered to exit their cars in order to open the gates. Surely this would happen here to and this would lead to numerous cars parking on the already congested road

- Was the undertaking of a speed check by the developer correct? Was this not a conflict of interest?
- It had been reported to Councillor Walsh that the speed check had been carried out when the corner of Church Street and South Street had been blocked to through traffic, thus restricting the normal flow of traffic on North Street. Was the speed check therefore accurate?
- Was the headroom going to be sufficient in the three storey block?
- It had not been highlighted where the rubbish bins were to be stored or where they were to be collected from
- The possible state of contamination of the land and also the state of the river wall. Would a Phase 1 Contamination examination be sufficient?
- The design of the proposal could be improved upon

Mrs Jacqueline Harrison, an objector and local resident, addressed the Committee and requested that Mr Morris Jackson, whose father had previously owned the proposal site, be allowed to address the Committee for a portion of the allotted five minute objector time on contamination issues. The Legal Officer addressed the Committee and advised that Mr Jackson had not registered to speak under the Committee's speaking scheme therefore, it was for the Committee to agree the additional speaker.

The Chairman addressed the Committee and asked whether Members had any objections to the additional speaker. There were no objections from any Members and Mr Jackson was granted a portion of the objectors speaking time.

Mrs Harrison and Mr Jackson, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Mrs Harrison had spent the vast majority of her life working in the public sector and was fully aware of the need for affordable homes however, she believed that the homes should be governed by published planning policies
- The proposal was contrary to policies DA2 and DA6 with regards to the adverse effects on neighbour amenity. Mrs Harrison's property would be overlooked by five out of the eight proposed properties. Plots four and five would overlook the top of her garden and also the garden of her neighbour and plots six, seven and eight would overlook the bottom of her garden. This would mean that Mrs Harrison's entire garden would be overlooked. This amount of overlooking could not be considered reasonable
- The construction working hours were proposed to be ten hours a day Monday to Friday, and four hours a day on Saturdays. This was an area populated by working people and young families and their lives would be adversely affected by traffic and noise. Could the working hours therefore be restricted to 9.00am to 5.00pm Monday to Friday and no weekend working?
- The amount of contamination that had taken place on the proposed site including the storage of diesel and petrol, the crushing and burying of asbestos, the spillage of creosote on the land and the anti foul from the bottom of boats which had been scraped off and left on the ground

The Planning Officer addressed the Committee and responded to a number of questions that had been posed by the speakers. With regards to the applicant undertaking the speed survey in the area and whether this could be construed as a conflict of interest, Members were advised that the Local Authority did not undertake work on behalf of developers and therefore this situation was entirely normal. With regards to the room heights on the top floor of the three storey development, Members were further advised that at a height of two metres, there was more than adequate head height. In terms of the bin collection arrangements, it had been confirmed that

Cross Keys Homes would provide the Council with an indemnity to allow its vehicles to go into the private area to collect the bins.

The Planning Officer further addressed the Committee regarding the possibility of the land being contaminated. The Phase 1 works, would, if the Committee was minded to approve the application, be undertaken. This work would inform Officers as to the levels of contamination and what action would need to take place next.

Members sought further clarification as to whether people would be more inclined to park outside of the front of the development on the road, rather than inside the development. In response, the Highways Officer addressed the Committee and stated that she did believe that people living in the front properties would be inclined to park on the street outside of the development, as people tended to want to park near to their properties. The Committee was further advised that the layout had been designed so that two vehicles could pass easily, and it was also of adequate size for a refuse vehicle to enter and turn within the site. With regards to the gates, Members were advised that the option of no gates would perhaps be a better one.

In response to further questions from the Committee with regards to whether electronic gates were considered to be better than manual gates and also whether the Traffic Management Survey which had been conducted was a fair representation of traffic in the area, due to roads nearby being closed at the time, the Highways Officer further addressed the Committee and advised that electronic gates were considered to be the better option rather than manual gates, as people were less inclined to get out of their cars to open manual gates. With regards to the Traffic Management Survey, this had been conducted following specific guidance and if this had not been the case the survey would not have been accepted. Therefore, Highways were satisfied with the results.

After debate, Members expressed concern with regards to several issues including the windows which overlooked the neighbours gardens, the height of the rear block in relation to the properties at the front of the proposal, which were smaller in scale, the responsibility for the up keep of the communal garden space, the provision of fencing at the rivers edge, the need for additional trees, the lack of garage facilities, the number of car parking spaces and the loss of neighbour amenity. The possibility of deferring the item was explored and the Planning Officer stated that if the item was deferred then Cross Keys would lose funding for the proposal.

