

# Public Document Pack



Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 6 December 2011

## **Members Present:**

Councillors – North (Chairman), Casey, Hiller, Simons, Stokes, Todd, Winslade, Harrington and Ash

## **Officers Present:**

Simon Machen, Head of Planning, Transport and Engineering Services (item 5.2)  
Nick Harding, Group Manager, Development Management  
Michael Freeman, Senior S106 Officer (Item 5.2)  
Jez Tuttle, Senior Engineer (Development)  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

## **1. Apologies for Absence**

Apologies for absence were received from Councillors Serluca, Lane and Martin.

Councillors Winslade and Ash were in attendance as substitutes.

## **2. Declarations of Interest**

- 5.1 Councillor Todd declared that she was an allotment owner/renter from Peterborough City Council but this would in no way affect her decision.
- 5.1 Councillor North declared that he knew both the proposer and objector to the Hampton Vale Allotments, but this would in no way affect his decision.
- 5.2 Councillor Harrington declared that he had a personal prejudicial interest in the item.
- 5.3 Councillor Hiller declared that the agent for the item, Mr Dadge, was a resident of his ward and a member of Northborough Parish Council, but this would in no way affect his decision.
- 5.3 Councillor North declared that he possibly knew one of the applicants, but this would in no way affect his decision.
- 5.4 Councillor Stokes declared that 39 Dunblane Drive was in her ward but this would in no way affect her decision.

## **3. Members' Declaration of intention to make representation as Ward Councillor**

Councillor Harrington declared that he would be making representation as Ward Councillor on item 5.1, Land to the North of the Village Hall, Guntons Road, Newborough, Peterborough.

## **4. Minutes of the Meeting held on 8 November 2011**

The minutes of the meeting held on 8 November 2011 were approved as a true and accurate record.

## **5. Development Control and Enforcement Matters**

### **5.1 11/00786/FUL – Use of land for allotments involving the enclosure of the site and engineering works for the layout of the allotments and provision of an access from VT25 (to replace the existing allotment site VG10 approved and allocated as part of the Hampton Vale development brief December 2005)**

As part of the open space provision contained within the approved Hampton Vale Development Brief, tranche VG10 was allocated for use as allotments. To date, no detailed application for the layout of the site had been submitted and the site remained undeveloped. Following Peterborough City Council's Housing Review 2010, in which developers were invited to put forward proposed land for residential development, O&H offered an area of approximately 6.47 hectares for housing. The proposed land was located to the south west of Hampton Vale, adjacent to the Western Peripheral Road and included part of the approved allotment site, VG10. The proposed housing site had been accepted in principle, and allocated as SA3.47 as part of the Site Allocations process and included within the Site Allocations Development Plan Document (DPD). Although the Site Allocations DPD had not been formally adopted it had been through the public examination process and it was anticipated that it would be adopted in February 2012, hence it carried significant weight in the decision making process.

Given that part of the approved allotments site was now envisaged for housing land and in recognition that a replacement allotment site was required to serve Hampton Vale, O&H had offered an alternative site, of the same overall size (1.2 hectares), which formed the basis of the planning application. As the application site fell partially outside of the application boundary for the Outline planning approval for the 1993 Hampton Township and the land covered by the approved Hampton Vale Development Brief a Full planning application had been submitted.

Permission was sought for the use of land adjacent to and north of VG10, and between the approved route of the western peripheral road and tranches VT22, VT24 and VT25 as allotments. The site extended to approximately 1.2 hectares (1.27 hectare including the access road) of previously undeveloped land. The Orton Pit Special Area of Conservation (SAC) was located to the west of the site.

It was proposed that the site would be subdivided into 52 plots. 300mm of topsoil would be bought onto the site. It was proposed that the site boundaries were flanked by a combination of 1.8 metre high railings to the open space to the west and 1.8 metre high feather edged timber fence, where the site adjoined the allocated new housing site (SA3.47).

Access into the site would be via VT25, a partially developed housing tranche to the east of the application site. It was proposed that where the access road crossed the new housing site (SA3.47) it would initially be of a temporary construction and formally laid out in due course as the residential development was completed. 32 car parking spaces were proposed to serve the development.

The proposals would also result in a change to the layout of the approved Surface Water Attenuation (SWA) pond, agreed as part of the planning permission for the Western Peripheral Road. This amendment would need to be agreed as part of a non material/material amendment to the approved planning application for the Western Peripheral Road (ref: 04/01900/FUL).

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of development, the impact of the development on the character of the area, the impact of

the development on neighbour amenity, highways implications, ecological implications, and a number of other issues. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report and it was advised that an additional condition to provide cat proof fencing along the application site boundaries was sought in order to protect the newts in the adjacent nature reserve. An amendment to condition C1 was also sought to change the timescale from three to five years for commencement of the development. An additional informative was also sought to advise of the need to revise the existing S106, which required the provision of allotments, to reflect the new siting and to ensure that when the housing development came forward there was a S106 relating to the provision of the new allotments.

