

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 9 JUNE 2015
1.30 PM**

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council. Members must also declare if they are subject to their party group whip in relation to any items under consideration.

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

4. Minutes of the Meeting Held on:

4.1 **7 April 2015** **5 - 20**

4.2 **21 April 2015** **21 - 26**

5. Development Control and Enforcement Matters

5.1 **15/000479/HHFUL - 13 Allotment Lane, Castor, Peterborough, PE5 7AS** **27 - 36**

5.2 **15/00392/HHFUL - 29 Parliament Street, Millfield, Peterborough, PE1 2LS** **37 - 42**

6. Planning Compliance Quarterly Report on Activity & Performance January to March 2015 **43 - 48**



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Philippa Turvey on 01733 452460 as soon as possible.

7.	The Etton Conservation Area Appraisal	49 - 54
8.	Sutton Conservation Area Appraisal	55 - 62

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.

Committee Members:

Councillors: C Harper (Chairman), L Serluca (Vice Chairman), P Hiller, N North, J Stokes, S Martin, Sylvester, D Harrington, J Okonkowski and S Lane

Substitutes: Councillors: G Casey, N Shabbir, C Ash, R Herdman and J R Fox

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet MacLennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning, Transport and Engineering Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 7 APRIL 2015**

Members Present: Councillors Harper (Chair), Serluca (Vice-Chair) Casey, Hiller, North, Stokes, Sylvester, Ash and Harrington

Officers Present: Nick Harding, Head of Development and Construction
Alan Jones, Senior Officer Minerals and Waste (item 5.6)
Simon Ireland, Principal Engineer (Highway Control)
Hanna Vincent, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

Councillor Harrington declared an interest in agenda item 5.4 '15/00019/FUL – 32 Main Street, Ailsworth, Peterborough, PE5 7AF' as he was acquainted with a Doctor at the practice.

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

Councillor Hiller declared his intention to make a representation as Ward Councillor for agenda item 5.2 '14/01833/FUL – 21 Castle End Road, Maxey, Peterborough, PE6'.

Councillor North declared his intention to make a representation as Ward Councillor for agenda item 5.3 '14.02171/FUL – 490 Oundle Road, Orton Longueville, Peterborough, PE2 7DF'.

4. Minutes of the Meetings held on 3 March 2015

The minutes of the meeting held on 3 March 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 14/02024/FUL – Land to the East of Manor Farm, Nene Way, Sutton, Peterborough

The planning application was for the proposed demolition of farm buildings on land to the east of Manor Farm, Nene Way, Sutton and the construction of five dwellings with associated works.

The main considerations set out in the reports were:

- Principle of development
- Minerals Safeguarding Area
- Residential amenity
- Access and highway implications
- Character of the area and impact on the Conservation Area

- Impact on the Listed Building
- Trees, landscape and ecology
- Archaeology
- Sustainability
- Permitted Development “fall-back” position
- Developer contributions

It was officer’s recommendation that planning permission be granted subject to conditions set out in the report.

The Head of Development and Construction provided an overview of the application and raised the following key points:

- Two of the proposed dwellings would front Nene Way, the remaining dwellings would front the new access road.
- The proposal fell partway outside the village boundary. The boundary had been recently reviewed by an inspector and it had been concluded that the boundary line remain unchanged.
- The site was situated in a minerals safeguarding area and adjacent to a conservation area.
- There were a number of agricultural buildings on site, which it was considered blocked the view of the listed building. The chimney of the listed building was believed to be a key feature.
- Pre-application advice had been provided by the conservation officer in 2013. It was considered in this advice that the replacement of agriculture buildings with permanent dwellings would be positive. This advice was only binding for one year, which had now passed. However, as there had been no change to policy since this advice, it was felt it important to stand by the comments.
- It was noted that the listed building was ‘set off’ against the agricultural buildings, however the nature of the agricultural building was not part of the listed building setting.

Councillor Holdich, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The development would extend beyond the village envelope and into the countryside. The proposal was not an essential rural activity and was not appropriate within a mineral safeguarding area.
- The nearby Manor Farm housed livestock and would result in noise and other impacts on the proposed dwellings due to the farmyard use.
- There would be a resulting impact on the nearby listed buildings. The scale of the proposed dwellings would be detrimental and visually intrusive.
- The proposal was contrary to a number of Council policies.

Peter Lee, Vice-Chairman of Sutton Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants should adhere to the village envelope. The breach of this boundary was not justified by the removal of the old agricultural buildings, this could be achieved with just a frontage development.
- The development would have a negative impact on the setting of Manor House and would be visually unattractive.
- Development in the area should be in keeping with the traditional style of the area. A cul-de-sac development would not be so.
- A disproportionate amount of weight had been given to pre-application guidance. It was believed that the views submitted after the application was made should be given greater consideration.

- Sutton residents were not opposed to suitable development in the area. A smaller, frontage development would be considered more appropriate.

Mike Sibthorp addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Sibthorp was speaking on behalf of Mr and Mrs Scriven of Manor Farm.
- It was considered that a modest frontage development within the village envelope would be acceptable in principle and could secure the removal of the agricultural buildings.
- The proposal was harmful to the setting of a listed building and would result in poor amenity for the proposed residents.
- A lengthy objection had been submitted by the current Conservation Officer, which had not been included in the report.
- Mr Sibthorp objected on seven key grounds; location beyond village envelope, scale, form and layout, harm to Manor Farm setting, out of keeping with character of the area, no heritage impact assessment provided, overbearing impact on residential amenity, proximity to farm yard.
- Mr Sibthorp advised that a frontage development a sufficient distance away from the farm yard would not to be impacted so significantly.

Richard Dunnett, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The site had been vacant for significant period and had fallen into disrepair.
- A solely frontage development would be impractical, as the dwellings would have oversized gardens.
- Discussion had taken place with the Parish Council and Council Planning Officers, and had resulted in a reduction in the number of dwellings and an improvement in the proposed outlook.
- All the development bar the access road was within the village envelope, this was believed to be justified by the current nature of the site and the planning gain of the development.
- The Conservation Officer gave advice in 2014 with suggested improvements. This suggestions were incorporated into the application.
- It was commented that the distance from neighbouring properties was over what was required.

The Committee were sympathetic to the comments of the objectors. It was considered by the Committee that there were a number of sound planning reasons why this application should be refused. It was suggested that the proposal was overbearing and not in keeping with the surrounding area. The Committee expressed concern regarding the potential impact of the development on the setting of a listed buildings. Concern was also raised over the breach of the village envelope by the proposal.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation for the reasons of the development being outside the village envelope, within a Minerals Safeguarding Area, not in keeping with the character of the area, the lack of a heritage impact assessment and the overbearing impact. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

- Part of the application site fell outside the settlement envelope as defined by the Peterborough Planning Policies DPD (December 2012) under Policy SA4 of the Peterborough Site Allocations DPD (April 2012) and was therefore located in open countryside. The proposal was for general residential development and therefore was contrary to the provisions of Policy CS1 of the Peterborough Core Strategy (February 2011) as it was not a form of housing which was supported by the policy.
- Part of the application site was located within a Minerals Safeguarding Area (MSA) and whilst the dwellings themselves were located outside the MSA, their proximity to the MSA would result in the extraction in the locality being compromised as it would bring residential development closer to the MSA than was the case now. The proposal was therefore contrary to Policy CS26 of the Cambridgeshire & Peterborough Minerals & Waste Core Strategy.
- The dominant nature of the built form of the village was frontage development in spacious plots with individual building designs. The village had Conservation Area status but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposal was at odds with this given its backland nature and similarly designed properties. Consequently the proposal would not be in keeping with key characteristics of the Conservation Area and would be detrimental to it including in terms of views in to and within the Conservation Area itself. The proposal was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF.
- Adjacent to the site was a Grade II Listed building but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposed development would have a significant impact on the Listed building itself and also on its setting as a result of the siting, form, mass and design of the development. The proposal was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF.
- The proximity of the proposed development to the existing amenity area of the adjacent Manor would result in a loss of privacy and would have an overbearing relationship. The proposal was therefore contrary to Policy PP3 of the Peterborough Planning Policies DPD (December 2012).

5.2 14/01833/FUL – 21 Castle End Road, Maxey, Peterborough, PE6 9EP

The planning application was for the demolition of the existing garage and outbuilding at 21 Castle End Road, Maxey, and the construction of three detached dwellings and garages.

The main considerations set out in the reports were:

- Principle of development
- Impact on the Character and Appearance of the Conservation Area
- Neighbouring Amenity
- Highway Implications
- Residential Amenity
- Landscape Implications
- Ecology
- Archaeology
- Food Risk
- S106
- Environment Capital

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The proposed access to the development was pre-existing.
- Although the site was within a conservation area it was considered by officers that the development would improve the view at the side elevation.
- Within the context of the site's previous use as a coal yard the proposals were considered to be acceptable.
- The design avoided window placement which were overlooking on neighbouring dwellings.

Councillor Hiller, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The local residents were not in objection to development on this site in principle, however did not feel the proposal put forward was appropriate for the area.
- The Highways Authority had recommended refusal for this application.
- The neighbouring residents, as a result of the design of the proposals, would experience a loss of privacy.
- There were concerns regarding overdevelopment, the safety of the second driveway and the impact the proposal would have on the conservation area.
- It was considered that there was an issue regarding overlooking windows that could be easily overcome with a more appropriate design, in order to maintain privacy.
- The proposals were thought to be contrary to the village plan. Within the village plan there was a presumption against tandem development and subdivision.
- There were insufficient visibility splays within the proposed second driveway. The comparison made by the applicant to other driveways in the area were false.

David Dixon addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Dixon was representing a number of local residents who believed that a better thought out and more in keeping development was needed for the application site.
- There was an established presumption against tandem development as per the Maxey appraisal in 2007.
- It was believed that the proposal would have a negative effect on neighbour amenity. An increase in the number of vehicle movements on the site would create more noise.
- The proposed driveways were near to neighbouring bedrooms, which was considered to be an unnecessary aspect of the design.
- It was emphasised that objections had been raised by the Highways Authority.
- It was suggested that the application would represent overdevelopment of a small site.

The Committee discussed a number of points including what was considered to be a disregard for the village plan and the objection raised by the Highways Authority. The Committee suggested that a development on the site in question should be in keeping with the local character.

The Head of Development and Construction advised that officers had considered that, on balance, it was no reason to recommend refusal for this application on the basis of

lack of visibility splays, as there was only very light resulting traffic expected.

The Principal Engineer (Highway Control) advised that the visibility splays could be achieved if all the land surrounding the road was considered, however in the Highways Authority representation only the land within the application site could be taken into account.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation for the reasons that the proposals were situated in a conservation area, there was tandem development and subdivision proposed, overdevelopment, impact on residential amenity and highway safety. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

- The application site fell within a Conservation Area. The main form of development in this part of the Conservation Area is street frontage plots. Whilst part of the site was occupied many years ago by a coal yard the remainder was residential curtilage. Consequently the development was tandem and backland in nature. The proposal was therefore out of keeping with the character of the Conservation Area and detrimental to it. The development was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF and draft Maxey Conservation Area Appraisal (2007).
- Plot 1 in the proposal was in a location which represented the subdivision of the existing site frontage and the design of the dwelling had a wide plan form which would be detrimental to the character of the Conservation Area. The proposal was therefore out of keeping with the character of the Conservation Area and detrimental to it. The development was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF and the draft Maxey Conservation Area Appraisal (2007).
- The layout of the development was such that it was of cramped appearance in relation to the built form of the locality and given the resultant over development of the site, there was a detrimental impact on the adjoining existing residents by way of loss of privacy and it having an overbearing impact on their outlook. The proposal was therefore contrary to Policy PP3 of the Peterborough Planning Policies DPD (December 2012).
- The proposed new access which was to serve the existing house and two of the new dwellings, was unsafe as the vehicle to pedestrian visibility splays are shown to be wholly contained within the highway verge when they should be contain within the application site. The proposal was therefore contrary to Policy PP12 of the Peterborough Planning Policies DPD (December 2012)

5.3 14/02171/FUL – 490 Oundle Road, Orton Longueville, Peterborough, PE2 7DF

The planning application was for the demolition of existing buildings at 490 Oundle Road, Orton Longueville and the erection of a new convenience food store (Class A1), three detached residential properties, car parking, landscaping and associated works.

