



PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 6 NOVEMBER 2018

1.30 PM

Council Chamber - 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.

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

4. Minutes of the Meeting Held on 16 October 2018 5 - 12

5. Development Control and Enforcement Matters

5.1 18/01101/R3OUT - Land North Of Thistle Drive Stanground Peterborough 13 - 40

5.2 18/01129/HHFUL - Mouse Cottage 1 North Fen Road Glington Peterborough 41 - 54

5.3 18/01495/HHFUL - 40 Broad Wheel Road Helpston Peterborough PE6 7EE 55 - 62

5.4 18/00002/TPO - 291A Thorpe Road Peterborough PE3 6LU 63 - 86



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Committee Members:

Councillors: Iqbal, G Casey (Vice Chairman), L Serluca, C Harper (Chairman), P Hiller, J Stokes, S Martin, Bond, R Brown, Nawaz and B Rush

Substitutes: Councillors: Hogg, M Jamil, Warren and Joseph

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Janet Maclennan, David Jolley, Louise Simmonds, Vicky Hurrell, Amanda McSherry, Matt Thomson, Chris Edwards, Michael Freeman, Jack Gandy, Sundas Shaban, Mike Roberts, Carry Murphy

Minerals and Waste: 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, Head of Planning and/or Development Management Manager 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
MEETING
HELD AT 1:30PM, ON
TUESDAY, 16 OCTOBER 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Shaz Nawaz, Martin, Hiller, Rush, Stokes, Bond and Serluca

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Julie Smith, PCC Highways

Others Present:

19. APOLOGIES FOR ABSENCE

There were no apologies for absence.

20. DECLARATIONS OF INTEREST

There were no declarations of interest received.

21. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

There were no representations to make declarations as Ward Councillor.

22. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 4 SEPTEMBER 2018

The minutes of the meeting held on 4 September 2018 were agreed as a true and accurate record.

Save for the following alteration from

Councillor Hiller declared a disclosable pecuniary interest in item 5.4 by virtue of being a director of Medesham Homes and would leave the room before the item was discussed.

to:

Councillor Hiller declared a non-pecuniary interest in item 5.4 by virtue of being a director of Medesham Homes and would leave the room before the item was discussed

23.1 18/01212/HHFUL - 22 Old North Road, Wansford, Peterborough, PE8 6LB

The Planning and Environmental Protection Committee received a report in relation to an application seeking planning permission for the following:

- Single storey rear extension measuring 2.3 metres (width) x 5 metres (length)
- First floor extension to rear measuring 7.1 metres (length) x between 4.3 metres and 5.1 metres (width) including a new side facing dormer
- Front dormer extension

The external materials are proposed to match the existing dwelling.

The Head of Planning introduced the report and update report. Concerns had been raised over the loss of sunlight and amenity with the extension moving closer to the boundary fence.

Marie Lewis addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- In terms of design the impact to the area would make the house look lopsided. The extension was not in keeping with the local street scene.
- The public would be able to see the extension from quite a distance and be able to tell that it was not in keeping with the area.
- The overall floor space was 40% greater area than the current ground floor space. In addition the roof was to be 40% higher than what was currently in place.
- It was debatable whether the owners of number 20 were aware of the proposals as they had not registered any concerns.
- The boundary fence was eight metres high and had been erected without planning permission. The height of the fence had negatively impacted on the growth of plantation.
- Light levels in the lounge and dining rooms would be reduced by the extension and even more so in winter months.
- The loss of light would also have an impact on increased heating bills due to less sunlight coming through the windows..
- The roof extension included a window that would overlook the garden and be to overbearing.
- Most of the time was spent in the lounge and dining room where this extension impacted upon the most. Had been in the property for 18 years and had always enjoyed a good relationship with the neighbours.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The case officer had taken into account the height of the fence and orientation of where the windows would be facing. Although it was a balanced decision the case officer did not see the extension as too overbearing.
- Most examples of two storey properties was that residents could look out of the first floor and had a view into their neighbours property.

- The application site was part of a pair of relatively modest semi detached chalet bungalows. The proposal appeared large for the size of the property and would excessively overlook the neighbouring property.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (8 for, 1 against, 1 abstention) to **REFUSE** the planning permission subject to relevant conditions delegated to officers.

REASONS FOR THE DECISION:

1. The proposed Juliette window on the rear elevation will result in a unsatisfactory degree of overlooking and loss of privacy for the adjacent owners. The proposal will therefore be contrary to the provisions of policy CS16 of the Peterborough City Council Core Strategy DPD (2011) and policy PP3 of the Peterborough City Council Planning Policies DPD (2012) which requires new development not to have an unacceptable impact on the amenities of occupiers of any nearby properties.
2. The proposal will result in an enlargement of the roof and the footprint of the rear projection bringing it closer to the neighbouring property. Consequently this property would suffer from a loss of light and increase in shadowing to an unacceptable degree. In addition the enlarged roofscape would have an overbearing appearance when viewed from the neighbouring property. The proposal will therefore be contrary to the provisions of policy CS16 of the Peterborough City Council Core Strategy DPD (2011) and policy PP3 of the Peterborough City Council Planning Policies DPD (2012) which requires new development not to have an unacceptable impact on the amenities of occupiers of any nearby properties.
3. The rear of the property (with its attached neighbouring property) is visible from Swanhill. The proposed roof alterations will give the pair of dwellings an unbalanced visual appearance which would be significantly detrimental to the appearance of the street scene. The proposal will therefore be contrary to the provisions of policy CS16 of the Peterborough City Council Core Strategy DPD (2011) and policy PP2 of the Peterborough City Council Planning Policies DPD (2012) which requires new development respond the character of the site and surroundings and contribute positively to the street scene

23.2 18/01259/DISCHG & 18/01368/FUL - Land Off Storeys Bar Road, Storeys Bar Road, Fengate, Peterborough

The Planning and Environmental Protection Committee received a report in relation to an application seeking for the discharge of Condition 8 to allow a variation to the design and layout of the scheme approved under Condition 5. The amended design would result in a single process building, 'Ethel', being located on the western half of the site, with the previously approved 'George' building, being omitted from the eastern half of the site. A separate, two storey, building, including Administration Offices, Research and Development and Visitors Centre (hereafter referred to as 'the admin building'), still forms part of the overall plan for the site, and was located in a similar position to that previously approved, albeit to a different design. The admin building was serviced by cycle and car parking, and was linked to the process building by a footpath. The

layout was predicated on the suitability of the access proposals as described below (i.e. Proposal 2).

The main process building (of which there is now only one, rather than two), with vehicular access from the proposed roundabout on the re-aligned Storey's Bar Road, would house a combined 4 flue stack of up to 80m above ground level, located at the northern end of the building. The footprint of the building would be slightly smaller than that previously approved, measuring approximately 200m by 125m, although the building at its highest point would be increased by around 15m to a maximum of approximately 35m. The combined flue stack of 80m in height will replace the 9 individual 53.8m stacks. A vehicle ramp would be located on the eastern flank of the building to a height of approximately 7m, allowing for loading and unloading of HGVs.

A guard house and visitor parking would be located to the south of Padholme Drain in front of the main building. Weighbridges and an ash bank will be located on the eastern side of the building, with a water pump house and oil tanks and pump house to the south. Car and cycle parking would be provided alongside the western elevation.

A foot / cycle way would be provided through the site, alongside Storey's Bar Road, and continuing south towards Flag Fen Visitors Centre. Landscaping and ecological mitigation would be provided across the site, including a new woodland corridor along the eastern flank of the site, planting alongside the Padholme and Cat's Water Drains and wetland habitat and ponds around the re-aligned Storey's Bar Road and new roundabout.

The proposed development, incorporating technology approved under the Section 36 consent, will generate 42.7MW electricity with an expected feedstock of 595,000 tonnes per annum. The original approved scheme had a maximum output of 80MW and feedstock of 650,000 tonnes per annum.

In addition to the above, the applicant has also requested to discharge conditions 9, 23, 37 and 46 as described.

In terms of the second proposal the original consented scheme included a re-alignment of Storey's Bar Road and the provision of access to the site by a roundabout, with a secondary point of access further east being permitted for temporary use for the duration of the construction phase. Over time, amendments to the scheme were approved such that the essence of the re-alignment of Storey's Bar Road was retained, but with two separate T junction points of access (one in place of the roundabout, and one in place of the temporary construction access). The scheme proposed under 18/01259/DISCHG sought to utilise elements of both previously approved schemes, i.e. the retention of the roundabout as the main point of access to the process building, and the retention of a T junction access to serve the Visitors Centre / Office building further east on the alignment of the original temporary construction access. It was noted that the roundabout would also be capable of serving the proposed Red Brick Farm employment area adjacent to the north.

The Head of Planning updated the Committee on the proposal. Committee were reminded that there were two proposals closely linked and therefore presented as one. The Secretary of State granted permission for two energy waste plants. The current proposal had now been amended to only one plant. The site of the second unit was now to become a meadowed area. There was a proposal to straighten out a bend in the road which would create an entrance into the facility. The development was an improvement over what had been presented previously. There were fewer chimneys than what was originally proposed, however they were taller. A number of issues were still arising, however most of these had now been resolved.