After further debate and further comments regarding the loss of neighbour amenity, the negative impact of the proposal on the character of the area and the domination of the three story building, a motion was put forward and seconded to refuse the application. The motion was carried by 7 votes, with 2 voting against and 1 not voting.

The Committee commented that the Government funding scheme had a deadline of 31 December 2010 and it was suggested by Members that the applicant return with a new scheme, particularly focusing on the issues surrounding the three storey block,

RESOLVED: (7 for, 2 against, 1 not voting) to refuse the application, against officer recommendation.

Reasons for the decision:

The proposal was unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The three storey design of Plots 6, 7 and 8 with its windows in the habitable rooms at third floor level would result in extensive and detrimental overlooking of the gardens of adjacent residential properties. The proposal was therefore contrary to Policy DA2 of the Peterborough Adopted Local Plan (First Replacement) (2005).
- The height of Plots 6, 7 and 8 was out of keeping with the form of development in the locality and would have an overbearing appearance in relation to adjacent land uses. The proposal was therefore contrary to Policies DA1 and 2 of the Peterborough Adopted Local Plan (First Replacement) (2005).
- Given the nature of the previous uses of the site, the site was likely to suffer from contamination and therefore a Phase 1 contamination report was required to inform the appropriateness of the development, remediation and subsequent necessary undertakings. No such report had been submitted and the proposal was therefore contrary to the provisions of paragraphs 23 and 24 of PPS23.
- The applicant had failed to make adequate provision for the infrastructure requirements arising from the development. The proposal was therefore not in accordance with Policy IMP1 of the Peterborough Local Plan (First Replacement) (2005) which stated:

'IMP1 - Planning permission would not be granted for any development unless provision was secured for all additional infrastructure, services, community facilities and environmental protection measures, which were necessary as a direct consequence of development and fairly and reasonably related to the proposal in scale and in kind. The provision of such requirements should be secured as part of development proposals or through the use of conditions attached to planning permissions, or sought through planning obligations.

Where provision on an application site was not appropriate or feasible, provision elsewhere, or a contribution towards this provision, would be sought where necessary.

Where a planning application was for part of a larger area planned for development, a pro rata provision of any necessary facilities, services or infrastructure, or a contribution towards them, would be sought.

The meeting was adjourned for five minutes.

5.2 10/00777/FUL – Construction of Neurological Care Home, to include 107 beds, 37 assisted living units, Neurological Therapy Centre and associated parking and landscaping at land known as The Oak Tree site, Bretton Way, Bretton, Peterborough

The purpose of the development would be to provide continuing and critical care for persons with a range of neurological health care needs. This care would be provided to the 18 – 65 age groups. It would be 24 hour care and would require specialised personnel and would help to free up intensive care space in the hospitals. In addition, there were 37 proposed “assisted living units” which were self contained one or two bed units set over 3 floors. These would be occupied by elderly people who could maintain a degree of independent living whilst being part of the larger complex.

The applicant had estimated that the development would create approximately 180 full time equivalent posts, 90 – 95% of which would be sourced within a 3 kilometre radius of the site. These assumptions were based on the applicant’s existing care facilities at Milton Keynes and Bletchley.

The proposal comprised a complex type development of mainly two and three storey buildings. The buildings were arranged in three large “elements” each comprising a varied configuration and form and were arranged around a central courtyard area which

housed the main reception to the development. The buildings were arranged so as to provide a built frontage to Bretton Way and turn to provide a continuous frontage to the Bretton Way roundabout from which the site would be accessed. There was a landscaped area including garden areas and balancing pond between the buildings and the public highway and footpath.

The proposals provided 10,495 square metres of gross internal floor space. The buildings varied in height but the proposed three storey buildings were up to approximately 12.8 metres in height.

There was a single point of access for both vehicles and cyclists/pedestrians which was off the western spur of the Bretton Way/Flaxland roundabout. All the parking and servicing was located to the rear of the site, adjacent to the western boundary of the site and the open countryside to the west. There were 60 proposed parking spaces including 4 disabled spaces, a minibus space, 6 motorcycle spaces and 20 cycle spaces (10 stands).

The proposal provided for landscaped gardens and edges to the development.