The main considerations set out in the reports were:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking, access and highway safety
- Neighbour amenity
- Landscape implications
- Impact upon heritage assets
- Contamination
- Ecology
- Amenity provision for future occupants
- Environment Capital contribution
- Developer contributions

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

The Head of Development and Construction provided an overview of the application and raised the following key points:

- A previous scheme on this site had been submitted and refused. An inspector dismissed the appeal of this decision, as set out in the update report.
- Issues raised by the inspector in their report were the three separate accesses, the limited space for car movements, overdevelopment, overlooking and the loss of trees under a tree protection order.
- The application now before the Committee had a smaller site footprint, only two points of access, a reduction in the number of units and greater separation distances.
- As the inspector was content with the design of the previous submission, it would be difficult to object to this application on design grounds.
- A condition had been proposed to restrict deliveries on site. It was proposed that heavy goods vehicles would only be permitted to turn left when leaving the site and would only be able to deliver at times avoiding heavy traffic.

Councillor North, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Local views had been sought on this matter and the convenience store was generally opposed in its proposed form, though the housing was not opposed.
- Concern was raised about the additional traffic which would result.
- It was suggested that there was insufficient space for delivery vehicles on the site.
- Oundle Road was a busy road and conditions would be adequate in mitigating the impact of large vehicles nearby the local school.
- It was considered that the dwellings proposed still constituted overdevelopment and were out of keeping with the surrounding area. It was believed that occupiers of neighbouring properties would suffer from overlooking.
- It was acknowledged that the site had established use as a garage, which could generate significant amounts of traffic.

Councillor Ian Allin, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Car parking was considered to be a serious problem. It was a concern that the proposed dwellings only provided sufficient space for one car. One garage space and a space in front of the garage was not practical.
- It was suggested that reduction in the number of dwellings on the site was the

best answer.

Tim Slater addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Slater was representing Mr Vitas of 488 Albert Road.
- It was accepted that the site would and should be developed. However, issues were raised relating to the amenity and privacy of neighbouring residents.
- It was believed that the proximity of the design would result in overdevelopment and an increase in noise pollution.
- The distance between plot three and the existing dwelling was less than five metres. It was thought this would be relatively easy to re-design.

Councillor Sylvester declared an interest in this item, as an elected Member of Central England Co-op Council, and withdrew from the Committee.

Giles Walter, Applicant, and Paresh Pancholi, Co-op, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Pancholi explained that the site would house a small convenience store.
- The work ethos of the Co-op involved serving communities through social and commercial means. It was intended for the store to contribute to the long term good health of the area through sustainable means.
- Conditions in relation to transport and deliveries would be straightforward to adhere to, as the Co-op used its own vehicles for deliveries and could control the type of vehicle use. It would be able to ensure that only light goods vehicles were used outside of the restrictions proposed. The restriction in hours of delivery only applied to heavy goods vehicles.
- Giles Walter advised that the site had been vacant for approximately 11 years.
- The applicant had worked hard to address the issues raised following the previous application being refused.
- The number of dwellings on site had been reduced and the siting of each dwelling had been examined.
- It was not proposed to retain all the beech trees on site.
- The proposal would bring a redundant site back into use.
- The applicant was previously unaware of any concerns from neighbours regarding overlooking or loss of privacy.
- It was noted that the officers were content with the proposal to have one garage and one parking space per dwelling. There were to be two visitor spaces on the site.

The Committee appreciated that the application site was in need of development and that the Highways Authority had not raised any objection to the proposals. Concern was still raised, however, over the issue of resident parking and overlooking nature of the part of the development.

The Head of Development and Construction advised that within the inspectors report concern was only raised about the number of access points. As this had now decreased it would be difficult to refuse on such grounds. The issue of overlooking on 488 Albert Street was not raised by the inspector, there was no explicit reference to whether the inspector was content with the proposal or not. It was advised that, if granted, an additional condition would need to be added in regarding the opening times of the store; 7am to 10pm were suggested.

A motion was proposed and seconded to agree that the Director of Growth and

Regeneration be granted authority to grant planning permission, as per officer recommendation subject to an acceptable solution to the overlooking first floor window, the provision of an additional visitor car parking space, and an additional condition restricting the store opening hours. It was stated that within the consultation process, only reasonable objections in relation to the window would be considered. The motion was carried five voting in favour, one voting against and one abstention.

RESOLVED: (5 voted in favour, 1 voted against, 1 abstained from voting) that the Director of Growth and Regeneration be granted authority to **GRANT** planning permission subject to:

- i) The conditions set out in the report;
- ii) The additional condition 'Opening hours for customers to be restricted to 7am to 10pm';
- iii) An acceptable amended plan being received (neighbour to be consulted) which addressed overlooking from the first floor front bedroom window (closest to the site boundary); and
- iv) An acceptable amended plan being received which provided for one additional visitor parking space.

If the overlooking issue cannot be addressed then the application shall be refused on the grounds of overlooking. If the additional car parking space cannot be reasonably accommodated then its absence will not be an additional reason for refusal.

Reasons for the decision

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

- there was an established commercial use on the site and therefore the development of a small-scale retail unit is considered acceptable in principle, in accordance with Policy CS15 of the Peterborough Core Strategy DPD (2011);
- given the location of the application site within a predominantly residential area which was well-served by existing services and facilities, the principle of residential development is acceptable, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011);
- the design of the proposal would not result in any unacceptable impact upon the character, appearance or visual amenity of the streetscene and surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- adequate and safe parking, access and turning can be provided to/within the site so as to not result in any unacceptable impact upon the safety of the public highway and highway users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the revised proposal would, on balance, not result in any unacceptable level of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would retain trees which were of key landscape value to the visual amenity of the locality, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to heritage assets, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 128 and 131 of the National Planning Policy

- Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- contamination present within the site would be adequately addressed so as to not pose a risk to human health, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
 - the proposal would not result in any unacceptable impact to ecology or biodiversity within the site, in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
 - on balance, the proposed dwellings would provide an acceptable level of amenity for future occupants, in accordance with Policy PP4 Planning Policies DPD (2012); and
 - there was no requirement for a financial contribution towards infrastructure demands generated by the development, in accordance with the National Online Planning Guidance and the Peterborough Planning Obligations Implementation Scheme SPD (2010).

5.4 15/00019/FUL – 32 Main Street, Ailsworth, Peterborough, PE5 7AF

Councillor Sylvester re-joined the meeting.

The planning application was for a single story flat roof extension to the rear of the doctor's surgery at 32 Main Street, Ailsworth, Peterborough, PE5 7AF.

The main considerations set out in the reports were:

- Background of Development
- Character Appearance
- Area Amenity
- Highways
- Trees

It was officer's recommendation that planning permissions be refused for the reason set out in the report.

The Head of Development and Construction provided an overview of the applications and raised the following key points:

- The extension proposed was a single storey rear extension into the garden area.
- The Highways Authority had objected to the application as there was no parking to be provided on the site. It was believed that the extension would attract extra traffic to the surgery from beyond the village.
- Ailsworth Parish Council had asked that their representation be considered as in support of the application.

Councillor Holdich, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposal was considered to be overdevelopment, out of character and overbearing on Helpston Road residents.
- Concern was raised on highways grounds as there was no parking on the site, neither currently, nor proposed.
- If the surgery was aiming to expand and cater to patients outside the village, who would be travelling by car, parking was vital.
- It was suggested that those supporting the proposal were concerned that without expanding, the funding to the surgery would be lost.

Andrew and Susan Nash addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr and Mrs Nash lived in the property that backed on to the surgery.
- It was acknowledged that the village benefited from having a medical practice, however the scale and suitability of the proposed extension was called into question.
- The proposal would extend to 1.5 metres from their boundary and 0.5 metres above the boundary wall.
- This impact would be increased by the removal of all of the shrubs and trees from the application site.
- It was not believed that the proposal had been sufficiently thought through and it was suggested that the development was too large for the application site.

The Committee discussed the application and maintained that adequate healthcare provision was important. It was considered, however, that the site was not suitable for the size of extension proposed, which comprised the majority of the existing garden.

A motion was proposed and seconded to agree that permission be refused, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons:

- R 1 The proposed increase in development and the services offered at Ailsworth Medical Centre as part of this proposed extension were considered likely to exacerbate the parking problems currently experienced in the vicinity of the site, specifically on Main Street, to the detriment of highway safety and therefore contrary to Policy PP12 and PP13 of the Peterborough Planning Policies DPD 2012.

5.5 14/01691/HHFUL – Rectory House, Castor Road, Marholm, Peterborough

The planning application was for ground floor and first floor extension at Rectory House, Castor Road, Marholm, with remodelling.

The main considerations set out in the reports were:

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

It was officer's recommendation that planning permissions be granted subject to conditions set out in the report.

The Head of Development and Construction provided an overview of the applications and raised the following key points:

- The application aimed to be a more energy efficient development, utilising 'green' energy.

- The proposal included raising the roof of the existing dwelling.
- It was considered that the proposed development would improve shadow of the property in some areas and would mean very little difference in others.

Councillor Holdich, Ward Councillor, and Tim Hawkins, Chairman of Marholm Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Ward Councillor asked for this application to be heard by Committee as the applicants wife was a Parish Councillor. It was considered that this was the best way for the objectors to feel they had a fair opportunity to have their say.
- Marholm Parish Council were trying to modernise their approach to planning applications and become more transparent. As such, applicants were invited to attend Parish Council meetings to support their application.
- The Parish Council were pleased with the proposal and were impressed with the ecological credentials of the design.
- It was confirmed that the wife of the applicant had been excluded from voting on this matter.
- The Parish Council believed that the shadowing of the development would not be worse than current.
- The Parish Council considered the application submitted. It was noted that interior could be updated at the same time, the applicant desired, but this was not relevant for the application.

Mr Plant addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The first floor of the proposal ran parallel to Mr Plant's boundary. It was considered that this would block out areas of light and have an overbearing impact. The application site was higher than the neighbouring land, which would increase the effect.
- The proposals ran for 14 metres of Mr Plant's boundary, out of a total of 23 metres. It was believed that the proposals could be sited elsewhere on the property, where they would have less of an effect on neighbour amenity.
- It was believed that the property could be extended and modernised without having such a detrimental impact on neighbours' amenity.