John Dickie, on behalf of the applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- In 2009 GDP secured planning permission, the original intention was to secure funding, however the recession made this impossible. A commercial collaboration was eventually agreed with K and M partners.
- A lot of time was spent looking at redesigning the scale of the facility. The new proposals used state of the art technologies. It was proposed that building would start in early 2019 and would take three years to complete.
- It was proposed that 130 new jobs would be created upon completion and that there would be 250 jobs created in the construction period.
- The project would help Peterborough realise its ambition of becoming the Environment Capital and would help recycle 600 000 tonnes of mixed feedstock that would have gone to waste.
- The visitor centre would contain an administration base for the plant. In addition the centre would be open to schools to help engage with the local community.
- There would be an overall reduction in tonnage of material for energy from 650,000 tonnes to 595,000 tonnes.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Highways had given approval to the new road scheme. This had been fully dimensioned to ensure that the cycleways could be incorporated.
- Pleased that consultation had taken place with PECT. It was also pleasing to see that there had been a reduction from the original scheme.
- This was a great example of using waste for energy and would reduce the amount of waste landing up on landfills.

RESOLVED:

1. The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions delegated to officers.
2. The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the

application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASONS FOR THE DECISION:

Proposal 1

To discharge Condition 8, the five constituent parts of Condition 5 need to be satisfied, they are:

- (i) details of the siting, design, external appearance, and dimensions of all new or modified buildings and structures which are to be retained following the commissioning of the Development;
- (ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
- (iii) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the Site;
- (iv) details of all new or modified permanent fencing and gates required on the Site;
- (v) details of artificial lighting required during the operation of the Development; and
- (vi) phasing of works included in the scheme.

The applicant is continuing to work with Officers to overcome consultee objections and ensure the proposals address all material considerations and are policy compliant. The outstanding matters can be summarised as follows;

Confirmation of Conservation Officer satisfaction with regards the additional wireframes demonstrating visual impact on the Cathedral.

Clarification of methodology for viewpoints in the LVIA.

Confirmation of Landscape Architect contentment with the screening proposed to be used on the ramp on the eastern elevation of Ethel to minimise off site headlight glare, amended cladding to the Multi Function Water Pump House and to 'Ethel'.

Provision of 'designers' response with regards to flue stack cladding proposals.

Clarification of the impact of fencing to south of the Water Pump House to additional tree / vegetation screening.

Clarification of the lighting strategy, including confirmation of review procedure, height of 'Ethel' and yard lights, bollard lighting on the pathway, and use and timing of lighting systems, and provision of a 'night time image' of the proposals.

Provision of a satisfactory Landscape Masterplan demonstrating removal of 3m bund and including additional planting to Cat's Water Drain (the full details for Condition 46 discharge are not required at this stage).

Confirmation of Natural England and Wildlife Officer comments with regards to information provided in the ecological addendum.

Completion of all outstanding ecological surveys.

Confirmation of finished floor levels and provision of critical equipment in accordance with floodrisk requirements.

Confirmation of Local Highways Authority satisfaction with tracking provision across the site, alignment of access amendments and mapping base layer, and corrections to foot / cycle way requirements.

Condition 9 – in relation to provision of cycle parking

The cover letter also refers to information being provided to discharge Condition 9 in relation to cycle parking. However this is a compliance condition (requiring 60 cycle parking spaces to be provided adjacent to the reception / administration building), and cannot be discharged.

Condition 23 – in relation to commercial operation noise

Condition 23 requires a programme for the monitoring and control of noise generated by the commercial operation of the development. The submitted information does not include such information and cannot therefore be discharged at this point. However this is not a pre-commencement condition and the applicant has been advised that they are required to provide such a programme prior to the commissioning (i.e. the first supply of electricity on a commercial basis) of the development (see also detailed commentary re. noise).

Condition 37 – archaeology

This condition has been previously discharged (14/00077/DISCHG) subject to “all records being compiled in a structured archive in accordance with part 5 of the (approved) report”. The applicant has confirmed that the archiving process is being undertaken. Upon confirmation of completion of archiving this condition can be fully discharged.

Condition 46 – landscaping and creative conservation

A Landscape Masterplan has been provided with the application, demonstrating the broad principles of the landscaping and creative conservation mitigation proposals. This plan does not contain the level of detail provided under the previously approved scheme (13/01913/DISCHG), and required by condition 47 and in addition to the amendments to the Masterplan as discussed above, the applicant is advised to update the Plan with appropriate detail prior to any further construction work being undertaken.

Proposal 2

The NPPF states that there is a presumption in favour of sustainable development – in terms of decision taking this means approving development proposals that accord with the development plan without delay.

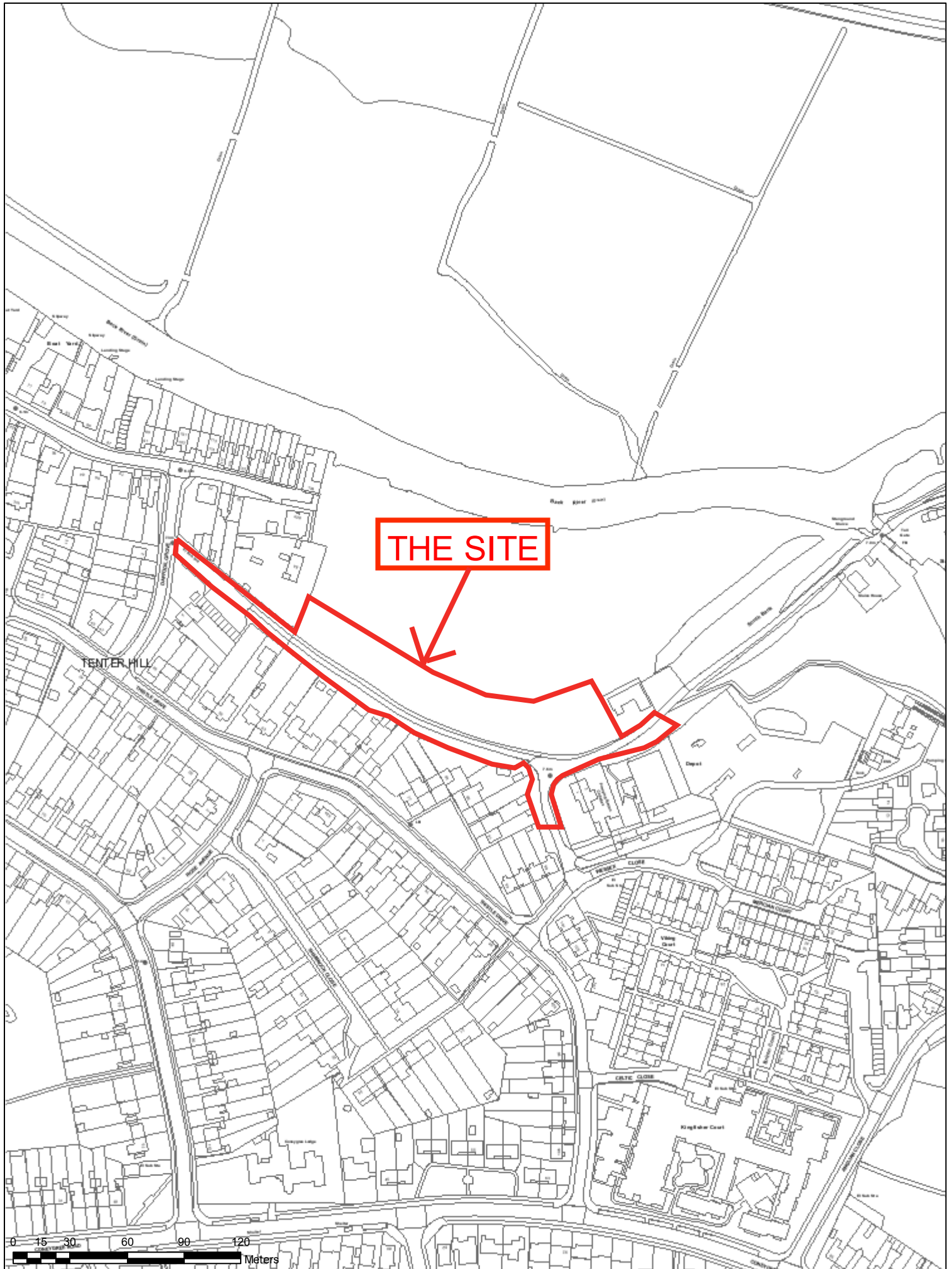
Subject to the satisfactory resolution of the outstanding details, as described above, the proposal will be acceptable having been assessed in light of all material considerations including weighing against relevant policies of the development plan.

The material considerations for Proposal 2 centre on the issues of; ensuring the access and highway network serving the suit can be made suitable and able to accommodate any increase in traffic, and the nature of traffic associated with the development, and that any associated increase in traffic and highway improvements do not cause unacceptable harm to the environment and road safety; and the avoidance of significant adverse impacts on surrounding uses, including Flag Fen visitors centre, and the archaeological environment;

Subject to the resolution of outstanding matters and appropriate conditions to ensure an acceptable mitigation measures, the proposal will be in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS32, CS34, CS36 and CS39.

It is also noted that application 18/01369/NONMAT will enable the operational use of two points of access to the site, rather than the single point of access as defined under the Condition 10 of the extant consent. This non material amendment will only be progressed subject to the satisfactory resolution of Proposal 2.