Councillor John Amps, Parish Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The Parish Council did not oppose the construction of the allotments, however the proposed site offered no benefit to local residents
- Community space would be lost and a lot more housing would be provided in the area
- The original site, VG10, was ideally located for easy access by the local community and would act as a natural extension to the green boundary of Hampton Vale
- The proposed re-siting of the allotments seemed to be for the sole purpose of implementing further housing to the detriment of local residents
- Hampton had already lost a considerable amenity area for the construction of the new primary school
- The original site was readily accessible from the Morris Homes site VT22 and VT25 which was currently under development
- If the allotments remained on the original site, they would not be subjected to the future issues with dust and fumes permeating from an adjacent construction site
- The allotment site would face further upheaval in the future if any further works were undertaken on the adjacent road or housing development site
- The committee report did not full address the Parish Council's concerns
- The original site had been stable for a number of years and was ideal for the location of the allotments
- The local residents were not being made aware that the provision of the allotments would mean the loss of a substantial amount of green boundary
- In the longer term, should the triangular plot of 150 homes be developed there would be additional pressure placed on limited Hampton community resources
- The Parish Council felt that the local community would be better served by the allotments being in their original location, VG10

Mr Roger Tallwin, the Applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The current application was only for the allotments, not the future housing development
- It had been agreed that the provision of the allotments would be 1.2 hectares to serve the residents of Hampton, to act as a buffer to the western periphery road, to act as a buffer to the Orton Pit Nature Reserve and to form part of the open space requirements of Hampton Vale

- The whole area was currently bare clay therefore top soil and fertiliser would form part of the development
- Because of the road moving, the allotments had been able to be relocated and it was believed that the proposed location was a better fit
- The allotments would be provided for the Hampton Vale residents, therefore there would be a decrease in parking issues as the residents would be able to walk to the allotments
- The Hampton Hargate Allotment Association had been consulted with and they had expressed no objection to the proposed number of car parking spaces

The Planning Officer addressed the Committee in response to queries and issues raised by speakers with regards to the change in use of the site and the perceived lack of parking provision. It was advised that Officers were of the opinion that there were no issues with either of these points.

The Highways Officer addressed the Committee in response to the speaker's points and confirmed that the parking provision, although perhaps not to the numbers desired, was considered acceptable.

Concerns were highlighted with regards to the lack of parking on the site, however it was noted that people would also walk and bike to the site.

After further debate, it was commented that allotment provision for this site was to be commended and a motion was put forward and seconded to approve the application subject to the imposition of an additional condition in relation to the provision of cat proof fencing, the revised wording to condition C1 in relation to the timings for commencement of development and the additional informative in relation to the S106 all of which were outlined in the update report. The motion was carried unanimously.

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

1. The conditions numbered C1 to C5 as detailed in the committee report
2. The informatives numbered 1 to 3 as detailed in the committee report
3. A revision to condition C1 to extend the permission to 5 years instead of 3 years
4. An additional condition relating to the provision of cat proof fencing to read:  
**Notwithstanding the submitted information, and prior to the commencement of the development, details of the proposed boundary treatments to serve the allotment site should be submitted to and approved in writing by the Local Planning Authority. The boundary treatments should thereafter be implemented on site prior to the first use of the allotment in accordance with the approved details and subsequently retained as such in perpetuity.**  
Reason: In the interests of neighbour amenity and in order to ensure an appropriate boundary treatment adjacent to the Orton Pitt SSSI and SAC located to the west of the application site in accordance with Policies CS16 and CS21 of the adopted Peterborough Core Strategy DPD.
5. An additional informative to read:  
The applicant was reminded that any subsequent application for the development of site allocation SA47 of the Site Allocations DPD would require the S106 Agreement linked to the development to include a schedule in relation to the provision of the revised allotment site prior to the completion of the housing development on site (suitable trigger to be agreed). For the avoidance of any doubt the applicant would also be required to vary the original S106 Agreement linked to the Outline Hampton application (91/P0556) at the time of the submission of the application for the housing development, as the allotments would no longer be delivered in connection with this development.

## Reasons for 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 proposed replacement allotment site was of an acceptable size and location that would meet the obligation contained within the original S106 Agreement for the Hampton development. The development would not therefore result in any loss of open space provision or prejudice the delivery of allotments to serve the Hampton vale community. The development was therefore acceptable in principle and was in accordance with the provisions of Policy CS19 of the adopted Peterborough Core Strategy DPD and the Policy LT3 of the adopted Peterborough Local Plan (First Replacement) 2005
- The proposal by reason of the nature of the development, its layout and relationship to neighbouring dwellings would not result in an adverse impact on the character of the area or neighbour amenity. The proposal was therefore in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD
- Access, turning and a sufficient level of on site car parking could be provided to serve the development. The proposal would not therefore result in any adverse impact on the adjacent road network and was considered to be in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD
- The proposal would not result in adverse implications on the landscape or ecological character of the site. The proposal was therefore in accordance with Policy CS19 of the adopted Peterborough Core Strategy DPD and Policy LNE9 of the adopted Peterborough Local Plan (First Replacement) 2005.