David Shaw, Agent, and Jan Maciag, Architect, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The applicants wanted to establish their family home on the application site. The proposal would house a wood burner and other equipment at the rear of the garage.
- Pre-application had been sought and had resulted in several changes to the design of the application.
- It was stated that the applicants invited neighbours and the Parish Council to comment, and the application was received positively.
- Objections had been received during the application process and the scheme was further revised to reduce its height and bring it further away from the boundary.
- It was not considered that the proposal would impact on the amenity of the neighbours at Grey Gables, as the shadowing was no greater than current. With the removal of the hedge, it would be marginally improved.
- The equipment that was to be housed in the development would create approximately the same noise as a large freezer. It needed to be in the proposed location to minimise the transition route.

- It was not considered that there was a large difference in the height of the site and the neighbouring site.

The Committee considered the application and discussed the potential impact of the proposal on neighbour amenity. The resulting shadowing was discussed and it was concluded that the proposal did not represent an increase in the level of shadowing over the neighbouring property.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried eight voting in favour, one voting against.

RESOLVED: (8 voted in favour, 1 voted against) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision

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

- The proposal would not unacceptably harm the character of the area or the amenity of the occupiers of neighbouring dwellings; in accordance with policies PP2, PP3 and PP17 of the Peterborough Planning Policies (DPD) 2012 and policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011.

5.6 14/01716/MMFUL – Land at Leicester Road, Wansford, Peterborough

The planning application was for limestone extraction and restoration on land at Leicester Road, Wansford, Peterborough.

The main considerations set out in the reports were:

- Suitability of the proposal (mineral extraction and infilling with inert material)
- Noise and dust
- Landscape and visual impact
- Biodiversity and Geodiversity
- Flood risk
- Archaeology
- Traffic and Highways
- Other Issues

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

The Senior Officer Minerals and Waste provided an overview of the application and raised the following key points:

- The application added to the eastern series of quarries, with access off A47. The closest residences were Sibberton Lodge and Old Pump House.
- The proposed extraction of limestone would take place over a five year period and would operate between 7am and 6pm, Monday to Friday and 7am to 1pm, Saturday.
- It was expected that the development would attract a maximum of 156 vehicle movements a day.
- It was intended that the land would be restored to agricultural purposes and that the conditions were to be imposed in relation to the environmental impact of the

- proposal.
- Conditions were proposed in order to limit and manage the level of noise and dust resulting from the scheme.

Councillor Holdich, Ward Councillor, and Councillor Richard Clarke, Wansford Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Quarry work had recently been undertaken in the area to the west of the application site. This work had resulted in a number of complaints regarding dust and noise.
- It was believed that a hydraulic drill would be required to carry out the proposed work.
- It was suggested that the calculations put forward by the applicant in relation to noise and dust were not factual.
- Questions were raised as to why work was not scheduled to commence until 2021.
- The noise levels given in the report were claimed to be unreliable. The noise predicted at the Old Pump House was 46db, equivalent to a library setting, which was not believed to be realistic.
- Previous quarries at Thornhaugh had registered noise levels of 64 or 65db.
- It was suggested that noise mitigation measures would only take effect after a year, as it would take this long to dig down far enough to dampen the works noise.
- Limestone, once extracted, would dry and carry on the wind. It was believed that this would reach residential areas.
- The number of objections were low, it was suggested, because residents were confident that the Parish Council would sufficiently represent the concerns of the village.

Liam Toland, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The officer report was commended to the Committee as a reflection of the careful consideration taken in the application.
- The principle of mineral extraction had been established on the site.
- An independent review had been undertaken to assess the noise levels and this was accepted by Council officers. It was considered that this noise assessment was robust and reflective of the proposed works.
- The Applicant's had worked with the Council in order to minimise the effect the quarry would have on residents.
- It was advised that Limestone, although it does dry, would not carry over 100 metres. As such, nearby residences would not be effected.
- The Applicant had not experienced any problems with other quarries along the A47 and it was expected that any problems could be resolved with appropriate conditions.
- Noise mitigation measures were standard practice and believed to be acceptable.
- The application was due to start in 2021 in order to allow work at a different quarry and infilling of the adjacent land to finish, to avoid any cumulative impact.

Councillor Harrington and Councillor Stokes left the Committee meeting.

The Committee expressed concern at the contradictory statements referred to by the public speakers, however considered that the officer report should be relied upon to inform their decision.

The Senior Officer Minerals and Waste advised that he was entirely confident in his report and the expertise he had drawn upon. The Environment and Pollution Control Officer had been consulted and raised no concerns to the proposal. As such, it was believed that the targets set out in the report were attainable, and were similar to comparable sites. It was explained that the noise mitigation measures would be put in place and be effective from the start, however they would become more effective as the extraction progressed. This had been taken into consideration when setting appropriate noise levels.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried six voting in favour, one voting against.

RESOLVED: (6 voted in favour, 1 voted against) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision

The NPPF states that there was a presumption in favour of sustainable development - in terms of decision taking this meant approving development proposals that accorded with the development plan without delay. The principle of development was in accordance with policy SSP W2 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (SSP DPD) which allocated the site for inert landfill; and the proposed extraction lay within the Minerals Consultation Area (CS27) associated with the previous permission for limestone extraction at Thornhaugh II quarry.

An Environmental Statement accompanied the application which, alongside the submitted further information was considered comprehensive and met the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2011. Detailed topic areas had been assessed/considered:- With regard to noise and dust, the proposal was in compliance with policies CS24 and CS34. The landscape and visual impacts of the proposal were in compliance with policies CS25, CS33 and CS34 of the Core Strategy. Ecology, Hydrogeology and Physical characteristics (including soils) had been carefully considered (no objections raised by Natural England or the Environment Agency subject to conditions) and were in compliance with policies CS22, CS25, CS35 CS38 and CS39 of the Core Strategy. Heritage and Archaeology had been assessed and were in compliance with policy CS36. Other matters had been assessed including Traffic and Highways, Flood risk, quarry design and climate change and were considered acceptable and in compliance with development plan policy. Cumulative impact of this development with that of the neighbouring site, Eyebury landfill, had also been taken into account. Comments of consultees had been taken into account and suitable conditions would be attached which address any issues raised. The representations had also been also taken into account but given that the site was allocated for inert landfill, previously benefitted from permission for limestone extraction, and in all other respects the proposal was acceptable, there was no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

6. Planning Compliance Quarterly Report

The Committee received a report which outlined the Planning Service's planning compliance performance and activity which identified if there were any lessons to be learned from the actions taken. The aim was for the Committee to be kept informed of future decisions and potential to reduce costs.

Following questions raised by the Committee the Head of Development and Construction advised that there had been no costs awarded in the Council's favour, however prosecution was commencing regarding 15 Serlby Gardens.

RESOLVED:

The Committee noted past performance and outcomes.

Chairman
1.30pm – 6.44pm



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 21 APRIL 2015**

Members Present: Councillors Harper (Chair), Serluca (Vice-Chair) Casey, Hiller, North, Stokes, Sylvester, Ash and Harrington

Officers Present: Theresa Nicholl, Development Manager
Julie Smith, Highway and Drainage Control Manager
Hannah Vincent, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies of absence were received from Councillor Martin.

2. Declarations of Interest

Councillor Harrington declared an interest in agenda item 4.1 '13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough' as he was a member of Newborough Parish Council. He had excluded himself from any discussion on the matter and was not predetermined.

Councillor Ash declared an interest in agenda item 4.1 '13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough' as he was a member of the Dogsthorpe Landfill Liaison Committee. He had excluded himself from any discussion on the matter and was not predetermined.

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

There were no declarations of intention to make representations as Ward Councillor.

4. Development Control and Enforcement Matters

4.1 13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough

The planning application was for the erection, 25 year operation and subsequent decommissioning of a single wind turbine (including micro-siting) at Dogsthorpe Landfill Site, Welland Road, Dogsthorpe. The application included a wind turbine with a maximum overall tip height of 90 metres, associated infrastructure including turbine transformer, hardstanding, control building and cabling.

The main considerations set out in the reports were:

- Principle of Development
- Landscape and Visual Impact Assessment (LVIA)
- Shadow Flicker
- Noise
- Cultural Heritage (including Archaeology)
- Geology, Hydrology and Hydrogeology

- Ecology (including Ornithology)
- Traffic and Transport
- Aviation Safety
- Interference with television reception and other electromagnetic interference
- Other Issues

It was officer's recommendation that planning permission be granted subject to the conditions set out in the report.

The Development Manager provided an overview of the applications and raised the following key points:

- Altered and additional conditions had been proposed in the update report. These removed reference to 'typical' drawings and requested that drawings be submitted prior to commencement, and that the wind turbine be restricted to 90 metres in height.
- The application site was outside the current landfill operation, however was still subject to micro-siting.
- CS11 supported renewable energy developments, if there was no resulting unacceptable impact.
- The application site was within a minerals and waste allocation zone. It was considered that the proposal only affected a small part of the total mineral and waste allocation across the authority area, and would not be compromised.
- The landscape effects, landscape character and visual effects of the proposal were not considered to be significant, or significantly detrimental.
- It was not thought that the proposal caused any of the surrounding residential dwellings to be wholly unacceptable or unattractive.
- Conditions had been proposed in relation to shadow flicker, noise assessments, ecology, traffic, aviation and television interference.
- The effect on nearby sites of cultural significance were considered to be less than substantial and any harm was outweighed by the benefits received.

Sarah Henderson, Applicant, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The applicant was part of the FCC Group, which held renewable energy at the heart of its development strategy.
- The wind turbine would create 500 kW of energy, enough to power 285 homes. This was equivalent to 510 tonnes of CO₂.
- National policies and Council policies were in favour of sustainable development.
- The proposal would have a positive social and economic impact on the area.
- No statutory objections had been raised to the proposals. Out of the 1,058 consultations only 9 objections had been received from local residents.
- The fact that the wind turbine would be visible was not a reason to refuse, as there was not considered to be any overwhelming visual detriment.
- The initial objection from the Ministry of Defence had been withdrawn after discussions with the applicant.
- It was clarified that the only aspect of the previously approved eco-park proposals effected by this application were the storage areas for the anaerobic digester energy crops. It was considered that these could be relocated if necessary.
- A detailed site investigation would be carried out before any works commenced.
- The chance of shadow flicker resulting from this development was considered to be low, however the wind turbine would be closely monitored as part of the site management arrangements and the turbine would be shut off at any time

shadow flickering occurred.

The Committee considered the relatively low level of objection from local residents and suggested that the visual impact of the proposal would be minimal. It was noted that the potential for shadow flicker was a concern and it was requested that the applicant ensure that the wind turbine be closely monitored for such a phenomenon.

In response to questions regarding access for construction vehicles the Highway and Drainage Control Manager advised that restrictions would be in place and there would be no benefit to vehicles to access the site from Welland Road. It was expected that the A47 would be proper access route for all construction traffic.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report and additional information.

Reasons for the decision

The key development plan policy in relation to renewable energy was CS11 of the adopted Peterborough Core Strategy. This policy set out that permission would be granted if the developer had satisfactorily addressed the following issues on a case by case basis;

- Use of most appropriate technology for site
- Impact on air traffic operations, radar etc.
- Measures to mitigate any adverse effects on amenities of occupiers of nearby properties during construction, operation and decommissioning
- Provision for the protection, preservation and/or mitigation for any features of strategic, cultural, agricultural, ecological, historic/archaeological importance, including landscape character, where relevant

It was considered that the applicant had satisfactorily demonstrated that the proposal could meet these criteria with the imposition of conditions. None of the statutory consultees had objected to the proposal. Given that over 1000 letters were sent to nearby residents notifying them of the proposals (as well as site notices and newspaper notices), few objections had been received. Naturally, given that the proposal was a wind turbine, it would be highly visible but the submission and comments received do not suggest that its impact would be unacceptable with regard to any of the issues/criteria referred to in policy CS11.