Chairman
1.30pm – 2.30pm



Location plan - 18/01101/R3OUT - Land North Of Thistle Drive

Scale 1:2,500
Print Date: 29/10/2018

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Item 1

Planning and EP Committee

Application Ref: 18/01101/R3OUT

Proposal: Outline application for residential development of up to 20 dwellings (all matters reserved)

Site: Land North Of, Thistle Drive, Stanground, Peterborough

Applicant: Medesham Homes LLP

Agent: NORR Consulting

Referred by: **Called in by Councillors Hogg, Lillis and Whitby**

Reason: **Public Interest and Loss of Open Space**

Site visit: 17.07.2018

Case officer: Mr M A Thomson

Telephone No. 01733 453478

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

Recommendation: **GRANT** subject to relevant conditions, the signing of a Section 106 Legal Agreement and no new material planning issues arising as a result of the outstanding public consultation.

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

Site Description

The application site comprises a parcel of land allocated for residential development in the Councils adopted plan. The site is accessed by vehicle traffic from the south via Wessex Close and Thistle Drive, and the road continues as a track north past the Stanground Lock into the Nene Washes. There is also a Public Right of Way which runs east - west along the south of the application site; this forms part of the Green Wheel and is only accessible by pedestrian and cycle traffic to Daffodil Gardens to the west.

The application site covers an area of 0.75ha, which includes part of the Public Right of Way to the west and the access road to the south, as well as an area in front of the Scout Hut. The site allocation area is 0.75ha and is identified in the plan as being able to indicatively accommodate up to 30 dwellings.

The site is predominantly laid to grass. The land falls from the road towards Back River, a tributary of the River Nene.

The land to the north of the site is a dedicated area of Public Open Space (POS), identified as Informal Parkland and amenity open space. Beyond that is the Nene Washes designated Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and a Ramsar site.

There is a Scout Hut situated to the eastern end of the site bounded by secure fencing and a car park beyond. To the south-east is the Thistle Drive Community Centre, the Showman's Guild Site (used for the storage of large apparatus and vehicles). To the south, east and west of the site is residential development.

The surrounding residential character and context of the area is mixed with a strong built form along North Street to the west, more traditional two-storey semi-detached and terraced dwellings to the south, and there are a pair of semi-detached dwellings which face onto the application site to

the south-east.

Proposal

This application seeks outline planning permission, with all matters (access, appearance, layout, scale, and landscaping) reserved for future applications, for the erection of up to 20 dwellings.

An indicative plan has been submitted in support of the application, illustrating one possible way that 18x dwellings each with two off-street parking spaces could be accommodated on site. However, Members are not being asked to determine the layout at this stage.

Amended Plans

An amended site plan and indicative layout have been received, as the site area originally submitted with the application exceeded the size of the housing allocation in the Local Plan. On the receipt of these amended plans, letters were sent to neighbours and contributors, three new site notices were erected around the site and a new press notice was placed in the paper.

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 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.

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.

National Planning Policy Framework (2018)

Paragraph 11 – The Presumption in Favour of Sustainable Development

For decision taking this means approving development proposals that accord with an up-to date development plan without delay.

Paragraph 47 - Determination of Applications

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 130 - Poor Design

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an areas and the way it functions. Conversely where the design accords with clear expectations in plan policies, design should not be used by the decision marker as a valid reason to object to development. Local Authorities should seek to ensure that the quality of the development approved is not materially diminished between permission and completion.

Paragraph 97 - Open Space

Existing open space, sports and recreational buildings and land including playing field should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or the loss resulting from the proposed

development would be replaced by equivalent or better provision in a suitable location or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Paragraph 108 - Transport Impacts

Any significant impacts from development on the transport network (capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

Paragraph 117 - Making Effective Use of Land

Paragraph 155 - Flood Risk

Inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. Development should be subject to a sequential test and if appropriate an exceptions test.

Paragraph 175 - Habitats and Biodiversity

Permission should be refused if significant harm to biodiversity would result which cannot be avoided, adequately mitigated or as a last resort compensated for. Development on land within or outside of a Site of Special Scientific Interest and which is likely to have an adverse effect on it should not normally be permitted. The only exception is if the benefits clearly outweigh both its likely impact on the features for which it is designated and any broader impacts on the national network of Sites of Special Scientific Interest. Development resulting in the loss of or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional circumstances and suitable compensation strategy exists.

Paragraph 175 - Biodiversity Enhancement

Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to incorporate biodiversity in and around developments should be encouraged.

Paragraph 180 - Pollution

New development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life, identify and protect tranquil areas which have remained relatively undisturbed by noise and limit the impact of light pollution from artificial lighting on local amenity, intrinsically dark landscapes and nature conservation.

Section 2b - There is a presumption in favour of sustainable development

There is a presumption in favour of sustainable development. For decision takers this means approving development proposals that accord with an up to date development plan without delay, and where there are no relevant policies or a policies are out of date granting permission unless there are other policies within the framework which provide a clear reason not to or any adverse impacts of doing so would significant and demonstrably outweigh the benefits when assessed against the Framework as a whole.

Section 9 - Promoting Sustainable Transport

Transport issues should be considered from the earliest stages so that the potential impacts on the network can be assessed, opportunities from existing and proposed transport infrastructure can be realised along with opportunities for walking and cycling, the environmental impacts can be assessed and the patterns of movement are integral to the design.

Section 12 - Achieving well-designed places

Decisions should ensure that development will function well and add to the overall quality of the

area over the life time of the development, are visually attractive as a result of good architecture, layout, appropriate and effective landscaping, are sympathetic to the local character and history, establish or maintain a strong sense of place, optimise the potential of the site, create places which are safe, inclusive and accessible.

Section 12 - Impact on Designated Heritage Assets

Local Planning Authorities should take account of the desirability of sustaining and enhance the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to or loss of the significance of the designated heritage assets should require clear and convincing justification. Where a proposed development will lead to substantial harm to the designated heritage assets permission should be refused unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Where harm is less than substantial this harm should be weighed against the public benefits including securing an optimum use of the asset.

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

CS02 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

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.

CS19 - Open Space and Green Infrastructure

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

CS20 - Landscape Character

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

CS22 - Flood Risk

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

Peterborough Site Allocations DPD (2012)

SA03 - Urban Area

Identifies sites within the Urban Area that are allocated primarily for residential use

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.

PP04 - Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

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.

PP14 - Open Space Standards

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

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.

PP19 - Habitats and Species of Principal Importance

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

PP20 - Development on Land affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

Peterborough Local Plan 2016 to 2036 (Submission)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP08 - Meeting Housing Needs

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP27 - Landscape Character

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscaping setting, retaining and enhancing the landscape character.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP33 - Development on Land Affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

LP37 - Urban Area Allocation

Identifies sites within the Urban Area that are allocated primarily for residential use.

4 Consultations/Representations

PCC Peterborough Highways Services

No objection - The Local Highway Authority (LHA) advise that the existing Bridleway Public Right of Way passing through this development area should be retained, ideally on the existing alignment. Should it need to be moved from the existing alignment this could be done either through the Town and Country Planning Act or the Highways Act; the LHA would require a 3 metre wide grassed route for a bridleway.

This is an outline application therefore the access and parking provision has not been considered by the LHA. However, the impact to the Highway network has been assessed along with the implications to the Public Right of Way.

The Council's Public Right of Way Officer has raised no objection to the proposal in principle, advising that the public bridleway which passes through the site is a valuable link for users coming into the city on cycle and walking and obviously also for use by equestrians.

I understand that it is proposed that the existing bridleway is to be the access road and a provision made available alongside this road for use equestrians and other users if required. If the existing line of the bridleway was to remain and incorporated into the road and a suitable open space area for the bridleway be constructed adjacent to the road then I would support the application.

Details of construction materials for the "bridleway" element would need to be advised on and if the route is to be closed during construction then a temporary traffic regulation order would be required and a diversion route to be signed and checked regularly.

PCC Waste Management

Comments – Although all matters are reserved, it is worth noting at this stage our concerns in relation to this application.

Waste Collection

The access road to the properties is absolutely not suitable for a waste collection vehicle, which is vital for the multiple access requirements for the collection of waste and recycling that households would receive on a weekly basis. Even if the vehicle could be accommodated to an extent, the site fringe does not have turning areas for the vehicle to safely manoeuvre a 3 point turn in and so (as the vehicle would not be expected to reverse more than 12m) it is likely there will be properties that will exceed the 30m they would be expected to bring bins out to for collection. If the vehicle is expected to travel the extent of the distance in forward gear on to North Street, again the road would need to accommodate a refuse collection vehicle of the attached specification. We would also expect to see full tracking for this site as well as a waste management plan outlining what the plans are for collections on this site including the suitability of the road to withstand the collection vehicle on a regular basis.

However, I would also be extremely wary of allowing a collection vehicle full access on to this ever popular bridleway which forms part of the Green Wheel route.

Bin Collection Points

If required, bin collection points should be large enough for at least 2 bins and a food waste unit per property. Residents should not be expected to pull bins further than 30m, collection crews should also not be expected to pull bins further than 25m from collection point to the back of the collection vehicle.

Natural England

No objection – Subject to satisfactory measures to mitigate recreational pressures on the Nene Washes. These measures shall include zoning recreation areas within Tenterhill POS, signage highlighting the importance of the washes for wildlife and on the Trust reserve, and the installation of dog proof fencing around the sensitive to-be improved pond area to limit dog access to the pond and Back River. Leaflet and online information shall also be made available for existing and future occupiers of the area. These measures shall be secured as part of the Habitat Regulation Assessment and S106 funding.