Councillor Harrington left the meeting.

The Committee was asked to determine whether agenda item 5.2, which contained exempt appendices containing information relating to the financial or business affairs of a particular person (including the authority holding that information), as defined by Paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting when the appendices were discussed, or whether the public interest in disclosing the information outweighed the public interest in maintaining the exemption.

The Committee voted 7 for, 1 against, to exclude the press and public from the meeting if the exempt appendices were discussed.

### **5.2 11/00885/FUL – Development of 18 dwellings, associated access and parking at land to the north of the village hall, Guntons Road, Newborough, Peterborough**

The proposal was to construct 18 dwellings, made up of 6 x 4-bed houses, 2 x 3-bed houses, 9 x 2-bed houses and 1 x 2-bed bungalow. The houses would be varying 2 and 2-and-a-half storey, and a mix of detached, semi-detached and terraced. The access road would be directly off Guntons Road and would run to the south of the existing development on Harris Close. The access into Harris Close would be closed and a connection put in from the new access road. Because of the need to secure this closure of the access, a change to the 'red line' of the application had been made recently and this was the subject of re-consultation with residents.

The proposal was a redesign of an original 13-unit scheme and Members were requested to note that as the scheme had commenced, the permission had been implemented and as such could not expire. Plots 4-8 and Plot 11 were unchanged from the previously approved scheme. Members were also requested to note that the

closure of Harris Close was an integral part of the previously approved development and also of the Harris Close development.

The item had previously been considered by Members of the Planning and Environmental Protection Committee on 8 November 2011. Members resolved to defer the item until the next committee and for a financial appraisal to be attached for Members as a confidential background paper.

It had also suggested by Members that discussion should take place between the Parish Council and the Developer regarding giving up some of the garden from plots 9-11 for use by the parish hall. It was considered that this may be a compromise which could be agreed if it was confirmed that no Section 106 could be reasonably secured.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of development, flood risk, highway safety and access, residential amenity, sustainability, the impact on protected and other trees and Section 106 contributions. The recommendation was one of approval.

Members' attention was drawn to the update report and it was advised that Councillor Harrington had also put forward some alternative development appraisal figures which concluded that the site would be profitable and in his opinion S106 contributions could be made by the developer. The developer had also written in and stated that they had not met with the Parish Council as they did not feel that the proposal to decrease some of the gardens to make more room for the village hall was acceptable for the reasons outlined in the update report.

Councillor David Harrington and Councillor Ward, Ward Councillor and Parish Councillor, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- There were no objections in principle to the development
- Figures had been presented to the Committee detailing the viability of the scheme
- The developers appraisal was produced with a template and the figures could be classed as assumptions or reasonable forecasts
- The development was against Core Strategy Policies CS8, CS12 and CS13
- Newborough had always had good property prices and there was a demand for living in the village
- It was unfortunate that the developers had not taken the time to speak to the Parish Council
- The development was very one way, and the village would not get anything out of it
- Why had the site been taken on by the developers if it was known that it would make a loss?
- There should be affordable houses on the site
- Consideration should still be given to moving the fences of three of the properties in order to extend the village hall green space
- The development should provide for some funding for the village

Mr Sam Metson, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The Committee had confirmed at the previous meeting where the application had been heard that it was satisfied with all aspects of the proposal other than the S106 position which required further exploration

- Concerns raised with regards to the lack of financial contributions towards the village were appreciated
- The site was being brought forward in very difficult economic times and this would be of benefit to the village
- The transfer of the portion of land to the village hall had been considered however had been rejected as it was felt that it would further de-value the site and add to the viability concerns
- There was no policy reason to prevent the application from being granted
- Work had been undertaken alongside the S106 Officers over the last two years to present an application which could be supported
- The development of the site would benefit Newborough and would provide high quality new housing to meet identified need
- The scheme provided for all onsite infrastructure required to meet local need
- The proposal represented an investment in Newborough

The Planning Officer addressed the Committee in response to queries and issues raised by speakers with regards to the S106 contribution for the land north of Harris Close and the lack of provision of affordable housing on the site due to the viability of the proposal.

Members expressed concern at the lack of S106 contribution, especially towards education needs. It was commented that the application should be deferred once again to allow for an open book process to be produced for the development as approving without an S106 would set a dangerous precedent going forward.