Account had also been taken of national policy advice, particularly the NPPF and NPPG as well as other relevant development plan policies. Special regard had been had to the desirability of preserving a building or its setting, or any feature of special architectural or historic interest which it possessed.

The original submission was considered to be deficient in terms of content and clarity regarding aviation, visual amenity, micro-siting, substation/control building, TV interference, ecology and the approved eco-park development/waste allocation. These matters had been satisfactorily addressed.

4.2 15/00306/HHFUL – 1 Franklyn Crescent, Eastfield, Peterborough, PE1 5NE

The planning application was for proposed two story side and rear extensions at 1 Franklyn Crescent, Eastfield, Peterborough.

The main considerations set out in the reports were:

- Design and impact upon the character and appearance of the surrounding area
- Impact upon neighbour amenity
- Parking provision

It was officer's recommendation that planning permission be refused for the reasons set out in the report.

The Development Manager provided an overview of the applications and raised the following key points:

- The neighbouring property had previously been extended on two floors towards the shared boundary with the application site.
- Permission had been granted in 2013 for an extension on the application site, including a single story side element and a two storey rear extension.
- A 2014 application including a two storey side extension and a partial wrap-around development had been refused.
- The impact on neighbouring properties was considered acceptable, as it would not be significantly different to that permission already granted.
- The recommendation for refusal stemmed from the effect the development would have on the streetscene. It was considered that the proposal would effectively 'terrace' the neighbouring houses. The street was characterised by the gap in between each pair of houses. To lose this character would be detrimental.

Councillor Shabbir, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants had approached Councillor Shabbir following issues with their architect.
- The applicants' architect had submitted the previously approved planning application without the approval of the applicants.
- It was noted that the roof of the neighbouring property extended unnecessarily far. It was urged that the applicants were not penalised for the bad design of the neighbouring dwelling.
- The applicants required a two storey extension in order to look after family members, whose health was fading. The applicant's father had been diagnosed with dementia.

Aysha Rahman, Applicant, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The previously approved application for the site had been submitted by the architect without the applicants' approval.
- Mrs Rahman's father had recently been diagnosed with dementia and, as such needed continuous treatment and care
- The applicant's parents could not cope by themselves and it was necessary for them to stay with the applicant.
- The applicants did not want to, nor were they able to, move house.
- The neighbouring property already had a similar extension to that proposed. It was considered unfair that one was permitted and the other not.
- No complaints or objections had been received from any neighbours.
- It was vital that the applicants created additional space in their property.

The Committee commended the applicant for their desire to care for their elderly

relatives. It was, however, noted that the Committee could consider material planning considerations only. The Committee believed that the proposal did represent a change in the streetscene however this change would not be detrimental enough to warrant refusal. It was believed that in respect of this application in particular, because of the angle of the dwelling in relation to the neighbouring property and the fact that the site was at the end of the road, the effect on the streetscene would be less than in other circumstances.

The Development Manager advised that, in exceptional situations, the personal circumstances of an applicant could be taken into consideration. It was suggested that emphasis be made on the unique situation of this application in relation to its siting at the end of the street and its angle in relation to the neighbouring dwelling, in order to avoid setting a precedent.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, as it was considered that the proposal was not detrimental to the surrounding streetscene. The motion was carried eight votes in favour and one vote against.

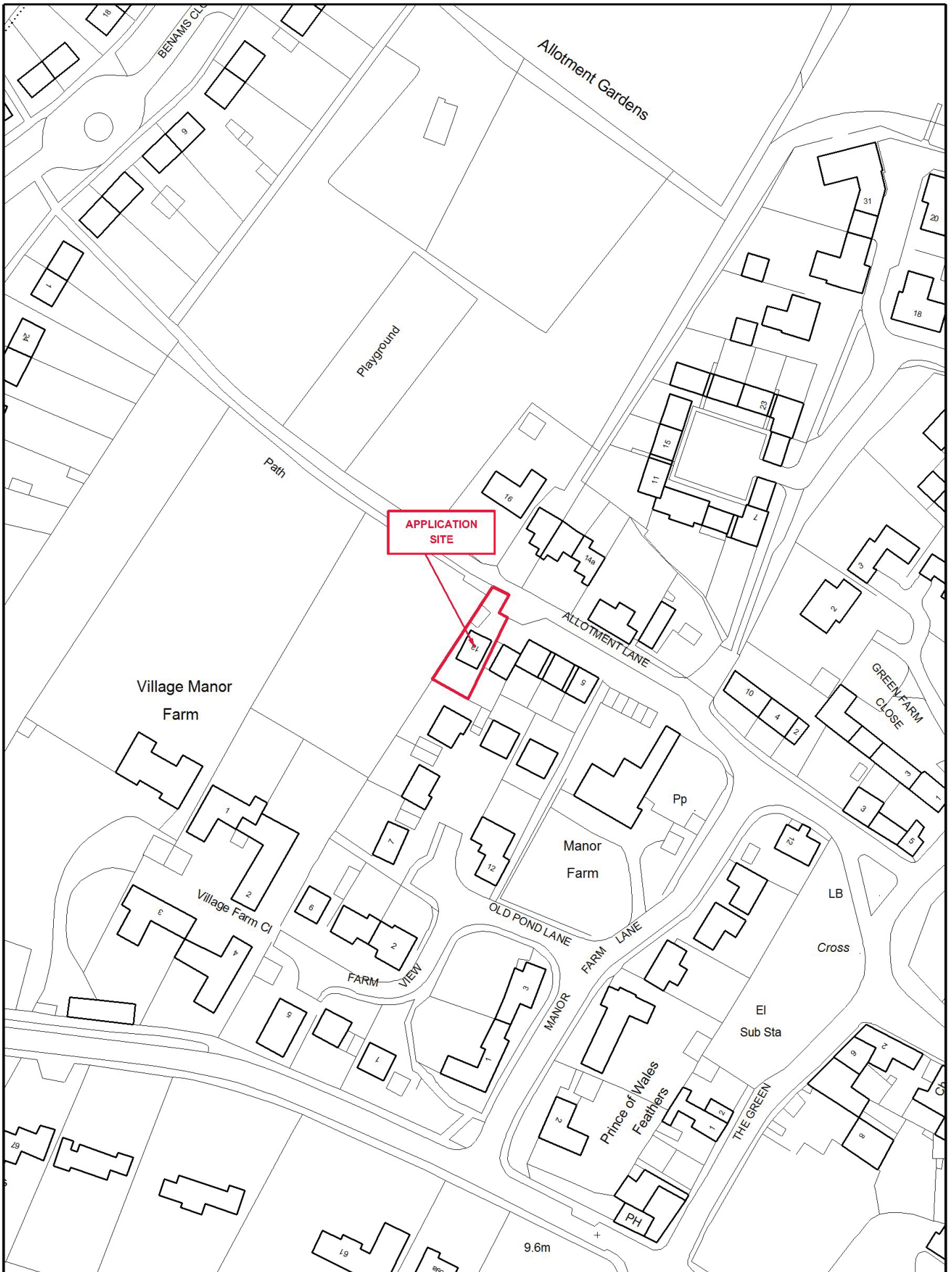
RESOLVED: (eight voted in favour, one voted against) that planning permission is **GRANTED** subject to relevant conditions.

Reasons for the decision

The proposal was not considered to cause sufficient detriment to the surrounding streetscene to justify refusal of the application.

Chairman
1.30pm – 3:10pm

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LOCATION PLAN 15/00479/HHFUL

13 Allotment Lane, Castor, Peterborough PE5 7AS

Scale NTS Date 28/5/2015 Name AA Department Planning Services



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Application Ref: 15/00479/HHFUL

Proposal: Demolition of existing garage and erection of single storey and 2 storey front extensions - resubmission

Site: 13 Allotment Lane, Castor, Peterborough, PE5 7AS

Applicant: Ms J Codd

Agent: Mr Wayne Farrar
A&S Designs

Referred by: **Cllr Lamb**

Reason: In support of the needs of the applicant

Site visit: 10.04.2015

Case officer: Mr S Falco

Telephone No. 01733 454408

E-Mail: sam.falco@peterborough.gov.uk

Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site Description

The site is host to a modern detached two-storey, two bay dwelling constructed of yellow-brown facing brick, a manufactured tile roof and white upvc windows and doors. The detached dwelling forms part of a group of modestly sized properties of similar design located to the south side of Allotment Lane and within the Castor Conservation Area. To the front of the dwelling is a single storey garage with a dual pitch roof with the gable facing the road. The garage appears to have subsequently been linked to the house and it has been converted into a hobby room / workshop with the garage door removed and a window inserted.

Allotment Lane is residential with a mixture of architectural periods and house types. Adjoining No. 11 to the east, and slightly forward, is a short terrace of three two storey properties of approximately the same age. To the east of Nos. 5,7 & 9 is a garage block with five single garages. The application site (and No. 11) are set back from Allotment Lane, which at this point changes to a footpath / cycleway west towards Ailsworth. Opposite the application property to the north side of Allotment Lane are a mixture of detached and semi-detached chalet style red brick and pantiled properties and a detached building to the west, marking, as No. 13 does, the built edge to Castor. To the east of the application property are two listed buildings; No. 12 a C17th thatched stone cottage (LB ref R50/114) and No. 14, a C18th stone, render and pantile cottage (LB ref R50/115).

Proposal

The scheme is a revision to the earlier refused application. It is proposed to demolish the existing single storey garage building and erect a two-storey and single storey extension forward of the front elevation of the dwelling. The proposed main extension has a footprint 7m (projection) x 3.8m (width). A second storey element with a pitched roof is 5m in length, set back 2m, with a mono pitch roof to the ground floor front. To the east is an adjoining single storey extension (1.8m forward) with a mono pitched roof raking back to the front elevation of the dwelling. The materials proposed are brick and concrete roof tiles to match the existing.

2 Planning History

Reference	Proposal	Decision	Date
14/00184/HHFUL	Demolition of existing garage and erection of ground and first floor extension to the front of the property	Refused	15/04/2014

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

4 Consultations/Representations

Castor Parish Council (18.05.15)

Following due statutory notice, Castor Parish Council considered this application during a full meeting of the parish council. Please be advised that the Parish Council is in support of this application. The parish council reached this conclusion by taking into account the following points:

- The building line is not being brought forward in reality because the proposed extension will be almost on the same footprint as the existing garage
- The parish council feels that the proposed works will be an enhancement to the area and will improve the vista of that part of Allotment Lane, as it is in effect a single story extension of the building line.
- The second floor is in line with the existing building line
- The parish council is very keen to support the ability of local families to stay within the village and whilst fully appreciating that economic circumstance is not a material planning consideration, nonetheless, the parish council has taken this into account in reaching its conclusions.
- Other domestic dwellings in the immediate vicinity have been extensively remodelled and extended in recent years to no detriment to the area.
- The parish council does not contend that this proposal will have a detrimental effect on the conservation area nor the listed buildings, which have been compromised by the building of Berrystead. You will appreciate that Castor Parish Council is a consultee which seldom supports a planning application and the council is sure that you will use this fact as a measure of its strength of feeling with regard to this particular application.

PCC Conservation Officer (18.05.15)

From a heritage consideration the proposal is not supported as this would fail to preserve the character and appearance of the Castor Conservation Area. It does not meet the requirements of the NPPF and the harm caused to the significance of the conservation area has not been justified.