PCC Wildlife Officer

No objection – The Applicant has agreed to assist in delivering the objectives of the Peterborough City Council Wildlife Sites Management Statement (2017 to 2027) for Tenterhill Recreation ground (Wildlife Trust, 2017), specifically a pond and surrounding habitat situated 50 metres to the north-east of the application site, behind the Scout hut. Works would include scrub removal, de-silting of the existing pond and the creation of new ponds.

With respect to protected species I am satisfied that no bat roosts are likely to be affected by the proposal, however, although not identified in the ecology report, I consider that this site is likely to be used by foraging/ commuting bats. I would therefore recommend the following measures in relation to bats:

- a) Provision of a range of integral bat roosting features to be incorporated into the new dwellings to provide suitable bat roosting habitat; and
- b) External lighting to be carefully designed to be baffled downwards away from the retained areas of open space.

The above detail should be provided by the applicant which would be acceptable via a suitably worded condition.

The Wildlife Trust

No objection – Subject to satisfactory measures to mitigate recreational pressures on the Nene

Washes. These measures shall include zoning recreation areas within Tenterhill POS, signage highlighting the importance of the washes for wildlife and on the Trust reserve, and the installation of dog proof fencing around the sensitive to-be improved pond area to limit dog access to the pond and Back River. Leaflet and online information shall also be made available for existing and future occupiers of the area. These measures shall be secured as part of the Habitat Regulation Assessment and S106 funding.

The Wildlife Trust maintain their concerns for the loss of open space in an area of deficiency which in their view would appear to set a dangerous precedent, for both the City Council and private developers in the future.

PCC Open Space Officer

Objection – As the site is dedicated Public Open Space maintained by Peterborough City Council (PCC) and adhering to policy within the Peterborough Local Plan it should be protected. This is historic public open space dating back to the 1800's. No encroachment or development (apart from the erection of the Scout hut in the 1970's) has taken place on this historic site since the 1800's. Added to the above the Fletton & Stanground Ward currently has a 5.61ha deficiency of public open space.

Anglian Water

No objection - Anglian Water (AW) have advised that they have assets either within or close by to the application site, and sought an informative be attached advising the Applicant, Agent or Successor in title of this.

AW have advised that the foul drainage system is capable of accommodating this development, and that they will need to enter into a S106 drainage agreement to connect. With respect to surface water AW have advised the proposed method of surface water management does not relate to AW operated assets and the Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

Environment Agency

No objection

PCC Conservation Officer

No objection - There is a concern regarding the impact of the proposals upon identified significant views from the highway of Peterborough Cathedral. There are two distinct views from the highway and it would be considered sufficient that only one is retained. It is noted that the indicative plan envisages a gap between the dwellings for the purposes of an Anglian Water pipe, which has potential to be realigned, if necessary to be used as a required viewing arc.

Any full or reserved matters applications would be required to include a heritage statement which assesses the impact of the proposals upon views on Peterborough Cathedral and demonstrate that a sufficient view will be retained

From a heritage consideration there is no substantial objection to the proposals at this stage. There is clear potential for the scheme to be acceptable and to not detrimentally impact upon identified significant views provided the above recommendation is taken in to consideration.

PCC Archaeological Officer

No objection - There are a wealth of Roman remains recorded and/or excavated within a 250m radius, the site has the potential to contain features of this period. The existence of earlier remains should not be discounted, as prehistoric ring-ditches are recorded in the general area.

As the proposed development site appears to have witnessed no major development, the preservation of potential buried remains is expected to be reasonably good, even allowing for some degree of truncation of the uppermost layers as the result of historic and more recent agricultural practices.

On the basis of the available evidence, given the high potential for the presence of Roman remains, it is recommended that an evaluation by trial trenching is secured by condition.

PCC Pollution Team No objection - The site appears to be used as a spoil heap pre-1960, and conditions are sought with respect to a contaminated land assessment has been undertaken, which may require remediation scheme and associated validation report. An unsuspected contamination condition shall also be attached for the avoidance of doubt.

Police Architectural Liaison Officer (PALO)

No objection – I have noted that all matters will be reserved but having read available documents am happy to support the outline application. I would request further consultation in regards to design, layout and boundary treatments including lighting when available. I would also ask that the developer considers Secured by Design principles and this office can assist with that.

PCC Travel Choice

No objection - No Travel Plan is attached to this application. I would not expect this to be provided for a development of this size. The only requirement is that the developers would need to provide a Welcome Packs of travel information to each unit that is built. These can be purchased from PCC for at a cost of £10 per pack. Alternatively, the developer can create their own pack, which must be approved by PCC.

As part of the Welcome Pack either one bus taster tickets from Stagecoach (the main bus provider in Peterborough) or a £50 cycle voucher should also be purchased for each unit in new residential developments

PCC Strategic Housing

No objection - Policy CS8 of the Peterborough Core Strategy seeks the provision of affordable housing on sites of 15 or more units. As it currently stands, we would expect a contribution of 30% on this site of 20 dwellings. The total number of dwellings we require would be 6.

The current tenure split we would expect to see delivered for affordable housing in Peterborough is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 4 affordable rented homes and 2 intermediate tenure in this instance. I am happy to discuss the details of the tenure mix at a later date, if required. The affordable housing mix will need to be agreed at a later date.

In accordance with the Policy CS8 of the Peterborough Core Strategy, 20% of units should meet Building Regulations Part M (Volume 1), Category 2 (the lifetime homes standard) which equates to 1 dwelling in this instance.

Cambridgeshire Fire & Rescue Service

No objection – Should the Local Planning Authority be minded to approve the application adequate provision of fire hydrants shall be secured. The number and location of Fire Hydrants will be determined following a Risk Assessment and with reference to the guidance contained within the ‘National Guidance Document on the provision of Water for Fire Fighting’, 3rd edition (2007).

Lead Local Drainage Authority

No objection - The Lead Local Flood Authority have raised no objection, subject to seeking a number of conditions with respect to the provision of a full drainage system for the site, infiltration tests and discharge rates, as well as ownership and responsibility of maintenance.

Peterborough Local Access Forum

No comments received

Ramblers (Central Office)

No comments received

Middle Level Commissioners

Comments - Middle Level Commissioners have raised comments advising that they own the Stanground Lock, and that access is restricted to their facilities when events are being held within the locality. There is also a deed of easement of underground service media within the extent of the planning application. MLC have advised that the development should not detrimentally affect the availability of operation of this underground service.

Cllr Hogg

Objection:-

- The area concerned is greatly used by the neighbouring Scout and Beaver groups, who meet most nights of the week, for activities including, although not exclusively, orienteering training, setting up of tents, outdoor sports and social events
- The area has previously been designated by the council as a nature haven in 2014 as part of the councils' biodiversity strategy (as reported in Peterborough Telegraph 17 Apr 2014)
- There are concerns regarding the already heavy use of parking in this area, when the nearby community centre is in use.
- There seems to be a groundswell of public opinion against this application, evidenced by a number of public meetings and petitions being completed.

Cllr Whitby

Objection:-

This is completely the wrong area for this type of development. It is the last open piece of land to the north of Coneegree Rd/Thistle Drive, and as such is a valuable resource for the local community which will be destroyed by this development. Despite the actions to prevent its use (not cutting the grass) it is still well used across much of the year. Its loss will remove the only grassed area accessible to younger people living in the Viking Court and environs.

In addition, the access at both ends of the proposed site is poor and will increase traffic flow (especially if it is open at both ends forming a cut through) this will create a danger for users of the Scout facility, Gymnastics Club, Community Centre and Nursery. There is not good reason for this to go ahead. What is needed is for the area to be taken off of the Biodiversity list and regularly cut so that it becomes an accessible community asset once more.

Councillors Hog, Lillis and Whitby have objected to the application, and requested the application be considered by Planning Committee.

Local Residents/Interested Parties

First Round

Initial consultations: 83
Total number of responses: 124
Total number of objections: 124
Total number in support: 0

A petition with 1508 signatures has been signed by local residents who are against the proposed development.

124 letters of representation have also been received from 81 addresses raising the following concerns;

- This proposal would result in a loss of open space, which will impact the Community and Scout activities;
- Out of keeping with the character of the area;

- Loss of light, privacy and impact on the amenity to neighbouring residents (2 Pumping Station Cottage);
- Impact on biodiversity and the adjacent Nene Washes, including surface run off. The submitted ecological information is inadequate;
- Increase in traffic, highway safety, impact on the green wheel and displacing parking using the adjacent Scout Hut;
- The road infrastructure cannot cope with an additional 20x dwellings and construction traffic
- The access is used by a variety of agencies and bodies which maintain the Nene Washes, not limited to Middle Level Commissioners, Network Rail, The Environment Agency, Wildlife Trust, Woodland Trust, residents and farmers. (And boatyard?). Scout hut, community centre and gymnastic centre;
- Increase of flood risk;
- The site was used as a dumping ground and could be contaminated;
- The site is host to buried archaeology;
- Views of the Cathedral would be impacted upon;
- Crime and anti-social behaviour;
- There are issues of drainage being blocked on Thistle Drive;
- The application site states it is within 800m of community facilities (Community Centre, Aldi Superstore and Stanground Doctors);
- Impact on human rights;
- There are better places to build elsewhere in the City;
- The site is an asset of community value, it was given to Stanground as a recreation area and the site is common land;
- Lack of consultation on the application;
- Devaluation of property;
- Noise and disruption caused by construction traffic;
- Government are seeking healthy communities, and this would remove a place for children to play
- Peterborough does not have the infrastructure to keep growing; and
- The development would be situated over services.