The Chairman addressed the Committee and advised that he considered it appropriate to further discuss the two different sets of appraisal figures which had been submitted. The press and public were excluded from the meeting.

Whilst in exempt session, both sets of appraisal figures were studied and discussed. The Council's Senior S106 Officer was present and addressed the Committee and presented his views, as did the Head of Planning, Transport and Engineering Services.

Following discussion, the press and public were allowed back into the meeting.

After brief debate, a motion was put forward and seconded to defer the application pending a meeting between the Head of Planning Services and the applicant in order to establish whether an S106 of some sort could be made by the applicant. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to defer the application to a future meeting.

**Reasons for decision:**

The Committee felt that it was important for the best interests of the residents and taxpayers of the city to be taken into account. Allowing development without S106 contributions could set an unacceptable precedent going forward and it was not considered, in this instance, that the applicant could not provide some form of financial contribution.

The meeting was adjourned for ten minutes.

Councillor Harrington re-joined the meeting.

**5.3 11/01520/OUT – Construction of care village, comprising of care home, assisted living, supported living and extra care accommodation - use class C2 pursuant to demolition of 219 to 221 Peterborough Road, (outline with matters of appearance, landscaping and layout reserved) at land to the rear of 207-239 Peterborough Road, Stanground, Peterborough**

The application sought outline planning permission for a 'care village' comprising a 50-bed care home, a 40-bed dementia care unit, 22 supported living units, 22 assisted living units and 29 extra care/residential units. Access and scale were to be considered as part of the proposal; matters of appearance, landscaping and layout were reserved to a later stage. A general indicative layout as to how the development would be accommodated had been submitted and included 2/3 storey development to the rear (west) of the site, 2 storey development to the east and to the rear of nos. 223 to 237 Peterborough Road and single storey development where units would abut tight to the boundaries of 217, 217a and 223 Peterborough Road. Access to the site would be gained by the demolition of nos. 219 and 221 Peterborough Road and a new 2 storey unit would front the site. The site would include landscaped areas and walkways and would include features such as vegetable, water and small sensory gardens.

The proposal would also include an administrative centre including an on site GP and other related medical services including a visiting chiropodist, optical, health care and well being councillors, care assistants, specialist doctors, nurses, and ancillary staff to service the various units. It was also proposed that within the development there would be a small convenience shop, coffee bar/lounge, hairdressers, laundry service, fitness suite, IT suite and a multi functional room for use solely by residents. Some accommodation would also be provided for 'overnight stays' for relatives or visitors. A mini bus service would be provided with disabled access for trips and visits and will co-ordinate home shopping.

The application site was approximately 1.46 ha and was located on land to the rear of properties 207-239 on the west side of Peterborough Road. The site formed the central section of an allocated site for residential development within the Peterborough Site Allocations Submission Document DPD (ref. SA3.40), however part of the site was currently designated as green wedge under the Adopted Peterborough Local Plan (First Replacement) 2005. The site was overgrown and contained grassland, scrub and bramble. Directly to the north of the site were a number of brick built derelict kennels and outbuildings. The western boundary lay adjacent to the former Stanground landfill site and land designated as Green Wedge, beyond which was the new Stanground By-pass (Stanham Way). To the north and south there was currently open land and this land formed part of the site allocation discussed above. The character along Peterborough Road was comprised of ribbon development mainly detached properties of varied styles including two storey dwellings, chalet bungalows and single storey. Land opposite the site and on the eastern flank of Peterborough Road formed the Stanground south development. The site was on a main transport route with a regular bus service to and from the city. A Grade II listed windmill was situated approximately 50 metres to the south out the site.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the acceptability of the use in principle specifically the scale and density of the development, highway implications including access and parking, the impact on the setting of the listed building, the character of the area and the impact on neighbouring amenity, the implications for wildlife and landscape and the provision of infrastructure requirements. The recommendation was one of approval.



With regards to the listed building, Members were advised that views would be uninterrupted except from one specific point, there would also be a good quality tree landscape introduced behind the mill for when it was viewed from Peterborough Road.

It was further advised that a request for affordable housing had been put forward by the Housing Strategy Team, however this request was not considered acceptable by Officers as the site was an integrated secure development, which should not be broken up.

S106 contributions were to be made to the Police, Bereavement Services and the improvements of local footways and cycle ways and in addition, real-time bus timetable information was to be provided also.