The proposal would not preserve the character and appearance of the Castor Conservation Area and not accord with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and not in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations)

The policies in the NPPF seek positive improvement in conservation areas. Paragraphs 126 and 131 require that Local Planning Authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness". Paragraph 9 provides that pursuing "sustainable development involves seeking positive improvements in the

quality of the...historic environment..." The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (Paragraph 64).

The NPPF policies (paragraphs 132-143) provide an approach to assessing proposals that would harm the significance of designated assets and with paragraph 134 it has to be weighed against the wider public benefits arising from the proposal. Any benefits arising from this application are of a personal nature and are outweighed by the weight accorded to the S72 requirements of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and by the adverse effects of the developments. The harm caused is not outweighed by any public benefits.

Nene Valley Nature Improvement Area (NIA)

No comments received

PCC Rights of Way Officer (24.04.15)

No Objections

Ramblers (Central Office) (27.04.15)

No objections

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 1

Total number of objections: 0

Total number in support: 1

See Parish Councils comments above

5 Assessment of the planning issues

Policy Context

Government guidance indicates that in decision making Local Planning Authorities (LPA) should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the proposal (including by development affecting the setting of a heritage asset)

To make a sound decision the LPA needs to understand the significance of any heritage asset affected by new work (para. 128 NPPF). Establishing significance means that an objective basis for assessing whether the impact of the proposal would harm, be neutral or enhance the historic asset. From a heritage consideration, the starting point is to assess the significance of this part of the Castor conservation area and nearby listed buildings, and in what way these would be affected by the proposal.

The Castor Conservation area appraisal was adopted as planning guidance in 2008 and is a good starting point. Allotment Lane is a historic informal route leading west, connecting Castor and Ailsworth and gave people and livestock access to the fields and common pastures to the west and north-west of the villages.

The NPPF promotes good design and supports development that adds to the overall quality of an area and establishes a strong sense of place. It advises that planning permission should be refused for development of poor design. The adopted Peterborough Core Strategy and DPD also promote high quality design appropriate to the context, and which makes a positive contribution to the area.

Impact on Heritage Assets and Character and Appearance of the Area

The extension by its form and location does not complement the form and character of the building. It is not subordinate in scale and would dominate the modest, narrow fronted dwelling and create an unattractive principal elevation.

The 20thC development to the south side of Allotment Lane and west of the listed buildings on the north side do not intrude in view lines along the lane. The buildings to the south are set back. The small trees to the frontage of Nos. 5, 7, 9 beyond the access to the garages provide some screening to the ridge of the existing single storey garage at No. 13 in the distance.

Walking along Allotment Lane from the east there is a sense of enclosure formed by the tall and varied height old stone wall to the south and the two listed buildings to the north. The tall mature sycamore tree overhanging the lane is an impressive feature in the view. These focus the eye along the lane. Buildings are not dominant features in this view line. The garage at No. 13 is visible as the viewer moves further west. However, this is not too prominent as there is a backdrop of trees and hedge beyond the edge of the village and which takes much of the eye. This greenery is a positive feature and the view out of the village at this point marks the transition towards Ailsworth.

Approaching from the west, summer vegetation to the south side of the lane constrains views of the property until close to, but this is not the case in winter as the extract from Google earth shows when the building is more visible.

Forward extensions of residential properties, especially two storey, are rarely accommodated successfully. They invariably impact significantly on the street scene and compromise and devalue the original form and presence of the building, and hence the more common rear (and occasional side) extensions creating the typical 'L' and 'T' building forms. The front elevation of a building is usually the most visually important and is sensitive to change.

The extension is approximately the same length as the existing former garage but whereas the former garage is 2.8m wide the extension would be 3.8m wide in relation to the width of the building at 6.2m. The ridge height of the garage is 3.3m and the two storey element would have a ridge height of 6.6m projecting 7.3m from the main roof.

The character of Allotment Lane is by and large shaped by the buildings that define the boundary of the lane. The pattern of buildings is set back and linear, and buildings do not intrude in the street scene. The western end of Allotment Lane leads on to the narrower path to Ailsworth, and has a landscaped character from the verge, hedge and trees in the vicinity. In the skyline beyond, the garage is a view of other trees and vegetation to the land that separates the two settlements. This provides a sense of the edge of the settlement and transition to Ailsworth. To some extent this has been affected by the single storey building in the foreground as it projects forward of the building line. However, to demolish the existing single storey building and build a significantly larger and higher form would compound the earlier mistake.

The proposed two storey forward extension will significantly change the character of the immediate area and is at odds with the character of this part of the street. The extension does not complement the street pattern and has no continuity to the form and design of the buildings to the south. There is no frontage extension set by neighbouring development which together have a linear character. The form and scale of the extension is significantly large. This creates an uncharacteristic plan form which would be very noticeable and would 'swamp' the core building.

To the east of the site are two listed buildings: No. 12 (C17th thatched stone cottage) and No. 14 (C18th stone, render and pantile cottage). The view along Allotment Lane to the west has historically been open and the current single storey building has diminished this. The listed buildings formed the edge of the village and their setting has been somewhat impacted by the 20thC development. However, the proposed extension creates a form that is out of character with building forms in the immediate area. Consequently the scale and location of the extension would have some impact on the setting of these listed buildings by changing to a more building dominant

view to the west that is at odds with the street scene and impinges on the open aspect to the west. The extent of the harm to the setting of the listed buildings is debatable, but some harm would arise to this historic open aspect to the west. Certainly an appreciation of the buildings when approaching from the east would arise by the backdrop of the extension somewhat taking the eye by its prominence.

The change to the street scene would be significant as the extension would be highly visible in either direction along Allotment Lane. The extension would have a dominant presence giving a sense of an 'end stop' detracting from views to and from the conservation area. This would reduce the open aspect of the view line out of the village and the softer more landscaped character provided by the trees and hedges of the village edge character travelling west. The view lines in either direction would be more building dominated. The backdrop towards Ailsworth and the south west would change as the extension will be much evident by its bulk and presence 'taking the eye' in views west. That sense of 'edge of village' transition to a narrow lane with high landscape character between the villages would be significantly eroded.

The western edge of the building would be over 13m in length with large areas of unrelieved masonry on the north-west elevation of the extension which will be visible approaching from Ailsworth. This bulk would be especially noticeable approaching from Ailsworth during times when there is no leaf cover to the hedges and trees nearby. This would not provide a good street scape and sense of place to the village arriving from Ailsworth.

The proposed front extension, by reason of its design, size and scale, would adversely affect the character and appearance of the existing dwelling and the Castor Conservation Area, appearing unduly dominant and incongruous and therefore contrary to Planning Policy CS16 and CS17 of the Peterborough Core Strategy DPD 2011 and PP02 and PP17 of the Peterborough Planning Policies DPD 2012. In addition it is not considered to be in accordance with Para.128 of the National Planning Policy Framework or the relevant parts of Section 72 of the Listed Buildings and Conservation Areas Act 1990.

Neighbour Amenity

The impact on neighbour amenity was a reason for refusal on the previous application for a similar proposal. The reason for refusal was specifically on the grounds of overlooking and overbearing of the adjacent neighbour at No.11 Allotment Lane. By reason of the original two storey forward projection of 6964mm from the original front face of the dwelling, the extension was considered likely to result in an overbearing impact on the occupiers of No.11. Additionally, the east facing first floor window with a centre point of approximately 4.8m forward of the original property was considered likely to result in an overlooking impact into the front windows of No.11 Allotment Lane.

The revised proposal has reduced the first floor projection from 6964mm to 5015mm with the centre point of the side facing window being approximately 2.8m from the front face of the dwelling thus having a more oblique view towards the front of No.11. On balance the revised proposal does not create significant enough impact on neighbour amenity to refuse the current application on that basis.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

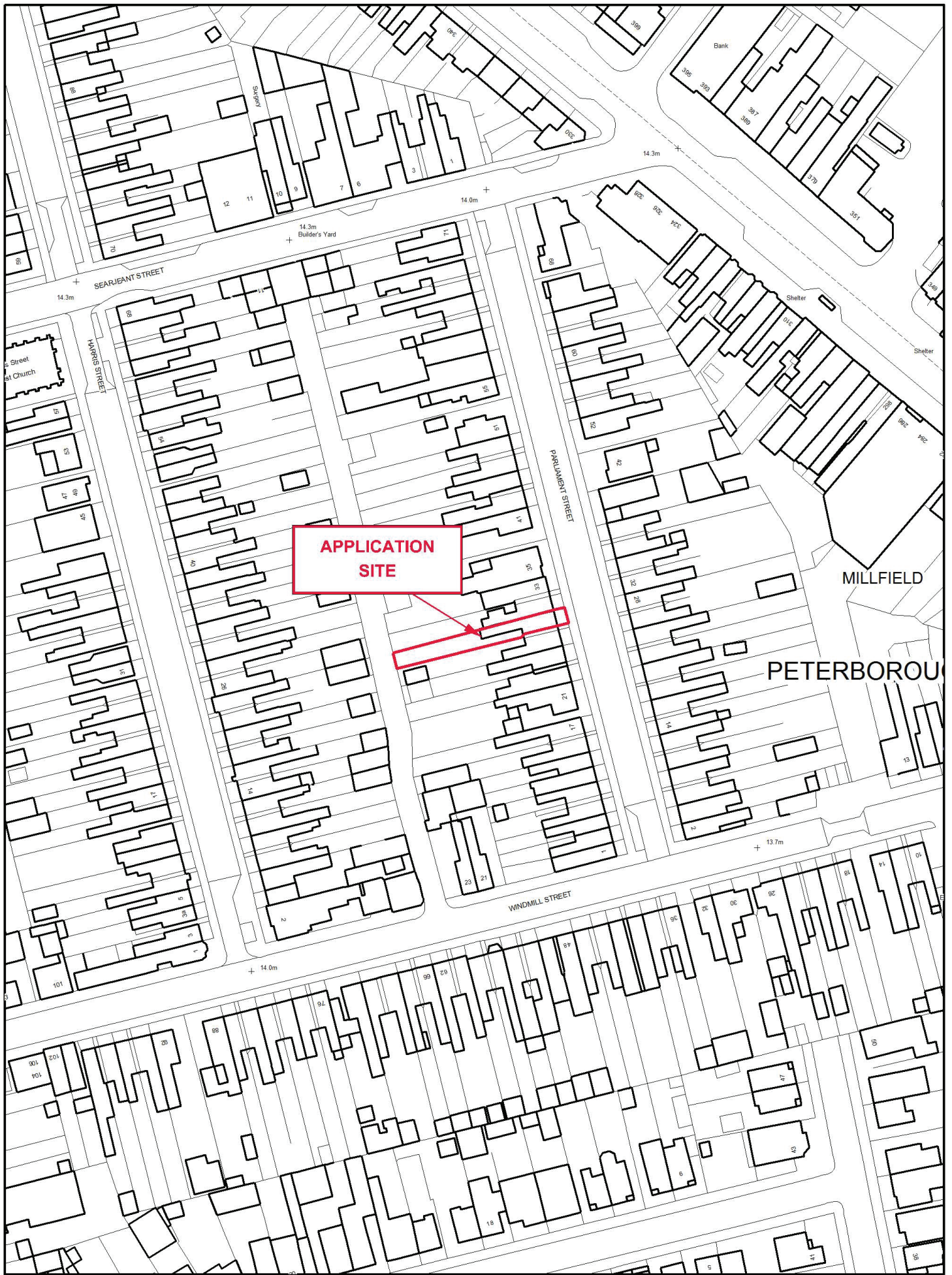
7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED**

- R 1 The proposed extension, by reason of the massing, scale and layout would be out of keeping with the built form of this part of the Castor Conservation Area and be visually intrusive in views to and from the conservation area. It would fail to preserve the character and appearance of the conservation area as a designated heritage asset, contrary to Section 72(1) of the LB&CA Act, Paragraphs 9, 64, 126-131 and 132-143 of the NPPF, policies CS16 and CS17 of the Peterborough Core Strategy (2011), and policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

Copy to Councillors Lamb D and Holdich OBE John

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LOCATION PLAN 15/00392/HHFUL

29 Parliament Street

Scale NTS

Date 28/5/2015 Name AH

Department Planning Services



PETERBOROUGH



CITY COUNCIL

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Application Ref: 15/00392/HHFUL

Proposal: Front single storey extension and erection of a front boundary wall (retrospective)

Site: 29 Parliament Street, Millfield, Peterborough, PE1 2LS

Applicant: Mr Isthkar Majid

Agent: N/A

Referred by: **Cllr Nadeem**

Reason: Officer recommendation conflicts with previous decision on the application

Site visit: 10.04.2015

Case officer: Mr M A Thomson

Telephone No. 01733 453478

E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **GRANT** unconditionally.