The site comprised 1.32 hectares of vacant land, presently covered in scrub and grass. To the south of the site was a two storey office building, to the south and east (on the opposite side of Bretton Way) was residential development off Flaxland and the Bretton Centre. Immediately to the north of the site was Grimeshaw Wood, an area of ancient woodland that was designated as a County Wildlife Site. To the west was open countryside and approximately 800 metres further west was the edge of Milton Park, designated as an historic park and garden. A public footpath ran along, but outside, the western boundary of the site and continued through Grimeshaw Wood to the residential development further north. The site appeared to be very self-contained and well screened and separated from neighbouring development and residential areas. The site contained a mature oak tree which was protected by a tree preservation order and it was proposed to retain this tree and incorporate it into the landscaping scheme as a feature.

The site was accessible by public transport (buses) and by cyclists and on foot but there was room for improvement. There were three nearby bus stops, at Bretton Way, Flaxland and the Bretton Centre.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the fact that the proposal site had been allocated in the Adopted Local Plan for employment use and the proposal did not fall into a 'B Class' employment use, the scale and design of the proposal, the ecological implications of the development primarily in relation to bats, the transport and sustainable travel and archaeology.

Members were advised that in terms of the departure from the Adopted Local Plan, consultation with Planning Policy, at the pre-application stage, had been undertaken and evidence had been submitted and accepted which highlighted that there had been virtually no interest in the site for employment use for many years, therefore there would be no need to retain the site for pure employment use. Members were further advised that the proposal would generate a significant number of jobs and in conclusion Officers were happy with the proposed use on the site.

Officers were happy that the design and appearance of the site was appropriate for the setting, the highways access was deemed to be safe and the travel plan which had been submitted was satisfactory. It had been identified as part of this plan, to provide a real time bus stop information facility at the Bretton shopping centre and to also provide signage for the shared cycleway leading from the Bretton centre.

With regards to the issues surrounding ecology, bat survey work had been undertaken and was of insufficient depth for any conclusion to be reached with regards to whether a lighting level restriction of more than 2 lux level would be appropriate in the area. A condition had therefore been applied to restrict lighting levels in the area between the edge of the building and the edge of the wood to no more than 2 lux level. The implementation of this condition would allow the bat habitat to be protected. The applicant had agreed that the meeting of this condition would not pose any health or safety problems to either staff or patients at the care home. The applicant was also aware that, if at any time they wished to amend the lighting levels in the area, they would need to submit a detailed bat survey.

With regards to the issue of archaeology, some trial trenching had taken place at the site and this had led to the need for some further excavation works to be undertaken. This work had been proposed to be effected via a condition and this was acceptable to the applicant.

Mr Andy Ryley and Mr Paul Moran, the agent and applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Gratitude was extended to the Planning Officers for making the application process a smooth one
- The design of the proposal was of very high quality and was an individually designed building on a very prominent site
- The proposal would present a very positive frontage to Bretton Way and the building would be aesthetically pleasing to the eye
- The site would be well screened from the countryside to the West and its domestic scale would ensure that there would be no undue impact
- The proposal had been specifically designed to take into account the protected oak tree and it had been used as a key feature of the design
- The proposal had been designed to keep the impact of building at Grimeshaw Wood to a minimum, with the building being set back a minimum of 11 metres and a maximum of 18 metres from the wood
- PJ Care had acted responsibly to address technical issues highlighted and work had been undertaken closely with the Planning Officers to work through these issues
- PJ Care would continue to work alongside Officers in order to mitigate against the effect of the proposal on the environment
- The site had been vacant for around 20 years, with no previous success for employment use. The site had also been identified for residential use in the Council's emerging Site Allocations Document
- The proposal would achieve the best of both worlds providing much needed specialist health accommodation and also providing 180 FTE jobs. It was therefore felt that the scheme would be of significant benefit to the city of Peterborough
- PJ Care had wished to locate in the East of England and Opportunity Peterborough had played a vital role in facilitating meetings between PJ Care and Building and Planning Control. These meetings had helped to convince PJ Care that Peterborough was the optimum location for the centre
- The Cabinet Member for Business Engagement and Councillor Nash, a Bretton Ward Councillor, were also to be thanked for their enthusiasm and support for the project
- The centre would be PJ Care's first fully integrated care centre with a purpose built therapy area and occupational therapy kitchen and a hydrotherapy facility, for which there had already been a high level of interest

- It was part of PJ Care's company ethos to support the community where they operated. The training centre was estimated to cost £300,000 and this had been designed to be larger than was required with the specific intention of making it available to the local community as a training, meeting and conference centre and it had already been agreed that the Local Neighbourhood Support Team would be able to use the facility on an ongoing basis
- All of the dairy, fruit and vegetables used at the centre would be sourced locally
- It was expected that over 90% of staff would come from the local vicinity

The Committee sought further clarification as to where the waste storage facilities would be located and whether there would be any problems with the refuse vehicles accessing and turning in the site. The Highways Officer addressed the Committee and advised that the access to the site was already in place and was of significant size. There was also a significant amount of space for refuse vehicles to turn around, so this would not be an issue. The bins would be located near to the kitchens.