Second Round

At the time of writing this report 7x responses were received raising the following matters;

- We trust that the Council are complying with the new Government Directive with respect 'Save our Parks' (article provided from the Daily Mail);
- 1,580 Residents who signed the Petition objecting to the application; many wish to speak however are unable due to the timings of Planning Committee;
- The Public Open Space was beautiful until it was labelled a biodiversity site. The land should be reinstated and mown regularly;
- residents in North Street have had to cut Highway verge;
- The revised details do not address the previous comments on the supporting infrastructure and vehicular access or loss of valuable public amenity;
- The planned access through Wessex Close is inadequate for an additional 40 vehicles (see Skanska's objections);
- A 'rat run' would be made of North Street and Church Street that already suffer from inconsiderate parking, blocking of pavements;
- This development cannot be sustainable or made to work with the existing access from either end of the site;
- Bringing a public bridle way in contact with vehicular access is unsafe;
- Dog walkers will park at the sluice and walk onto the Nene Washes;
- The new road would pose a highway safety risk;
- it would increase the demand on childcare and other services in the area;
- the amount of houses on the Scout Hut side of the new development is too high and needs to be halved;
- At certain times over the month there is not enough parking currently there; and
- Each house has to have two car parking spaces.

The amended plans were subject to public re-consultation (21 days) on the 12th October 2018 by way of letter, and three new site notices were erected around the application site. The consultation for these ends on the 2nd November 2018, and any representations received further to writing this report will be included within the Update Report.

The Local Planning Authority was required to submit a new press advert which expires on the 8th November 2018, after the Planning Committee meeting date. Officers are therefore recommending approval subject to no new material planning considerations arising as a result of this public consultation.

5 Assessment of the planning issues

The Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) 2018 states that 'for decision taking this means approving development proposals that accord with an up-to-date development plan without delay...' This is echoed by Paragraph 47 of the NPPF (2018).

The application site is an allocated site for residential development within the Site Allocations DPD (2012), identified as SA3.35 (Land off Wessex Close, Tenter Hill), and is situated within the urban area of the City. This 0.75ha allocated housing site has been identified as being able to provide indicatively up to 30 dwellings. The Site Allocations DPD (2012) is the up-to-date development plan and has been deemed sound by the Planning Inspectorate; the allocation of this site is a material planning consideration in the determination of this application.

As such the principle of residential development is considered to be acceptable, subject to satisfactory assessment against the following matters.

Access and Parking

A Transport Statement has been submitted in support of this application. This is an outline planning application with all matters, including access, to be considered under future detailed reserved matters applications. Therefore the only issues to be considered at this stage is whether in principle a safe access could be achieved to serve the level of housing development proposed.

The Local Highway Authority (LHA) have raised no objection to the principle of this level of housing development or to vehicles accessing the site via Wessex Close. However the LHA have sought clarification as to how the proposed access road would interact with the Bridleway Public Right of Way (PROW), which runs along the south of the site and forms part of the Green Wheel, and highlighted that the width of the Wessex Close currently appears substandard. The Council's Waste team have also highlighted that sufficient space would need to be provided for the access and turning of a refuse collection vehicle.

Further to discussing the proposal with the Local Highway Authority it is understood that the Bridleway Public Right of Way could be relocated to run along a grass verge to the immediate south of the existing road, and achieve 3 metres in width, and the road widened to facilitate two way vehicle traffic, as well as provide sufficient width and space within the proposed layout for a refuse collection vehicle to enter, turn and leave in a forward gear.

With respect to access widths the junction of Wessex Close and Thistle Drive is 6.4 metres, which reduces to 5.5 metres within 10 metres of the junction. It is considered that there is sufficient width leading up to the application site, however full details of the access would need to be secured as part of any future reserved matters application.

A letter of representation has advised the development would result in a highway safety hazard to pedestrians and users of the green wheel, and the road cannot cope with additional traffic or construction traffic. This area of concern includes North Street and Church Street. Further, it is

understood that the access road is used by a variety of agencies and bodies which maintain the Nene Washes, not limited to Middle Level Commissioners, Network Rail, The Environment Agency, Wildlife Trust, Woodland Trust, residents and farmers, as well as the Scout hut, community centre and gymnastic centre.

Officers are aware the road is heavily parked during events, associated with the adjacent Community Centre and Scout Hut, however these would be for time limited periods. For the reasons set out above the Local Highway Authority have raised no objection to the proposal, and any disruption generated by construction traffic would be for a short period of time only. Whilst it would increase the amount of trips within the local network, it is not considered an additional 20x dwellings would result in such harmful levels which could affect the local highway network. 2x off-street parking spaces would need to be provided as part of the reserved matters application.

Whilst indicative, the amended illustrative plan does show that satisfactory parking could be provided on the basis of 2 parking spaces serving each dwelling, as well as space for the turning of refuse collection vehicles. Conditions are recommended to be appended in respect of the provision of full access details, the provision and retention of parking and turning, tracking for a refuse collection vehicle, the retention or re-provision of the bridleway, a construction management plan and temporary facilities. Subject to these conditions, it is considered that the proposal would not constitute a highway safety hazard and would accord with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 and PP13 of the Peterborough Policies DPD (2012).

Biodiversity

An Extended Phase 1 Habitat survey and Habitat Regulations Assessment was submitted in support of the planning application. The Council's Wildlife Officer, Natural England and the Wildlife Trust originally responded with an objection to the proposal on the basis that the submitted Ecological Report and Habitat Regulations Assessment had not fully assessed the potential adverse effect on the Nene Washes SSSI, SPA, SAC and Ramsar site, specifically through the disturbance by people and dogs on the Nene Washes. There were also concerns raised with respect to the lack of biodiversity enhancements, surface water drainage and pollution into the adjacent water course.

Further to these concerns Officers have worked with PCC Wildlife Officer, Natural England and the Wildlife Trust and have agreed a range of measures to help mitigate the recreational pressures on the Nene Washes. As a result all three consultees have removed objections.

The Council's Wildlife Officer suggested that the developers assist in delivering the objectives of the Peterborough City Council Wildlife Sites Management Statement (2017 to 2027) for Tenterhill Recreation ground, specifically to improve a pond and surrounding habitat situated 50 metres to the north-east of the application site, behind the Scout hut. Works would include scrub removal, de-silting of the existing pond and the creation of new ponds. It has been agreed that an off-site contribution would be secured to undertake these works via a Section 106 Legal Agreement. This biodiversity enhancement has been supported by Natural England and the Wildlife Trust.

To mitigate the recreational pressures on the Nene Washes, particularly dog walking, Natural England and the Wildlife Trust have sought dog proof fencing to be installed adjacent to the pond and part of the Back River, as well as signage and zoning of the Public Open Space (POS). These measures form part of the updated Habitat Regulations Assessment and would be secured as part of the S106 agreement.

The Council's Wildlife Officer has raised no objection with respect to impact on bats or nesting birds subject to a condition with respect to the provision of bat roosts and bird boxes, and the submission of an external lighting scheme to serve the development. A precautionary approach to reptiles have been recommended, and that all site clearance works are undertaken during the reptile active period, overseen by a qualified ecologist. Details of hard and soft landscaping would be secured by condition.

The matters of surface water drainage and pollution are discussed in further detail below.

Design, Layout and Landscaping

This is an outline application with all matters reserved, however an indicative plan has been submitted to demonstrate one possible way this level of development could be achieved on site.

Policies CS16 and PP2 seek to ensure any development would not have an adverse impact on the character of the area.

Reviewing the pattern of development of the area properties surrounding are generally two storey semi-detached properties with good sized gardens set back slightly from the road with car parking situated to the front or side. Properties along Thistle Drive to the south are more traditional post-war style, whereas properties along North Street are turn of the century; the application site is considered to better relate to properties on Thistle Drive, therefore any proposal would be required to be consistent with this established pattern of development.

Whilst the scheme has sought up to 20x dwellings, 18x dwellings have been illustrated on the amended indicative plan, including the provision of off-street parking and garden sizes. It would also appear that a satisfactory turning area could be provided for refuse collection vehicles, subject to details being submitted.

A condition is recommended to be appended to limit the height of the proposed dwellings to two storeys in height, as a 2.5 storey town house style would be out keeping with the prevailing character of the surrounding area.

A topographical survey has been submitted which demonstrates the application site can be read in two halves. The western part of the site drops in the region of 300mm-500mm from the Bridleway Public Right of Way (PROW), whereas the central and eastern half of the site increases slightly or is level. Full details of levels would be secured at the reserved matters stage, where careful consideration of finished floor levels, gardens and boundary fences would need to be considered.

Overall levels drop 6 metres across the site from the PROW to the edge of the river bank, therefore any scheme will need to take into account the boundary treatment and respect the transition from the proposed residential development and public open space to the north.

A letter of representation has been received advising that the number of dwellings should be halved. However as set out above the housing site allocation in the plan is for up to 30x dwellings, and this planning application is only for up to 20x dwellings, therefore it is not considered necessary to reduce the numbers in this instance. Details of the scale, appearance and layout would all be secured as part of any future reserved matters application.