Mrs Kisby, a local resident, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The main reason for objecting to the application was that it was south of Stanground newt ponds, home to a colony of great crested newts
- There were three tests set out in Regulation 53 of the Habitat's Regulation 2010. These were outlined to the Committee
- There had been no survey undertaken on the site to detect for newts
- Newts had been found in the area and this was one of their most popular breeding grounds
- The application should be refused until the Committee was satisfied that all legal requirements were met in relation to the newts

Mr John Dadge, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- It was forecast that there was to be an 83% increase in the over 85's in the forthcoming 16 years
- The scheme was proposed to offer accommodation for people of varying ages
- The application proposal created new habitats with sensory gardens and raised beds for growing vegetables etc
- The issues which had been raised by the previous speaker had been covered in depth at the public hearing, by the Inspector
- The Ecological Officer was content with the works undertaken
- The ponds were some distance away from the application site
- The application was a resubmission of a previous application and all previous issues had been addressed
- The site would be an asset for the city

The Planning Officer addressed the Committee and advised that the Wildlife Officer had identified shortcomings in the original submitted ecology report in that it did not mention the nearby ponds. A search had been conducted for newts at the correct time of year and none had been found, hence the reason why no mention had been made in the original report. This issue had been subsequently addressed and the Wildlife Officer was happy to remove his original objection, subject to the imposition of a condition relating to the provision of additional habitat on the development site.

Members questioned whether the Planning Officer was satisfied with the proposed access into the site and in response he advised that Officers were satisfied and that the access should be a single one, with no through route due to the nature of the development.

Following debate, Members commented that the outline application was well conceived. A motion was put forward and seconded to approve the application. The motion was carried unanimously.

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

1. The conditions numbered C1 to C31 as detailed in the committee report

**Reasons for 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 formed part of a site allocation for residential development within the Site Allocations Submission Version DPD and would provide efficient and effective use of land
- The proposal would provide for the residential needs of the elderly population
- The scale of the development would respect the character and appearance of the surrounding area
- The development would not result in any adverse impact on the amenity of occupiers of existing neighbouring dwellings
- The proposal provided adequate parking provision within the site and would not result in any adverse highway implications
- The proposal did not have an unsatisfactory impact on any ecological feature or trees of significant value
- The proposal made satisfactory and justified off site provision towards improvement to the cycleway network and a contribution towards the social and physical infrastructure demands that it will place on the city

Hence the proposal was in accordance with Policies DA16, H15, H16, LNE9, LNE10, T9 and T10 of the Adopted Peterborough Local Plan (First Replacement), Policies CS2, CS10, CS8, CS12, CS13, CS14, CS16, CS17, CS21 and CS22 of the Adopted Peterborough Core Strategy and PPS1, PPS3, PPS5, PPS9.

**5.4 11/01598/HHFUL – Construction of ground and first floor side extension at 39 Dunblane Drive, Orton Southgate, Peterborough, PE2 6SW**

The proposal was to extend the existing side garage by bringing the front wall forward by an additional 1.65 metres to within 250mm of the front of the main house, and extending the roof upwards. The proposed new roof would have a pitch the same as that of the main house; the ridge would be set 1.5 metres below that of the main house and to the rear of it. This would then allow for a long roof slope at the front which would terminate in an eaves line just above the lintels of the garage doors, which was at about the same level as the ground floor door and window lintels. There would be two dormers in this roof slope.

The house dated from the 1990s, and was part of a large residential development on former Showground land. The area was residential with houses of various designs. No 39 was the northernmost house of a row of detached houses. The row was laid out so that, although the houses were of varying designs, there was a pattern of houses with gaps between. These gaps were achieved by using single or one-and-a-half storey garages, and by setting elements back from the main building line.

The dwelling subject of the application was a two storey dwelling with rooms in the roof, with a single storey, shallow roofed garage to the side, separating it from No 37 to the south. The garage was currently set back from the front wall of the main house.

Dunblane Drive stopped immediately to the north of No 39, however there was a link in place which would be opened once the development area to the north was occupied. There was a private drive serving the four houses at the top of Dunblane Drive.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the impact on neighbour amenity, the impact on the street scene and parking issues. The recommendation was one of refusal.

Members were advised that the proposal would have a detrimental effect on sunlight in the neighbouring bathroom window and would also result in a terracing effect, thus having a detrimental impact on the street scene.

Councillor Sue Allen, Ward Councillor, addressed the Committee on behalf of the Applicant, and responded to questions from Members. In summary, the issues highlighted to the Committee included:

- A meeting had been held of the Parish Council to discuss this application. Three objecting residents of the road behind Dunblane Drive had been present and they felt that the house would be overdeveloped, there would be problems with traffic and that the kitchen would be made into a preparation kitchen, leading to overpowering smells of Indian food. The Parish Council had decided to object to the proposal on these grounds
- The applicant had accommodated the objections, firstly by removing the kitchen extension, the height of the extension to the garage had also been reduced
- The neighbour from number 37 had no objections to the plans
- The Parish Council had subsequently withdrawn their objection due to the changes made to the application by the applicant
- There was a gap of 9.6 metres from the back of the applicant's house to the fence and a further gap in between the fence and the houses behind
- There had never been any traffic flow problems along the street
- There was no set pattern in construction with the houses along the street
- The applicant had a family of five adults and four children, and some of these children were still sharing bedrooms
- The applicant believed it was more cost effective to build an extension rather than moving home
- Comments from the applicant's architect in support of the application were read out
- 37 Dunblane Drive was the last house on the street with a gap in between it and the neighbouring property
- A letter from the resident of 37 Dunblane Drive was read out in support of the application

Following debate, Members commented that the massing of the development would be inappropriate for the street scene and other ways of adding additional accommodation to the property should be explored. A motion was put forward and seconded to refuse the application. The motion was carried by 6 votes, with 3 voting against.