After debate, and positive comments regarding the proposal, a motion was put forward and seconded to approve the application, subject to an additional condition being imposed regarding the installation of vehicle wheel cleaning equipment. The motion was carried unanimously.

RESOLVED: (Unanimously) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) for a financial contribution to meet the needs of the area
2. The conditions numbered C1 to C16 as detailed in the committee report (the proposed additional condition for the imposition of a wheel wash was not required as this was covered by condition 15 as detailed in the committee report)
3. If the S106 has not been completed within 2 months of the date of this resolution without good cause, the Head of Planning Transportation & Engineering Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

Reasons for the decision:

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan. The proposal represented an exciting and welcome opportunity to develop the site for a specialised health care use provided within a high quality building which made the most of the site's position. Concerns about the handling of the ecological aspects of the proposal had been set out in full in the committee report and officers had taken a pragmatic approach. As the proposal had been approved, it would be for the developer to fulfil the requirements of the lighting condition.

All other outstanding matters would be dealt with by the imposition of conditions.

5.3 10/00975/FUL – Demolition of existing dwelling and construction of three bed dwelling with detached garage at The Haven, Second Drift, Wothorpe, Stamford

The proposed development was a three bedroom house with a detached double garage. The house proposed was two storeys consisting of a main block with projecting gable-end features to front and rear. The proposed dwelling would be about 10.5m wide, set 6m from the boundary with the neighbouring plot (Thomas House) and 1m from the indicative boundary with the plot on the other side. Height

to eaves would be about 5.2m and height to ridge about 9.4m. Access was proposed via a new entrance from Second Drift.

The application had initially been for a 5 bed dwelling. This had been changed to a 3 bed property on Planning Officers' advice.

The application site was part of a plot known as The Haven. The site had already been divided, with the rear part of the garden to be developed as a single dwelling. The front part of the site was shown as two plots known as plot A (subject of the current application) and plot B (to the north-west). The application site comprised an area of about 40m deep and 18m wide at the front, narrowing to about 14.5m wide at the rear. The front section of the plot comprised an existing verge and hedge line, behind this would be the garage, then the house and garden. The site sloped in two directions.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the principle of development, the impact the development would have on the character of the area and the impact on the amenity of neighbouring dwellings.

The size of the proposal was considered to be more in keeping with the character and nature of the area in Wothorpe, which was characterised by large dwellings situated within spacious plots. Officers felt that the proposal could be accommodated on the plot without detrimental impact to the neighbouring dwellings and the design of the property was also in keeping with neighbouring dwellings.

Councillor David Over, Ward Councillor, addressed the Committee on behalf of local residents. In summary the concerns highlighted to the Committee included:

- The Haven had been subjected to a wide variety of speculative applications with a range of changes, withdrawals, approvals and appeals. This had led to a lot of confusion amongst local residents
- There had been a number of points raised by Councillor Over in objection to the application and these were listed in full in the committee report
- Speculative developers had been garden grabbing in Wothorpe over the past couple of years. First Drift currently had numerous building works being undertaken on it and Second Drift had changed beyond recognition. The Parish Council had never been consulted on these plans
- There was no great demand for new properties in the area. There were a number of houses up for sale
- The site was not currently an undeveloped plot as there was currently a property situated on it
- The previous level of 'established levels of distance between houses' used to be wider
- The materials proposed fitted in with the new houses, not the older traditional houses
- The house was going to be sited on a hill looking down on numerous properties
- How would two new houses not add to infrastructure burden?
- There was no green space or recreation space in Wothorpe
- There were no objections received from Highways, maybe this was because there were no highways in the area, only private roads
- It had been stated that Peterborough needed large 4/5 bedroom properties. Wothorpe was seventeen miles away from Peterborough
- All the villagers parked on the road, as the villas did not have garages. The committee report stated that there was sufficient parking, as parking on the

grass verges could occur. This would be detrimental to the area and was against local bylaws

- How was it that the committee report stated that there were good services in the area? There was low water pressure, a poor broadband service, a poor electricity supply and no gas
- The committee report stated that shops and a station were located a mile away, however if you travelled by road the nearest shop was a tailors shop, not a food shop
- The Local Plan urged against back land development as it damaged the character of the rural areas
- There was an issue with surface water drainage in the area