Any such reserved matters application would need to, but not limited to, provide satisfactory off-street parking, turning for a refuse collection vehicle, satisfactory relationship with the Bridleway Public Open Space, provide suitable garden sizes as well as take into consideration views of the Grade 1 listed Cathedral and neighbouring amenity.

Open Space

The application site is located within the Fletton and Stanground Ward. Under the Peterborough Open Space Strategy (2016), the application site is categorised as a 'neighbourhood park'. The Strategy sets out that Fletton and Stanground Ward has a deficiency of approximately 5.7 hectares of neighbourhood parks, 0.3 hectare deficiency in Children's Play and sufficient allotment provision.

Policy CS19 of the Peterborough Core Strategy DPD (2011), the emerging Policy LP23 of the Peterborough Local Plan (Submission Stage) (2018) (which can be given weight) and paragraph 96 of the National Planning Policy Framework (NPPF) seek to protect and retain existing areas of open space as they are acknowledged as being vital to the quality of the environment serving communities. The emerging Policy LP23 requires when considering the acceptability of loss of open space that *“open space should make an important contribution to the green infrastructure network; and that the proposal could be accommodated without causing significant detrimental impact to the character and appearance of the area, ecology or to any heritage assets”*.

It is acknowledged that this proposal would result in the loss of an area of open space, in a Ward where there is currently a deficiency. The Councils Landscape Officer has objected on this basis. However this loss of open space has already been accepted when the site was allocated as being a suitable site for housing development in the Site Allocations DPD in 2012. At that time, if the land had been judged to be of significant value and importance for open space provision, its loss for housing development would have been resisted, and it would not have been allocated for housing development. Therefore whilst the loss of the land for open space purposes is regrettable, particularly in a Ward where there are open space deficiencies, this application could not be resisted on this basis as the site has already been allocated as being suitable for housing development.

Policy PP14 states that ‘all residential development will be required to provide open Space ... the precise type of on-site provision that is required will depend on the nature and location of the proposal and the quantity/type of open space needed in the area’.

In this instance a financial contribution is recommended to be sought for offsite public open space enhancements to meet the needs of future residents, and this is to be secured as part of the Section 106 Legal Agreement (see below).

Heritage Assets

The application site is located 1.6km from the Cathedral, which is a Grade 1 listed building. The Council's Conservation Officer has assessed the views of the Cathedral and noted that some parts of the site do provide some of the best views of the Cathedral from Stanground.

Matters of design and layout are not sought to be committed at this time and are details that would be considered under future reserved matters applications. However the Council's Conservation Officer has advised that there would be site layouts which could retain the identified significant views of the cathedral. Any subsequent full plans or reserve matters planning applications would be required to include a heritage statement which assesses the impact of the proposals upon views on Peterborough Cathedral and demonstrates that a sufficient views would be retained.

The Councils Archaeologist has advised that there is a wealth of Roman remains recorded and/or excavated within a 250m radius, therefore the site has the potential to contain features of this period. The existence of earlier remains should not be discounted, as prehistoric ring-ditches are recorded in the general area. As the proposed development site appears to have witnessed no major development, the preservation of potential buried remains is expected to be reasonably good.

Therefore Officers recommend the imposition of a condition to secure a heritage statement, which would take into consideration views of the Peterborough Cathedral, and this would subsequently be reflected in the final design and layout of the site. In addition an archaeological condition is recommended to seek trial trenching and any necessary archaeological mitigation. On this basis it is not considered that the proposed development would not result in any unacceptable harm to the significance of the Peterborough Cathedral, or known/unknown buried archaeology, and therefore would be in accordance with Policies CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Policies DPD (2012).

Neighbour Amenity

This is an outline application with all matters reserved, however an amended indicative plan has been submitted to demonstrate one possible way this level of development could be achieved on site.

The site is constrained by a number of neighbouring residential properties, these are as follows;

- 1 & 2 Pumping Station Cottages;
- Properties along Thistle Drive to the south
- 59 Thistle Drive and outbuilding to rear
- 84 Thistle Drive

Any detailed layout would need to comply with Policy PP3 and ensure that any development would not result in an unacceptable overbearing impact, loss of privacy, light or amenity.

Drainage and Contamination

The Lead Local Flood Authority have raised no objection subject to seeking a number of conditions with respect to the provision of a full drainage system for the site, infiltration tests and discharge rates, as well as ownership and responsibility of maintenance. The Environment Agency have raised no objection to the proposal. Anglian Water have advised they have assets either within or close by to the application site, and that their foul drainage system is capable of accommodating this development if necessary. Conditions have been sought with respect to foul drainage.

Letters of representation have raised concerns of surface water run-off into the Back River, and that the site was used for dumping historically. Further to consultation with the Council's Environmental Health team there was a spoil heap that ran along the bank in the 1970's, in an almost identical location to the application site, and a full contaminated land investigation has been sought by planning condition. The concerns of contaminated waters entering the river were echoed by Natural England, and a condition shall be attached seeking a mitigation strategy to ensure contaminants do not enter the watercourse during any necessary contamination remediation and construction.

Letters of representation have advised that the site floods, however the application site is situated within Flood Zone 1. As set out above there have been no objections from the Environment Agency, and conditions would be attached ensuring a suitable scheme would be achieved to prevent surface water runoff.

Subject to these conditions being secured at the reserved matters stage the development would provide a satisfactory surface water and foul drainage scheme for the site, would prevent contaminants from entering the watercourse and would ensure that the development would not harm future occupiers, in accordance with Policies CS22 of the Peterborough Core Strategy DPD (2011) and PP4, PP16 and PP20 of the Peterborough Policies DPD (2012).

Section 106 Legal Agreement and the Community Infrastructure Levy (CIL)

Peterborough City Council have an adopted CIL Charging Schedule and this development is CIL liable.

In addition to the CIL contribution there would be a Section 106 legal agreement securing the following;

Affordable Housing

As the development is for more than 15x dwellings this triggers the need to provide affordable housing. On the basis of a 30% affordable housing provision 6x dwellings would be required to be provided.

The current tenure split Officers would expect to see delivered for affordable housing in Peterborough is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 4x affordable rented homes and 2x intermediate tenure in this instance. In accordance with the Policy CS8 of the Peterborough Core Strategy, 20% of units should meet the lifetime homes standard.

Off-site public open space and biodiversity enhancements

The Council's Open Space Officer has advised a contribution of £24,858.30 + 5 years Maintenance costs (to be worked out) is sought towards off-site Public Open Space. £16,313.74 would go towards the retained Tenter Hill Historic Public Open Space and measures to mitigate pressure on the Nene Washes, £2,063.45 would go towards the enhancement of Chapel Street Recreation Ground Play Area, £829.51 would go towards the Anglian Close Allotment site and £5,651.60 would go towards the Tenter Hill Pond Management scheme. This will be secured as part of a Section 106 legal agreement and the mitigation measures as part of the Habitat Regulations Assessment and appropriate assessment.

Other Matters

The following matters were also raised as part of this application;

First Round

- The site is an asset of community value, it was given to Stanground as a recreation area and the site is common land – If the land is allocated as an Asset of Community Value (ACV) this would be a material planning consideration. An application to allocate the land as an ACV has been received further to the receipt of this planning application, however at the time of writing this report the land has not been allocated as such. Officers contacted the Legal Team as to whether the land was given to Stanground, however no response has been received at the time of writing this report but this will be given in the update report.

- The development would result in an increase in crime and anti-social behaviour - There is nothing to suggest that this development would result in increased levels of crime or anti-social behaviour.

- Impact on human rights – The matter of neighbour amenity would be assessed at the reserved matters stage.

- There are better places to build elsewhere in the City - The application site is allocated for residential development within the Peterborough Site Allocations DPD (2012).

- Lack of consultation on the application – 83x letters have been posted to adjoining properties, and 3x site notices have been placed on site. The consultation process has taken place in accordance with the Town and Country Planning (Development Management Procedures) Order 2015 (as amended).

- Devaluation of property - This is not a material planning consideration and therefore cannot be legally be taken into considered.

- Noise and disruption caused by construction traffic - Any noise or disruption generated by construction would be temporary and a Construction Management plan could be imposed to control and mitigate the construction phase.

- Government are seeking healthy communities, and this would remove a place for children to play - This is an allocated site within the Site Allocations DPD (2012); the area of public open space to the north would remain, and is within a short walk to the Nene Washes.

- Peterborough does not have the infrastructure to keep growing – The application site is situated within the City of Peterborough, therefore has access to essential infrastructure such as gas, electric and water, as well as roads, public transport, a public right of way and footpaths.

- The development would be situated over services - This would be the responsibility of the land owner and interested parties and any future detailed layout would need to take this into account.

Second Round

- We trust that the Council are complying with the new Government Directive with respect 'Save our Parks' (article provided from the Daily Mail) - Officers are aware of the campaign, however there has not been a change to planning policy. Therefore whilst there may be a new directive towards Council's managing its assets, this does not impact the determination of planning applications against adopted Local and National planning policies.

- Residents in North Street have had to cut Highway verge – I would advise that this matter that should be raised with the Local Highway Authority.

- Dog walkers will park at the sluice and walk onto the Nene Washes – There is nothing to suggest that the number of dog walkers who drive their dogs to the Nene Washes would increase as a result of this development.