**RESOLVED:** (6 for, 3 against) to refuse the application, as per officer recommendation and:

1. The reasons for refusal as detailed in the committee report

### **Reasons for decision:**

It was considered that the bulk of the proposed extension would have a detrimental impact on the street scene and the public realm, in particular by creating an unbroken mass of building and infill of the existing gap, thus disrupting the pattern of this part of the street.

The proposal would also result in a loss of light to the north-facing gable window of No 37 Dunblane Drive.

#### **5.5 11/01704/FUL – Use of land for one extended gypsy family, composed of two static caravans and one touring caravan, at land opposite 3 Hurn Road, Werrington, Peterborough**

The proposal sought planning permission for the erection of two static caravans for residential occupation. The application details had stated that the lengths of the caravans would be between 8.6 metres and 9.8 metres (depending upon exact model chosen) and a width of 3.8 metres. A third caravan, 6.5 metres by 2.29 metres, was to be used as a shared family room facility. All three caravans were to be used by one extended family. A foul water treatment plant was also proposed. The site area was approximately 0.07 hectares and was 'L' shaped in plan form. The vehicular access was proposed directly opposite no.3 Hurn Road and was shown with a width of 8 metres. Entrance gates were to be set approximately 6 metres from the edge of Hurn Road. The two 'living' caravans were to be located approximately 26 metres and 32 metres from Hurn Road. They were to be positioned at right angles to each other and immediately adjacent to each other. The family room caravan was to be located at the very rear of the site approximately 50 metres from Hurn Road. Parking provision was shown for five vehicles and a 6 metre diameter turning circle was identified within the access road. The 'living' caravans were proposed at a distance of approximately 43 metres from the nearest line of the London to Edinburgh mainline railway and the family room would be approximately 40 metres.

The agent had provided evidence to demonstrate that the intended occupiers met the definition of Gypsies and Travellers.

The original application for the development ref: 10/00412/FUL had been withdrawn by the applicant as a result of a refusal recommendation to Committee by the Head of Planning, Transport and Engineering Services. It was considered that the occupation of the site, in very close proximity to the mainline London to Edinburgh railway, would not provide for a satisfactory living environment for occupiers of the site given the exposure to high noise levels from the passing trains. No measures had been proposed in that application to mitigate against the noise from the trains.

Since that application there had been two further planning applications. Planning applications ref: 10/01065/FUL and 11/01320/FUL both proposed two noise barriers to protect the living environment for occupiers. Both applications were refused as it was considered initially by Members on 23 November 2010 (application ref: 10/01065/FUL) and then by Officers on 13 October 2011 (application ref: 11/01320/FUL) that the proposed acoustic noise barriers, due to their height, length and siting, would stand out as incongruous, dominant and alien features within the immediate rural setting to the detriment of the character and appearance of the countryside.

The applicant had deleted both noise barriers. As an alternative to the barriers the applicant proposed to: -

- 1 – Clad the mobile homes to improve their sound resistance

- 2 – Re-site the amenity space 6 metres further away – the static caravans along side 1.8 metre high fence surrounding the amenity space are to act as a sound barrier
- 3 – Install either a noise reduction strip/triple glazing to the static caravan windows
- 4 – Install trickle ventilators – with a mechanical option for warmer months to the static caravan windows
- 5 – Add to existing boundary planting

The sole vehicular approach to the site was via Hurn Road which was a very lightly trafficked road of a single carriageway width. The road had a mature hedge along its northern side whereas to the south there were clear views into the open countryside. The application site was located within a triangular shaped area of land. This land was generally overgrown with various vegetation including scrub type, shrubs, hedging and small trees. Immediately to the north of the application site was a row of six modest sized terrace houses the frontages of which were set back 9 metres from the vehicle carriageway. A detached dwelling was located very close to the railway line to the west of the terraced row. To the east/south east of the site was arable farmland. The nearest line of the East Coast mainline railway was approximately 35 metres from the western boundary of the application site. In total there were three mainline tracks with two further railway lines to the west that connected Peterborough with Leicester via Stamford. The Peterborough Green Wheel Footpath/Cycleway passed by the site along Hurn Road to connect Marholm to Werrington.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of the proposed development on the site, the landscape impact, highways issues, drainage issues, archaeology, noise affecting residential amenity, the residential amenity of the occupiers of close by existing properties and the access to local services. The recommendation was one of approval.