1 **Description of the site and surroundings and Summary of the proposal**

Site Description

The application site comprises a mid-terrace two storey property. The form and context of Parliament Street is predominantly residential terraces, however there are examples of detached and semi-detached properties, where the majority have been constructed utilising a yellow brick. There are a number of properties with similar front extensions to the one that has been constructed at No. 29. Properties along the south side of Parliament Street have rear vehicular and pedestrian access.

Proposal

The Applicant seeks retrospective consent for the erection of a single storey front extension to create an enlarged lounge area. The front extension has been completed. It has a floor area of 3.9m x 1.1m and stands at 2.4m to eaves and 3.2m to ridge.

A boundary wall has also been constructed, which stands at 1m in height with 1.4m high pillars.

Reason for Planning Committee.

Planning permission for a part retrospective front extension and wall was refused last year under 14/01395/HHFUL for the following reason;

- R1 The poor match of materials and the difference in height of the eaves to the similar front extension at the neighbouring property (31 Parliament Street) leads the Local Planning Authority to deem that the retrospective application for the front extension to be significantly detrimental to the character and appearance of the area, contrary to Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP02 of the Peterborough Planning Policies DPD 2012.

This refusal of planning permission has been reviewed and it is now considered that the development is not considered so harmful to the character or appearance of the area as to make it unacceptable. As this recommendation is contrary to the previous recommendation this application has been reported to Planning Committee for final determination.

2 Planning History

Reference	Proposal	Decision	Date
14/01395/HHFUL	Front single storey extension - retrospective	Refused	30/09/2014

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

4 Consultations/Representations

Millfield & New England Residents Planning Sub Group

No comments received

Councillor Nadeem

No comments received

Local Residents/Interested Parties

Initial consultations: 5
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

No letters of representation have been received.

5 Assessment of the planning issues

Design, Layout and Neighbour Amenity

Policy CS16 and PP2 seek to protect the character and appearance of the area. Policy PP3 seeks to ensure that any development would not result in an unacceptable overbearing impact, loss of privacy, light or amenity.

The dwelling has been constructed using a yellow brick and brown concrete ridged tile. This brick type is the common material found within the street scene. A number of properties on Parliament Street have built porches to front, the majority of which differ from each other in terms of design and appearance.

The front extension and wall has been built in a red brick and with a higher pitched roof when compared to other porches within the street scene. Whilst the materials are slightly at odds with the yellow brick found on the host building the materials and roof pitch are not considered to be so visually prominent as to render it unacceptably harmful to the host building or the character or appearance of the area.

Whilst no letters of representation have been received the matter of neighbour amenity is required to be assessed. No. 29 (to south) has a similar front extension and wall and the properties are separated by a ginnel; as such the front element and wall would not have a harmful impact on this property. No.31 to north has a triple fronted stone bay window which projects a similar depth to the front extension. Whilst the front extension would reduce light to part of this window, it is not considered to be unduly overbearing or result in a demonstrable loss of light or outlook. As such the relationship is considered acceptable in this instance.

As such the development would not have an adverse impact on the character or appearance of the area or have a harmful impact on the amenity of neighbouring properties. The scheme accords with accords with Policies CS16 of the Peterborough Core Strategy (2011) and PP2 and PP3 of the Peterborough Policies DPD (2012).

Access and Parking

The proposal does not create any additional bedrooms or result in the loss of parking spaces, therefore does not constitute a highway safety hazard and accords with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

Conditions

As the works have been completed and there are no matters which require further details, planning conditions are not considered necessary in this instance.

6 Conclusions

The proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The front extension does not harm the character or appearance of the host building or street scene, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2012) and Policies PP2 of the Peterborough Policies DPD (2012); and
- The front extension does not harm the amenity of adjoining neighbours, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2012) and PP3 of the Peterborough

Policies DPD (2012).

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** unconditionally.

Copy to Councillors Nadeem M, MBE N Khan and Jamil M

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 6
9 JUNE 2015	PUBLIC REPORT

Cabinet Members responsible:	Councillor Hiller – Cabinet Member for Growth, Planning, Housing & Economic Development	
Contact Officer:	Nick Harding (Head of Development & Construction)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE
JANUARY TO MARCH 2015**

RECOMMENDATIONS	
FROM : Director of Growth and Regeneration	Deadline date : June 2015
That Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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3. MAIN BODY OF REPORT

In the fourth quarter of 2014/15 we received a total of 138 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (147 cases) as at 31 March 2015 we had 159 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 100% of new service requests within 3 working days this quarter, well above the target of 80%. 98% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 16 enforcement notices were issued in the quarter and 10 enforcement notices issued in previous quarters have been checked and were found to have been complied with.

There was one prosecution cases to report this quarter regarding RP Meats in Cherry Orton Road. An enforcement notice was served requiring the removal of a walk in fridge. The fridge was moved from one part of the site to another but is still located within the area that is subject to the enforcement notice. The prosecution failed because the judge was not satisfied that we have proved beyond doubt who the owner of the property was. The case flushed out the other arguments that the person we were looking to prosecute was going to use to defend their position. External legal advice is being taken to establish the strength of a potential future case in the light of this information

There are two other notable cases to report:-

- Land at The Stables, Paradise Lane, Northborough (13/00164/ENFOTH) – An enforcement notice was issued to secure the removal of two gate piers associated with the unauthorised residential occupancy of a stable building. The notice was appealed but the appeal was unsuccessful (please note that the residential occupancy matter was also subject to an unsuccessful appeal)
- Southorpe Quarry (13/00340/ENFACC) – A breach of condition notice was issued as the approved aftercare scheme was not being complied with. The breach has now been remedied.

Please see the attached Appendix for further details of the Planning Compliance Team Quarterly Report on Activity & Performance.

4. IMPLICATIONS

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

Financial Implications – This report itself does not have any financial implications

Human Rights Act – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

Human Resources – This report itself has no human resources implications.

ICT – This report itself has no ICT implications.

Property – This report itself has no Property implications.

Contract Services – This report itself has no Contract Services implications.

Equality & Diversity – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.

INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – Qtr 4 (Jan –March 2015)

Description	No.	Comments	
Complaints Received	138	The number has risen by 29 from the last quarter	
Complaints Resolved (cases closed as % of cases received)	147	The number has risen by 19 from the last quarter	
Complaints on Hand/Pending	159/113	Cases on hand has risen by 22 since the last quarter and the number of cases pending has risen by 14	
Enforcement Notices Served			
Type of Notice	No.	Comments	
Breach of Condition Notice	2	14/00140/ENFMON 1127 Bourges Boulevard 14/00274/ENFACC Rear Of 71 Parliament Street	
Planning Contravention Notice	3	15/00013/ENFACC Castor Ales 30 Peterborough Road 15/00049/ENFCOU 239E Lincoln Road 14/00468/ENFEXT 3 - 7 Oxford Road	
Operational Development Notice	5	14/00484/ENFGAR 48 - 50 Eastfield Road 14/00548/ENFGAR 124 - 126 Gladstone Street 14/00492/ENFOTH 73 Cromwell Road 15/00005/ENFOTH 41 - 43 Padholme Road 14/00480/ENFEXT 40 Farleigh Fields	
Change of Use Notice	3	14/00506/ENFCOU 314 - 316 Lincoln Road 11/00315/ENFFLA 208 St Pauls Road 15/00026/ENFREP 30 Lynton Road	
Temporary Stop Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe	
Advert Removal Notice (22 days)	2	15/00038/ENFAD 57 Priestgate 15/00020/ENFAD 83 - 89 Cromwell	
Total Notices Served	16		
Enforcement Notices Complied With			
Type of Notice	No.	Comments	
Breach of Condition Notice	1	14/00140/ENFMON 1127 Bourges Boulevard	
Planning Contravention Notice	1	15/00049/ENFCOU 239E Lincoln Road	
Operational Development Notice	6	10/00311/ENFOTH 122 Queens Walk 12/00151/ENFACC 131-131A-133 Lincoln Road 13/00213/ENFACC 133 Lincoln Road 14/00273/ENFEXT 288 Cromwell Road 14/00484/ENFGAR 48 - 50 Eastfield Road	
Change of Use Notice	1	10/00359/ENFCOU 9 Exeter Road	
Temporary Stop Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe	
Total Notices Complied with	10		
Other Notable Outcomes			
Ref No.	Address	Issue	Outcome
13/00164/ENFOTH	Land at The Stables,	Erection of brick piers and double gates at	Appeal dismissed

	Paradise Lane, Northborough	the vehicular access to the land.	
13/00340/ENFACC	Southorpe Quarry	Breach of aftercare condition	Breach remedied and case closed
Court Action Agreed			
Type of Notice	No.	Comments	
None			
Prosecutions			
Type of Notice	No.	Comments, including cost awards	
None			
Performance Measures			
	Description	% / Time	Comments
	% of cases closed within 8 weeks if No Breach found.	75%	Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	22 weeks	
LPI	% of complaints acknowledged within 3 working days.	100%	Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	98 %	Target of 80%

Cumulative Compliance Performance			
Description	Target	This quarter	Yearly average
Enforcement cases closed within 8 weeks if no breach found.	80% within 8 weeks	75%	78%
Acknowledgement of enforcement complaints.	80% within 3 working days	100%	97%
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	98%	96%

Notable planning enforcement cases for committee - information item.