6 Conclusions

Subject to the imposition of the attached conditions, 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 principle of residential development is acceptable as it an allocated housing site within the Urban area of the city, and the use of the land for residential development would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area. The proposal would accord with Policies CS1 and CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- The proposed development would not unacceptably harm the setting or views of the Peterborough Cathedral or buried archaeology, subject to an acceptable layout secured at the reserved matters stage, and would accord with Policies CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to the safety of the public highway and satisfactory access, parking and turning could be provided, in accordance with Policy PP12 and PP13 of the Peterborough Planning Policies DPD (2012); and
- the proposal would satisfactorily mitigate the impact on the Nene Washes and existing open space, and improve off-site biodiversity value, and would with Policy PP16 of the Peterborough Planning Policies DPD (2012).

7 Recommendation

The case officer recommends that Outline Planning Permission (Regulation 3) is **GRANTED** subject to the following conditions:

- C 1 Approval of details of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the access, appearance, landscaping, layout and scale shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 The plans and particulars to be submitted under Condition 1 above, shall include details of the proposed external materials to be used for the houses e.g. walling, roofing, windows and doors. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 6 No development shall take place/commence until a programme of archaeological work including a written scheme of investigation for proposed trial trenching of undisturbed areas on site has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD, the National Planning Policy Framework, particularly paragraphs 128 and 141 and PP17 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as the details need to be agreed before development commences on site.

- C 7 Prior to the commencement of development the plans and particulars submitted under Condition 1 shall include the submission of a heritage statement and an assessment of views of the Peterborough Cathedral, which shall in turn determine the final scale and layout of the site. The development shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of safeguarding views of the Cathedral, in accordance with Policies CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C 8 The plans and particulars to be submitted under Condition 1 shall include a scheme for the hard and soft landscaping of the site. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels

- Planting plans including retained trees, species, numbers, size and density of planting
- Details of any boundary treatment
- Bin storage areas

Particular attention should be paid to the garden levels and landscaping to the Public Open Space to the north.

The approved hard landscaping scheme shall be carried out prior to the occupation of the dwellings, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual amenity and enhancement of biodiversity in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 and PP16 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details needs to be agreed before development commences on site.

- C 9 Prior to the occupation of the first dwelling hereby approved, or on completion of the development whichever is sooner, a scheme for the provision of bird boxes (House Sparrow, Starling & Swift) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to the first bird nesting season following occupation of the dwellings, and shall be maintained and retained as such in perpetuity.

Reason: To provide biodiversity enhancement to the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C10 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C11 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C12 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 11.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 12.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C14 Prior to the commencement of any development or any demolition, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include (but not exclusively the following):-

- o Hours of working;
- o Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles;
- o Site compounds/storage areas;
- o Temporary Access points;
- o Wheel cleansing facility details;

- o A noise management plan including a scheme for the monitoring of construction noise;
- o A scheme for the control of dust arising from building and site works;
- o Details of remedial measures to be taken if complaints arise during the construction period;
- o Any temporary fencing; and
- o Any temporary lighting.

The demolition and construction works shall thereafter only take place in strict accordance with the approved details.

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C15 The plans and particulars submitted under Condition 1 shall make provision for the Public Bridleway 3 - Stanground South, which may require its relocation along the southern boundary of the site. The provision of the public bridleway shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing a satisfactory public right of way and continuation of the Peterborough Green Wheel, in accordance with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012)

- C16 The plans and particulars submitted under Condition 1 shall make provision for the access and turning for a refuse collection vehicle (RCV). Details to be included shall include full tracking demonstrating it is possible for a RCV to access and turn, as well as a waste management plan demonstrating the suitability of the road and it could withstand collection on a regular basis. The development shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing satisfactory access for a refuse collection vehicle, in accordance with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012)

- C17 No development shall take place until a detailed design and associated management strategy and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. Thereafter the drainage system shall be implemented in accordance with the approved details prior to the use of the building hereby approved and thereafter maintained in accordance with the approved strategy and plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, and to accord with Policies CS16 and CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as these details need to be submitted to and agreed before work can commence on site.

- C18 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and PP20 of

the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C19 The clearance of the site shall be implemented in strict accordance with the submitted Ecological Report (Royal HaskoningDHV, Ref I&BPB8160R001F001, Rev 001/Final, 24 May 2018).

Reason: In the interest of protecting reptiles, birds and the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C20 Prior to the occupation of the first dwelling a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall thereafter be implemented in accordance with the approved details prior to the occupation of the first dwelling, or on completion of the development, whichever is sooner, and retained and maintained in perpetuity.

In the interests of protecting the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C21 Prior to the commencement of development details of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the fire hydrants shall be implemented in accordance with the approved details.

Reason: In the interest of providing suitable fire appliance.

- C22 The plans and particulars to be submitted under Condition 1 shall show two storey dwellings only.

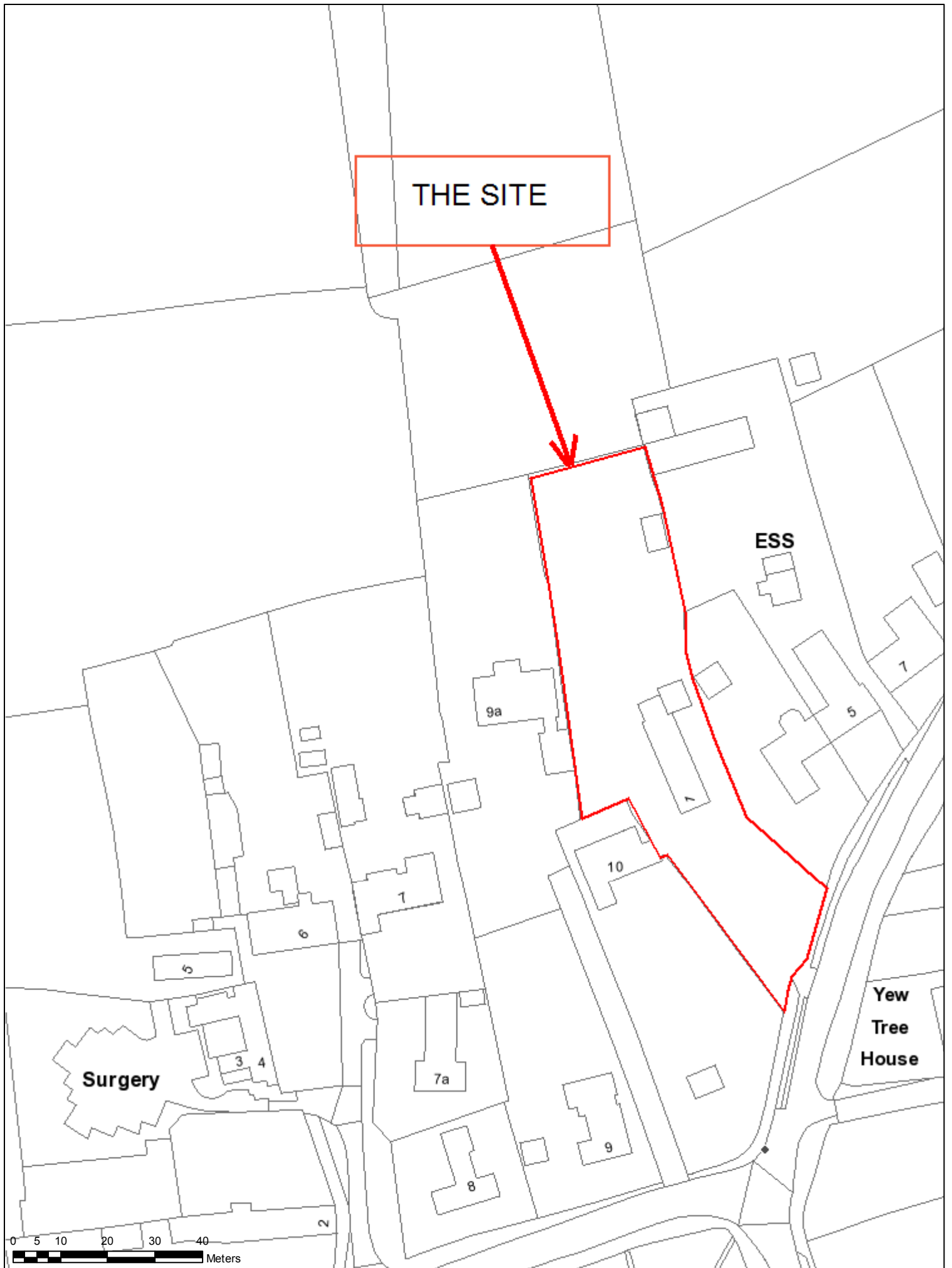
Reason: In the interest of protecting the amenity of adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

- C23 The development hereby approved shall be carried out in accordance with the following approved plans:

- A10-XX-01 Rev E – Site Location Plan

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

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Location plan - 18/01129/HHFUL - Mouse Cottage 1 North Fen Road

Scale 1:1,000
Print Date: 25/10/2018

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Item No. 2

Planning and EP Committee 6 November 2018

Application Ref: 18/01129/HHFUL

Proposal: Demolition of existing double garage and utility room, erection of two storey extension to east elevation, erection of double timber car port and store to front, extensions to barn to the rear of site

Site: Mouse Cottage, 1 North Fen Road, Glington, Peterborough
Applicant: Mr Ian Hopkins

Agent: n/a
Referred by: Glington Parish Council

Reason: Extension too large in relation to the house and Conservation Area, the forward positioning of the car port, the need for the barn works, inappropriate materials.