Mr Nicholas Dowell, an objector and local resident, addressed the Committee on behalf of the residents of Second Drift. In summary the concerns highlighted to the Committee included:

- Re-development of the site was welcomed, but not in a way that affected the character of the area
- The proportions of the development did not fit the plot, and the proposal was an unsympathetic approach towards development
- The development failed to meet several of the criteria specified in the design and policy guidelines
- The height of the development was against the residential design guide, section 4.10, which stated that houses on southern parts of a development should not be higher than those to the north. In this case there was a two and half story house in front of a one and half storey chalet. This would be further accentuated by building the property on higher ground
- The Planning Department had expressed concerns regarding the height of the development, the height had not been reduced following these concerns. Would a further application also be made for a loft conversion? Hereward Homes had a history of creeping development
- Why did the roof ridge on the plan need to be so high, other than the possibility it will be used for further development?
- The proposal was identical in design to the properties that had been built by Hereward Homes on the land next door to The Haven. This took away from the character of the area and lead to uniformity. These views were shared by a Planning Officer whose views had been highlighted in the committee report

Mr Mike Sibthorpe, a planning consultant representing the applicant, addressed the Committee. In summary the issues highlighted to the Committee included:

- The application proposed the demolition of the existing dwelling on the site, which dated from 1951 and the erection of a three bedroom, two storey detached dwelling on part of the site frontage
- Planning permission had previously been granted for the erection of a dwelling on the rear portion of the site
- Planning permission had previously been sought for the erection of one, four bedroom and one, five bedroom dwelling on the site frontage. That development had been refused on the grounds of overdevelopment and was currently the subject of an appeal
- The current application sought to address previously identified concerns by reducing overall scale
- The footprint of the building had been reduced and this would result in satisfactory spacing between the proposed dwelling and the existing dwelling towards the south, Thomas House, and any future dwellings to the north

- Any future dwellings adjacent that were proposed, would enjoy satisfactory separation from Cromwell House
- The cross section information that had been submitted by the applicant, illustrated that the proposed dwelling was satisfactory in relation to neighbouring properties and would not require significant excavation
- The proposal would be constructed of natural stone under a natural slate roof
- The Planning Officers report demonstrated that there would be no harmful impact on the character and appearance of the area or on neighbours amenity
- The scale of the dwelling had been significantly reduced and the design reflected the traditional styling that complimented the design of the adjoining development to the south
- A boundary hedge treatment to the frontage would be maintained
- The proposal would comply with national and relevant planning policies
- Wothorpe had been identified as appropriate for in-fill type development
- The proposal would not result in loss of privacy nor would it have overbearing impact

The Planning Officer addressed the Committee and responded to issues raised by the speakers. Members were advised that there was no policy requirement stating that the applicant was required to demonstrate a need for the property. The dwelling was not indicated to be an affordable dwelling, so again there was no need to demonstrate an affordable housing need.

With regards to local amenities and provision of services, it was felt that in this case there were amenities suitably located, Anglian Water would provide water to the site and there were no doubts that adequate provision of services could be provided. The provision of services was not usually a matter for the planning authority to take into consideration when considering such proposals.

With regards to the issue of height, Members were advised that the properties that fronted the road would be stepped down, and given the nature of the site in terms of the slopes, the development would not necessarily comply one hundred percent with guidance around the development being completely level.

With regards to the issue of the properties having similar characteristics to the adjacent development, Members were advised that the density of the landscaping would obscure views of the dwellings and it was felt that there would be sufficient variations in the designs to ensure the character of Wothorpe was preserved.

After debate and clarification from the Planning Officer as to which of the policy issues highlighted by Councillor Over were relevant to the application, a motion was put forward and seconded to approve the application. The vote was tied with 5 voting for and 5 against. The Chair therefore exercised his casting vote and the motion was carried

RESOLVED: (5 for, 5 against with the casting vote exercised by the Chairman) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C9 as detailed in the committee report

Reasons for the decision:

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The site was within the settlement boundary

- A dwelling could be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- A suitable level of amenity could be provided for residents, including access and parking
- The proposed dwelling would not affect the character of the area to an unacceptable degree

Hence the proposal accorded with policies H16, T1, DA2 and DA6 of the Peterborough Local Plan (First Replacement) (2005).

5.4 10/01065/FUL – Use of land for one extended gypsy family comprising two residential caravans and one family room caravan to include the erection of a noise barrier (revised scheme) at land opposite, 3 Hurn Road, Werrington, Peterborough

The Committee was advised that the item had been withdrawn from the agenda and would be considered at the next meeting.

13.30 – 16.07
Chairman

This page is intentionally left blank