Ref No	Address	Issue	Outcome
14/00274/ENFACC	Land R/O 14 Parliament St	Breach of Condition – No Bin store	Notice served compliance due 10.04.2015
14/00140/ENFMON	1127 Bourges Blvd	Breach of Condition – Temp Building	Temp Building now removed
15/00026/ENFREPP	30 Lynton Road	Car recovery and repair at dwelling	Notice served compliance due 16.01.2016
11/00315/ENFFLA	208 St Pauls Road	Conversion to flats	Notice served compliance due 01.12.2015
14/00506/ENFCOU	314 - 316 Lincoln Road	Outbuilding used as dwelling	Notice served compliance due 27.08.2015
14/00480/ENFEXT	40 Farleigh Fields	Extension to	Notice served compliance due

		dwelling	11.06.2015
15/00005/ENFOTH	M A Food Store 41 - 43 Padholme Road	Front extension to shop	Notice served compliance due 10.07.2015
14/00492/ENFOTH	73 Cromwell Road	Solid roller shutters	Notice served compliance due 10.09.2015
14/00548/ENFGAR	124 - 126 Gladstone Street	Storage building r/o shop	Notice served but appeal lodged
14/00484/ENFGAR	48 - 50 Eastfield Road	Canopy r/o shop	Notice complied with and canopy revised
15/00020/ENFAD	83 - 89 Cromwell Road	New unauthorised adverts displayed	Notice served compliance due 17.04.2015
15/00038/ENFAD	57 Priestgate	New unauthorised advert displayed	Notice served compliance due 26.04.2015
15/00114/ENFACC	16 Eye Road	Demolition without dust suppression	Stop Notice served work halted
12/00499/ENFACC	RP Meats 55 Cherry Orton Rd	Large Fridge in residential part of site	Notice served but prosecution failed
12/00500/ENFGAR	15 Serlby Gardens	Building in Garden and garden extension	Notice served and appeal dismissed. Date to comply passed 10.02.2015. Prosecution in preparation
12/00297/ENFCOU	Stables Paradise Lane	Change of use to dwelling	Notice served and appeal dismissed compliance due 04.04.2015
13/00164/ENFOTH	Stables Paradise Lane	Construction of brick piers and double gates	Notice served and appeal dismissed compliance due 17.05.2015
13/00269/ENFCOU	Nine Bridges Glington	Stationing of residential caravans	Appeal dismissed date to comply is 16.10.2015
13/00340/ENFACC	Southorpe Quarry	Breach of aftercare condition	Breach remedied and case closed
13/00387/ENFCOU	Nine Bridges Glington	Hardstanding for caravan	Appeal dismissed date to comply is 16.10.2015
13/00438/ENFACC	Old Hall Fm, French Drove	Change of Use	Appeal submitted decision awaited
13/00460/ENFBCN	Store Adj. 29 Hankey Street	Breach of Condition	Notice withdrawn as building demolished
13/00496/ENFCOU	1125 Bourges Boulevard	Change of use open space to garden and erection of outbuilding	New application submitted – awaiting decision
14/00239/ENFCOU	2 Cavendish Street	Change of use - storage of vehicles	Mostly complied with by due date. 01.10.2014 Prosecution not warranted re outstanding vans
14/00240/ENFCOU	4 Cavendish Street	Change of use - storage of vehicles	Ditto
14/00273/ENFEXT	288 Cromwell Road	Removal of window and	Case closed as we would approve revised extension.

		erection of extension to front	
14/00274/ENFACC	Rear of 71 Parliament Street	Breach of Condition Lack of bin store	Notice served Date to comply 10.04.2015. Warning of prosecution sent.
14/00314/ENFOTH	221 - 221B Lincoln Road	Alterations to garage change of use to dwelling	Notice served Date to comply 10.04.2015. Warning of prosecution sent.
14/00352/ENF215	249 Peterborough Road	Derelect building and untidy land	Date to comply passed 21.2.15 - owner to apply for permission to redevelop
14/00362/ENFOTH	RP Meats 55 Cherry Orton Rd.	Unauthorised freezer unit	Appeal upheld – issue new notice
14/00480/ENFEXT	40 Farleigh Fields	Extension	Notice issued date to comply 11.06.2015
14/00492/ENFOTH	73 Cromwell Road	Erection of solid roller shutters	Notice issued date to comply 10.09.2015
14/00506/ENFCOU	314 - 316 Lincoln Road	Change of use outbuilding to dwelling	Notice issued date to comply 27.08.2015
14/00548/ENFGAR	124 - 126 Gladstone Street	Erection of storage building	Appeal underway await decision
15/00005/ENFOTH	41 - 43 Padholme Road	Conversion of canopy to Extension	Notice issued date to comply 10.07.2015
15/00020/ENFAD	83 - 89 Cromwell Road	Display of advert	Notice issued part compliance by due date 17.04.2015. Full compliance expected soon
15/00026/ENFREP	30 Lynton Road	Change of use of dwelling to car recovery & car storage business	Notice issued date to comply 16.01.2016
15/00038/ENFAD	57 Priestgate	Display of advert	Notice issued and complied by 26.04.2015
15/00114/ENFACC	16 Eye Road Dogsthorpe	Breach of condition demolition before plans approved	Temporary Stop Notice and Stop Notice served and complied with. Breach of condition notice also served and complied with.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 7
9 JUNE 2015	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller – Cabinet Member for Growth, Planning, Housing & Economic Development	
Contact Officer(s):	Jim Daley (Principal Built Environment Officer) Simon Machen (Director of Growth and Regeneration)	Tel: 453522 Tel. 453475

THE ETON CONSERVATION AREA APPRAISAL

RECOMMENDATIONS	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
<p>That Committee:</p> <ol style="list-style-type: none"> 1. Notes the outcome of the public consultation on the Eton Conservation Area Appraisal; 2. Recommends that the Cabinet Member for Growth, Planning, Housing & Economic Development considers and approves the proposed conservation area boundary change (Appendix 1); and 3. Supports the adoption of the Eton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Eton Conservation Area. 	

1. ORIGIN OF REPORT

1.1 A review of the Eton Conservation Area was carried out in 2014 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Eton Conservation Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is submitted to the Committee for approval of the Eton Conservation Area Appraisal and Management Plan, as appended. The report provides an update on the outcome of the public consultation on the Draft Eton Conservation Area Appraisal and Management Plan.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by and comment on the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. BACKGROUND

- 4.1 The draft Appraisal was subject to public consultation from 30 January to 16 March 2015. A copy of the document was published on the Council's website, and copies were provided to Etton Parish Council, Ward member and English Heritage. A letter was sent to all properties in the village and other interested parties, including planning agents, Peterborough Civic Society and Peterborough (Milton) Estates. The author attended Etton Parish Council to explain the report prior to public consultation, and the outcome and proposed amendments.
- 4.2 Etton Parish Council supports the report and management plan. One representation was received supporting the recommendations; requesting an extension of the conservation area to include the grade II listed stone bridge over South Drain to safeguard views towards the village against development, and that the marquee at the Golden Pheasant Public House is unsightly and out of keeping with the grade II listed building.
- 4.3 These comments are noted, although the appraisal has not been altered to extend the conservation area. A conservation area should have definable 'special character'. As part of the appraisal process adjacent areas, including the area suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. The use of conservation area powers to prevent or deter development is not envisaged within national guidance. The land is outside the village envelope and the Peterborough Development Plan Policies Document contains effective planning controls to protect this key view to the village.
- 4.4 The marquee to the west of the Golden Pheasant Public House has received a number of temporary planning permissions over the years so not to become a permanent feature. The marquee does impact on the setting of the listed building and the character and appearance of the Etton Conservation Area. The impact has to be balanced against the viability of the public house in terms of a continuing use of the listed building and as an important facility within the village.
- 4.5 The Appraisal has been revised to correct factual and spelling errors and the approved version will be available on the Council's web site.
- 4.6 It is proposed to amend the south-east boundary of the conservation area to include the distinctive 'ridge and furrow landscape. 'Ridge and furrow' is the pattern of ridges and troughs created by the ploughing method typical of earlier times. The land is currently used for grazing. It is particularly interesting to include this land in the conservation area for its contribution to understanding the history of the settlement, and for its visual interest on the approach to Etton from the south.

5. ANTICIPATED OUTCOMES

- 5.1 The Etton Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Etton Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. REASONS FOR RECOMMENDATIONS

Adoption of the Etton Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

- 8.1 There are no specific financial implications for the City Council identified in this report.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Etton Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council
- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

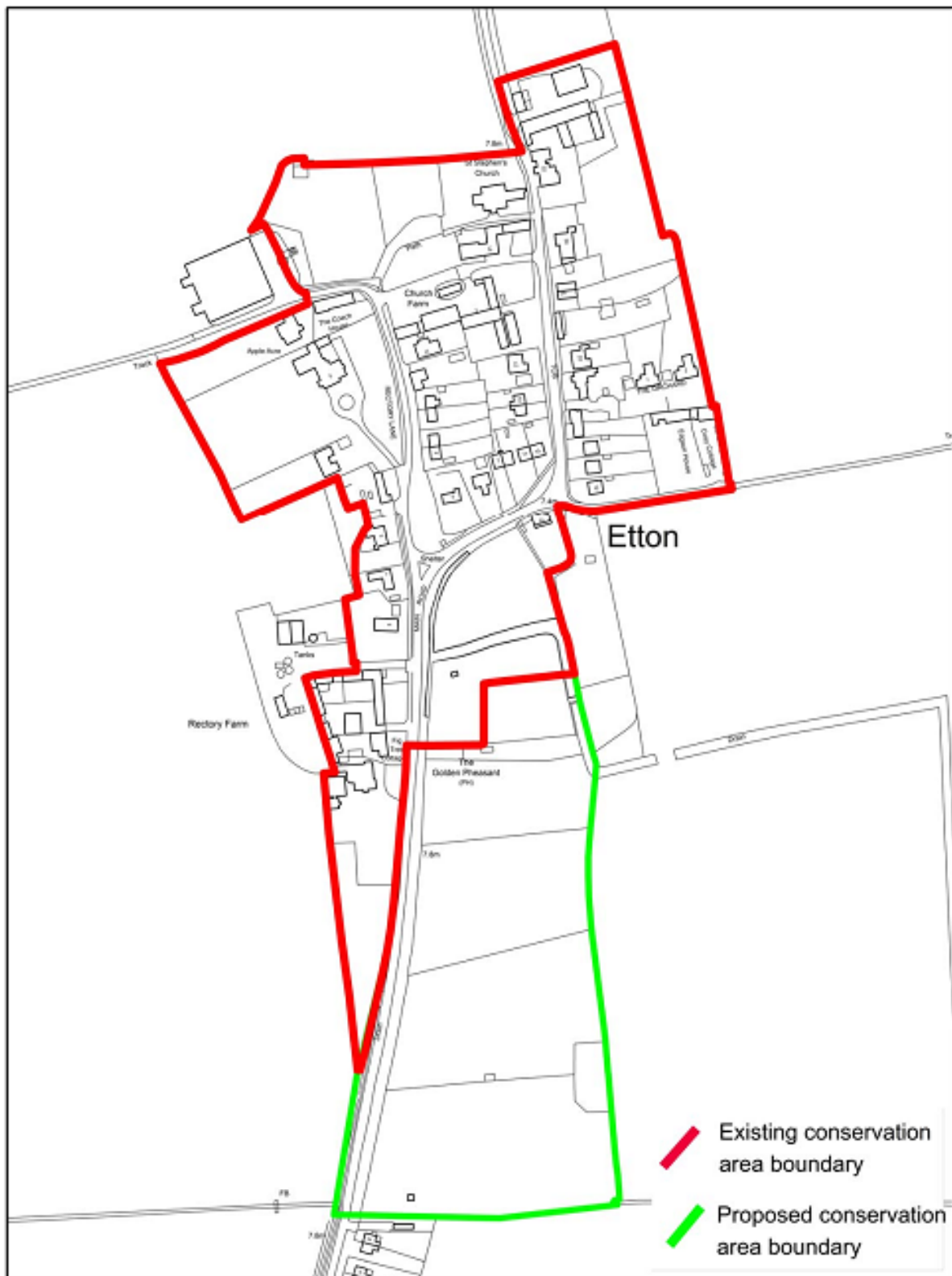
Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005

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Proposed Etton Conservation Area boundary extension



Title Etton conservation area proposed changes

Department

Drg. No.