Members were advised that the Environmental Health Officer had considered the proposal in light of the new idea of insulating the caravans themselves and in his view, this did have the potential to be successful, therefore no objection had been raised against the application. A suggested condition was sought in order to obtain the details of the noise insulation system, so that adequate living standards could be maintained within the caravans. The same was true for the proposed ventilation system.

The development had been assessed against Core Strategy Policy 9 in the Adopted Core Strategy Document and these criteria were outlined to the Committee. It was highlighted that Officers were satisfied that the criteria could all be successfully accommodated.

Members' attention was drawn to additional information contained within the update report. A letter of objection had been submitted by Mr Stewart Jackson MP, additional information had been submitted by the agent in support of the application and further objections had been received from the Neighbourhood Council and Councillors John Fox, Judy Fox and Stephen Lane. All of the letters of objection were included in the update report in full.

In summary, the proposal was a revised proposal, and instead of having a physical structure to contain the noise from the railway it was proposed to insulate the caravans themselves. This proposal appeared to address the concerns as previously outlined by the Committee itself and Officers.

The Chairman addressed the Committee and advised that a request had been submitted by the agent, Mr Barry Nicholls, to extend his speaking time from five to ten minutes. The Committee were requested to vote on the extension and this was approved unanimously.

The Chairman further advised that the objecting speaker, Mr Carter, would also receive ten minutes.

Councillor Harrington left the meeting.

Councillor Colin Burton, Councillor Darren Fower and Mr Alan Smith, Ward Councillors and representative of the Werrington Neighbourhood Council, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The measures outlined in the committee report, which were to be taken to reduce sound and noise issues, seemed deliberately vague
- Trains passing by on the site would cause not only noise, but ground vibration and caravans would be adversely impacted. There were no details outlined to state how this issue would be combated other than to say that the noise mitigation barriers would help. However, the noise mitigation barriers were no longer part of the application
- The application was in contravention of Policy CS9
- One of the planning policies stated that development should not be allowed in the open countryside. Why was this any different?
- The previous application had been refused due to fence having a detrimental impact on the character and appearance of the countryside. Wouldn't two static caravans have the same detrimental impact?
- The proposal would affect the amenities of the neighbouring properties
- The neighbours views across open fields would be taken away
- The lack of utility services to the application site would undoubtedly mean that generators would be used, this would have a great impact on the neighbours
- Earlier in the year, the City Council had decided that Hurn Road was not a preferred option for a travellers site as part of the Peterborough Site Allocation Development Plan
- Two caravans had moved onto the site in August 2011 and enforcement action was initially to be taken by Officers. This had been put on hold pending the outcome of the current application
- The application was in contravention of Policies CS16, CS20, CS9 and CS19
- Hurn Road formed part of the Green Wheel cycle network and the introduction of more vehicles using this road would have a detrimental impact upon cyclists
- Had any work been undertaken on newt activity on the site?
- An appeal had already been lodged against the outcome of the previous refused application
- The application would have a substantially detrimental impact on the well established small community and would introduce unacceptable changes to the character and appearance of the area
- Part of the site was in ownership of the applicant, although it was questionable whether it was inside the curtilage of the application site
- Trains passed by on a regular basis, roughly twice in a fifteen minute period
- The existence of a security fence in between the site and the railway line was disputed

Councillor Harrington re-joined the meeting.

Mr Len Carter, a local resident, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal would create a precedent for such developments in the area

- There would be a loss of amenity in that the nature of the area would be changed, taking away the rural aesthetic appeal of the neighbourhood
- There was only a distance of 30 feet or so from the boundary of the cottages to the proposed perimeter boundary
- The availability of sewage disposal was inadequate and septic tanks positioned so close to the nearby water course would prevent a danger of pollution
- A hard standing area for parking was proposed, however the nature of this hard standing had not been outlined
- Would the occupants of the site be afforded the same waste collection service as the present local residents, if so, would they be required to pay Council Tax?
- The application was in contravention of Policy CS9
- The area was a prime location for a large residential development in the future, this proposal would impact that
- Were the residents to rely on generators? If so, this would cause a noise nuisance to the adjacent properties
- Hurn Road was a single road with limited traffic levels
- The site was not secure due to the lack of fences
- Was the growth rate of the boundary fauna going to be satisfactory?