PCC GIS



PETERBOROUGH

Scale 1:3000

Date 14th May 2015

Name



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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 8
9 JUNE 2015	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller – Cabinet Member for Growth, Planning, Housing & Economic Development	
Contact Officer(s):	Jim Daley (Principal Built Environment Officer) Simon Machen (Director of Growth and Regeneration)	Tel: 453522 Tel. 453475

THE SUTTON CONSERVATION AREA APPRAISAL

R E C O M M E N D A T I O N S	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
<p>That Committee:</p> <ol style="list-style-type: none"> 1. Notes the outcome of the public consultation on the Sutton Conservation Area Appraisal; 2. Recommends that the Cabinet Member for Growth, Planning, Housing & Economic Development considers and approves the proposed conservation area boundary change (Appendix 1); 3. Supports the adoption of the Sutton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Sutton Conservation Area. 	

1. ORIGIN OF REPORT

1.1 A review of the Sutton Conservation Area was carried out in 2014 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Sutton Conservation Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is submitted to the Committee for approval of the Sutton Conservation Area Appraisal and Management Plan, as appended. The report provides an update on the outcome of the public consultation on the Draft Sutton Conservation Area Appraisal and Management Plan.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by and comment on the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. BACKGROUND

- 4.1 The draft Appraisal was subject to public consultation from 30 January to 16 March 2015. A copy of the document was published on the Council's website, and copies were provided to Sutton Parish Council, Ward Members and English Heritage. A letter was sent to all properties in the village and other interested parties, including planning agents, Peterborough Civic Society and Peterborough (Milton) Estates. The author attended Sutton Parish Council to explain the report prior to public consultation, and advise on the outcome and proposed amendments.
- 4.2 Six representations were received and these are summarised together with the Conservation Officer's response in Appendix 2. The Appraisal has been revised to take account of some of the representations received and correct factual and spelling errors. The approved version will be available on the Council's web site.
- 4.3 It is proposed to correct an anomaly in the conservation boundary in the vicinity of Manor Farm House by including all of the curtilage in the conservation area. The original conservation area boundary oddly sub-divides two historic traditional buildings in the curtilage of the property. The eastern boundary of the Manor Farm House is the logical boundary of the conservation area and this is recommended as a small correction.

5. ANTICIPATED OUTCOMES

- 5.1 The Sutton Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Sutton Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. REASONS FOR RECOMMENDATIONS

Adoption of the Sutton Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

- 8.1 There are no specific financial implications for the City Council identified in this report.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Sutton Conservation Area. The implementation of some of these works will however require the

involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council

- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

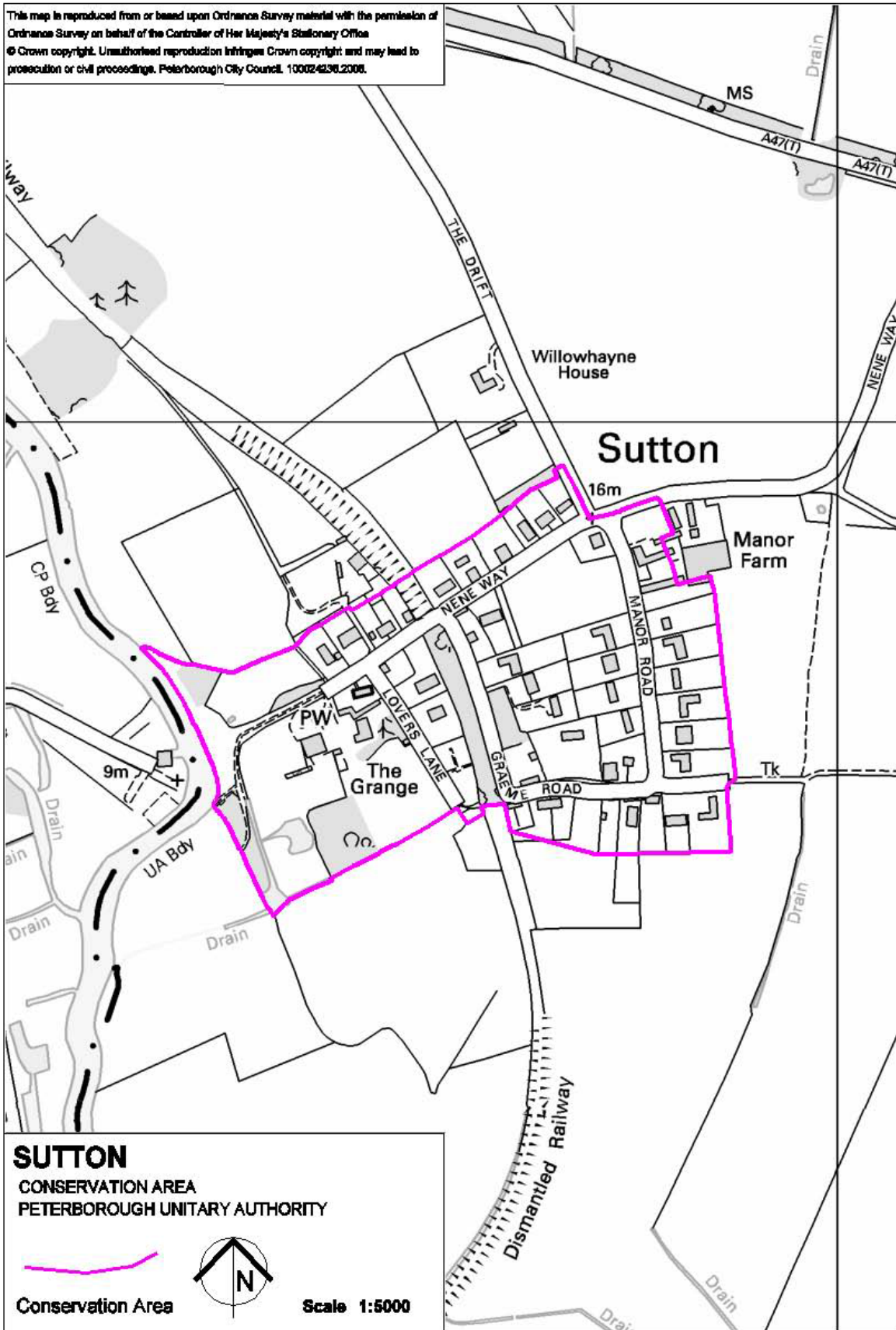
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Existing Sutton Conservation Area boundary



Summary of comments received at the consultation stage of the Sutton Conservation Area Appraisal, together with the Council's response to the key issues raised.

• **Sutton Parish Council**

1. Support expressed for the Appraisal and Management Plan.
2. Suggest modification of the conservation area boundary where it passes through two stable blocks at the Manor Farm House curtilage. Sensible if the boundary coincided with the Village Envelope, or with eastern boundary of the current Manor Farm House curtilage and included these traditional outbuildings.
3. Considers that the Reading Room should not be considered for additional recognition in view of its poor appearance, character, structural condition and temporary nature.

Response

1. Comments noted
2. It is agreed that the current conservation boundary does not include the full curtilage of the Manor Farm and oddly sub-divides two historic traditional buildings. The land to the east (the Village Envelope) contains no special interest to justify inclusion in the conservation area. The eastern boundary of the Manor Farm House is the logical boundary of the conservation area and this is recommended as a small correction.
3. It is recognised that this building, though interesting for its social history and physical construction has a likely limited life span and is unlikely to be repaired. The use of the building as a village meeting place is now superceded by the greater use of the church. The building will therefore not be considered as a 'Building of Local Importance' in view of its condition and likely limited future. A photographic record of the exterior of the building has been made.

• **Resident**

1. In agreement with the principles.
2. The total area of the village building envelope should be included in the conservation area. This anomaly may cause confusion with planning guidance in the future
3. Draft proposals should be available to Planning department considering development adjacent to Manor Farm.

Response

1. Comments noted
2. The conservation boundary includes nearly all residential curtilages of the village, with the exception of a small part of Manor Farm (see above). The conservation area includes all of the Village Envelope (Policy CS1 Peterborough Core Strategy Development Plan Document) with the exception of the small area east of Manor Farm House. It is considered that there is clear and effective guidance in the both the Appraisal and adopted planning policy documents. No further boundary extension is therefore proposed. (See also above)
3. A planning application that was current during the consultation period has been determined.

• **Resident**

1. The conservation boundary should match the planning envelope of the village to ensure that all development has a consistent approach to conservation
2. Apply the plan to determine (planning) application east of Manor Farm as the application is contrary to the general principles.
3. The reading room building is in a poor repair and only used for storage. Likely need to be demolished for safety reasons in the near future. The church is now the village's meeting hall and the reading room is no longer required
4. The main line electricity pylons just behind the village have a serious impact on the visual aspect of the conservation area and should be included in a proposal to underground overhead utility wires.

Response

1. The conservation area includes all of the Village Envelope (Policies CS1 Peterborough Core Strategy Development Plan Document) with the exception of the small area east of Manor Farm House. This land contains no special interest to justify inclusion in the conservation area. It is

considered that there is clear and effective guidance in the both the Appraisal and adopted planning policy documents. No further boundary extension is therefore proposed.

2. A planning application that was current during the consultation period has been determined
3. It is recognised that this building, though interesting for its social history and physical construction has a likely limited life span and is unlikely to be repaired. The use of the building as a village meeting place is now superceded by the greater use of the church. The building will therefore not be considered as a 'Building of Local Importance' in view of its condition and likely limited future. A photographic record of the exterior of the building has been made.
4. Comment noted. The electricity pylons to the east of the village are noticeable, and detract from views to and from parts of the conservation area. However, it is unlikely that their undergrounding is both feasible and practicable and is not included in Section 12.7 Management Plan.

- **Resident**

1. Corrections and amendments to text advised

Response

- 1 Noted and text amended.

- **Resident**

1. Support expressed for the Appraisal and Management Plan
2. The reading Room is not fit for purpose and in poor repair. The (internal) changes at the church make it the area for community use, the reading room serves no meaningful function for the community, and will be a drain on resources, and should be removed from the appraisal.

Response

- 1 Comments noted
- 2 It is recognised that this building, though interesting for its social history and physical construction has a likely limited life span and is unlikely to be repaired. The use of the building as a village meeting place is now superceded by the greater use of the church. The building will therefore not be considered as a 'Building of Local Importance' in view of its condition and likely limited future. A photographic record of the exterior of the building has been made.

- **Other response**

1. Redevelopment of the former agricultural site east of Manor Farm offers greatest potential for enhancement of the conservation area. Very little mention (pages 12 and 23). Suggested that more of the negative impact of the site be made.
2. Corrections to text advised

Response

1. Comments noted. It is proposed to revise 'The Approaches to the Village (The North-Eastern Approach) 2nd para. (page 12)...'gives a sight line of the large agricultural buildings and barns"...Also at 'Other Townscape Considerations (page 23)...Add 'Negative Townscape Elements: Large agricultural buildings and barns east of Manor Farm, and overhead utility wires, poles and utilitarian street furniture'. Other elements that detract: boundary walls in need of repair and maintenance, and general erosion of character through loss of original architectural details'. It is proposed to identify these buildings as 'Negative buildings' to Annexe 3.4 Townscape Summary map (page 38)
2. Noted and text amended