Mr Barry Nicholls and Mr Chase Wilson, the Agent and the Applicant, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- A technician had developed a cladding system that was similar to a timber frame house, it would add another 300mm to the external and was colour and feature optional to blend in with the surrounding environment
- The site was next to a mainline and the site next door had galvanised palisade fencing with a large galvanised bridge
- The site entrance was not towards the end of the site but mid way so would therefore not affect the houses adjacent
- The landscaping had been done sensitively and parking provision had been made rather than people parking on the grass
- The field had horses grazing on it previously
- There had been no significant findings in relation to newts on the site
- The water pressure was low, but considered acceptable
- The site was intended to be served by mains electricity, taking away the need for generators
- Applications of this sort tended to be quite contentious
- The application had no objections from Highways, Archaeological, Wildlife, Environmental Health, and Landscape Officers
- The application was for a small family on a contained site, set back from Hurn Road and adequately screened
- The home will be rate paying with full services provided
- The first application had been refused for reasons which had now been addressed
- The application was intended for permanent residency
- Issues with traffic were not perceived and the comings and goings of vehicles would be just like any other family

The Planning Officer addressed the Committee and responded to queries and issues raised by the speakers in relation to the granting of permission for gypsy and traveller sites in the countryside, the number of caravans allowed on site, landscape impact, sewage disposal and vehicle movement.

Members queried what the outside of the caravans would look like with the added noise insulation. In response the Planning Officer advised that there was a condition

proposed which would require the detail of the external appearance of the caravans to be submitted for approval.

Following debate, Members commented that the development was a contentious one, as these developments always tended to be and although the application site was not located in an area of the district identified as have the best landscape, the immediate area did have a rural quality that afforded a visual pleasing amenity. The development would impact greatly on the residents of Hurn Road and vigilance needed to be paid as to how the site was managed going forward. A motion was put forward and seconded to refuse the application, citing Policies CS9, CS16 and CS20, all of which alluded to the amenity loss of existing residents. The motion was carried by 6 votes, with 2 voting against.

It was noted that as Councillor Harrington had left the meeting part the way through the item, he was not permitted to vote on the application.

**RESOLVED:** (6 for, 2 against) to refuse the application, against officer recommendation.

#### **Reasons for the decision:**

The proposal by reason of the formation of the access and large areas of hard standing areas and the stationing of static and touring caravans would result in a significant change in the appearance of this part of the open countryside. As such the proposal did not recognise or enhance the qualities of the local landscape and therefore the proposal was contrary to the provisions in Policies CS9 and CS20 of the Peterborough City Council Adopted Core Strategy DPD (2011) which sought to ensure new development was sensitive to its landscape setting

The proposal was likely to result in a relatively significant amount of new additional human activity (including vehicle movements of a non-domestic nature), in an area of open countryside. This would impact detrimentally on the level of amenity currently enjoyed by the nearby residents. The proposal was therefore contrary to the provisions of Policies CS9 and CS16, which both sought to protect the resident's amenity from the adverse impacts of new development.

The meeting was adjourned for ten minutes.

#### **5.6 11/01786/HHFUL – Construction of first floor front extension at 1 Thomas Close, Bretton, Peterborough**

Permission was sought for a first floor front extension. The proposal was to enclose the existing first floor balcony to create an internal room, proposed for use as a lounge. It was proposed that the extension would have a hipped style roof and would incorporate three large first floor windows to the front elevation and one large first floor window to the north side elevation. It was proposed that the extension would be clad with white PVC.

The application dwelling was a large detached two storey property situated in a prominent position within the street scene to the corner of Thomas Close and Huntsman Gate. The property had been significantly extended, with the creation of a first floor extension above the original garage and a front porch extension with a first floor balcony above. The dwelling had a hipped roof and was constructed from brick and tile. A hard paved driveway was located to the front of the dwelling that provided two in-curtilage car parking spaces. The property had an open front curtilage, with grassed front lawn flanked by trees to the north and west site boundaries.



The application site was located within a modern residential development comprising of large detached two storey properties. The design of the nearby properties varied but there were a number of dwellings that were the same design as the application dwelling, prior to its earlier extension.

An earlier application (ref: 11/01434/FUL) for the same development was withdrawn on 27 October 2011 following discussions with the applicant regarding amending the design of the extension in order to address Officer concerns about the likely adverse impact of the extension on the character of the area. There had been no change to the resubmitted application.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the design and impact on the character of the area and the impact of the development on neighbour amenity. The recommendation was one of refusal. Members were advised that the recommendation of refusal was due to the out of character windows proposed.

Following questions to the Planning Officer in relation to the windows, a motion was put forward and seconded to refuse the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to refuse the application, as per officer recommendation and:

1. The reason for refusal as detailed in the committee report

**Reasons for the decision:**

The proposal was unacceptable as the development by reason of the proposed materials, design, size and location of the proposed fenestration would appear out of keeping with the character of the host dwelling and result in a detrimental impact on the character and appearance of the street scene.

13.30 – 17.46  
Chairman

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