Site visit: 15.08.2018

Case officer: Mr Jack Gandy
Telephone No. 01733 452595
E-Mail: jack.gandy@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site comprises a detached property located within the Glington Conservation Area. The dwelling is an amalgamation of former cottages and has a building footprint that is perpendicular to dwellings within the surrounding area. As such, the principal elevation of the plot is east-facing. The linear plot allows for a sizeable rear garden, on-site parking provision and access. The form of the surrounding area indicates two storey detached properties located on large plots. There are Grade II Listed dwellings within the surrounding area, however, none of the adjacent neighbours are Listed buildings. The Grade I St Benedict's Church is located to the south of the application site.

Proposal

Planning permission is sought for the demolition of the existing flat roof double garage and utility room, the erection of a two storey side extension; a double carport building and store to the front of site, and the conversion and extension of the barn to the rear of site.

i) Two storey extension - The proposed two storey side extension would be constructed on the east elevation of the dwelling and would have an overall depth of 7.9 metres. The proposed front elevation would measure 4.3 metres in width. The highest point of the proposed roof would be 5.1 metres above ground level, with the eaves height on the frontage to be 3.6 metres high above ground level. The eaves height at the rear would measure 4.4 metres above ground level. Two dormer windows are proposed on the south roof slope, to serve 'Bedroom 1'.

ii) Single storey extension - The single storey extension to the rear of the two storey extension would project approximately 8 metres in depth. Its overall width is 6.7 metres, though this would narrow to 3.3 metres at its furthest rear point. A mono-pitched roof is proposed over the utility, hallway and kitchen, with a maximum height of approximately 4.1 metres above ground level and

2.4 metres to eaves height. A dual-pitched roof is proposed over the porch, with a ridge height of 3.3 metres and eaves height of 2.4 metres. Finally, the flat roof / first floor balcony over the remainder of the kitchen/patio area would measure approximately 2.2 metres above ground level.

iii) Car port - At the front of site, a double car port building with store is proposed. The car port would have an overall width of approximately 7.8 metres and a depth of 5.9 metres. The adjoining store would have a footprint measuring 3.3 metres by 3 metres. A pitched roof is proposed, with the ridge height measuring approximately 3.9 metres above ground level and the eaves height 2.7 metres. The proposed pitched roof of the store would be lower with a ridge height of approximately 3 metres above ground level, and eaves height of 2 metres.

iv) Barn extensions - The existing barn to the rear of the site is proposed to be extended to both the north and south.

- To the south, a timber structure (with 'open' sides) would project approximately 4.5 metres in depth and would measure 4 metres in width, to create a covered patio area. The proposed roof would be hipped, with an approximate ridge height of 4.4 metres and eaves height of 2.7 metres.

- To the north, a one and a half storey and single storey extension is proposed. This would have an overall depth of 10.3 metres and an overall width of 4.1 metres. At its shortest point, the width is proposed to be 3.5 metres. The proposed extension would provide a games room, bathroom and tractor store at ground floor. For the one and a half storey games room extension, the ridge height would measure approximately 5.6 metres above ground level, with an eaves height of 3.8 metres. The roof height then drops down to over the single storey tractor shed and bathroom extension, where the proposed ridge would drop down to 4.2 metres with eaves at 2.7 metres.

Revisions

- The originally submitted drawings of the proposed extensions and garage have been amended following advice from the Conservation Officer, along with corrections made to previous errors on the plans.

- The proposed tree survey has also been revised, following the advice of the Tree Officer, to accurately represent the tree works proposed.

2 Planning History

Reference	Proposal	Decision	Date
P0765/86/C	Extension to living room, conservatory, raising the roof and alterations	Permitted	06/10/1986
P179/71	Alterations to form 1 dwelling	Permitted	17/01/1972

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.

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.

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

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.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

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.

Peterborough Local Plan 2016 to 2036 (Submission)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered. Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

Supplementary Planning Documents

Design and Development in Selected Villages (2011)

- Glin 1 – Design
- Glin 2 – Materials
- Glin 3 – Architectural style
- Glin 5 – Rainwater goods
- Glin 6 – Chimneys
- Glin 7 - Design

4 Consultations/Representations

PCC Conservation Officer

No Objection - The proposed carport is styled as a cart shed and is of a subservient, ancillary character. Although it will be a prominent structure within the conservation area, the agricultural character of the building will be in keeping with the village character. There is a slight concern regarding the scale of the building, particularly its height. It is noted however that efforts have been made in its design to keep the height down and in conjunction with the positive design, acceptable colour and subservient materials there is no significant objection to this part of the proposal.

The amendments to the extension have reduced the ridge height and replaced the single larger dormer with two dormers. The reduction in the height of the proposed ridge to distinctly below the existing ridge height in conjunction with the two more proportioned and in keeping dormers create a more subservient appearance for the extension. Although there is a slight concern regarding the covered walkway of the proposals, it is accepted that this contributes to the subservient appearance through the contribution of more subservient materials, with the pantiles roof, and the reduction in clear views of the elevation.

As stated previously there is concern regarding the overall impact upon the non-designated heritage asset however it is accepted that the proposals do not overly detract from the buildings significance and with these amendments do not materially detract from the setting of the conservation area. There is now no objection to the proposals.

It is requested that conditions be imposed regarding

- Materials
- Loss of PD rights for the proposed carport

PCC Tree Officer

No Objection - Further to previous comments and revisions to the Tree Survey plan:

- It has been definitely stated that no trees will be removed to facilitate the proposal.
- Pruning to third party owned trees has been established. This pruning is anticipated to be light and in line with the common law rights of the applicant.
- There are no high value amenity trees onsite.
- As no tree protection has been identified this must be secured by condition if the application is successful.

It is noted that the tree survey plan still remains basic although it indicates the relevant information.

There is no objection to the proposal. To prevent unintentional damage to retained trees onsite and those immediately offsite, it is recommended that a condition is included for the submission and approval of a site specific Method Statement and/or Tree Protection Plan to BS5837:2012 Trees in relation to design demolition and construction - Recommendations methodology.

Glinton Parish Council

Objection - Glinton Parish Council consider the revised plans do little or nothing to address the concerns raised in the earlier email. It was also noted that the conservation officer originally stated:

"The proposed development will harm the significance of the Conservation Area and non-designated heritage asset through inappropriate development....."

In the opinion of the Parish council the revised proposals were insufficient to change that opinion. Glinton Parish council unanimously resolved to oppose the application and urge planning officers to refuse the application on the following grounds:

- The extension to Mouse cottage is too large in scale and destroys what was farm labourers cottages in the conservation area.
- The scale of the resultant building is not in keeping with existing building, or the neighbouring properties also in the conservation area.
- The proposed garage at the front of the building will dramatically alter the current street scene.
- Given the extent of the proposals for the house, there appears little justification for the extent of the works proposed for the barn (it was commented that any approval for the works to the barn should be with conditions that the barn was not to be used for residential or commercial purposes)
- The proposed materials and works are not compliant with the specific planning policies applicable to Glinton Conservation Area, in particular GLIN 1, GLIN 2, GLIN3, GLIN7 and GLIN10.

Parish council were made aware of the objections of the neighbour and are supportive of the neighbour in their legitimate planning objections.

Local Residents/Interested Parties

Initial consultations: 7

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

2 letters of objection were received from one local resident, they object to the application on the following grounds:

First round of consultation

- Existing tree survey - This plan fails to show the mature sycamore and conifer that is adjacent to the proposed north extension of the existing barn. The digging of foundations will most possibly compromise the root system of both. What protection is proposed to avoid this from happening?
- Proposed elevations - The proposed extensions and their size will alter the character of the existing building and the materials to be used are contrary to Village Design Guidelines Policies Glin 1/2/3/7/10.
- Proposed elevations (detached barn) - The proposed extensions should be constructed from materials as per Glin 2/3/10 and a heating element with a stackpipe chimney has been installed but it is not shown on the plans. If the development of the barn is to be permitted it should be conditioned that it is not to be used as residential annex.
- Proposed detached garage - The proposed materials are not common and are inappropriate to the village environment. In addition, as it is proposed to be in front of the existing property, it will be highly visible from North Fen Road. It is contrary to Policies Glin 1/2/3/7/10.

Second round of consultation

- The alterations do not deal with any of the points with regards to design, materials and requirements of the Conservation Area as per the original comments submitted. The neighbour reaffirms their opposition to the proposal.

5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding Glington Conservation Area
- Neighbour amenity
- Impact to trees

a) Design and impact to the character and appearance of the site and the surrounding Glington Conservation Area

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard be placed to the desirability of preserving Conservation Areas such as the Glington Conservation Area.

The dwelling is not listed but it is considered to be a non-designated heritage asset within the Glington Conservation Area given its history and design. Under the paragraph 197 of the National Planning Policy Framework (2018), the Local Planning Authority has a duty to have due regard to the scale of any harm or loss along with the significance of the non-designated heritage asset when considering proposals.

i) Extensions to dwellinghouse

The originally proposed extension was not considered by Officers to be sufficiently subservient to the main dwellinghouse, in terms of its design, height and scale. This was particularly in respect of the large single dormer window proposed, and the proposed ridge height which was proposed to be at the same height as the existing ridge of the main dwellinghouse.

Therefore, amended plans were received which reduced the ridge height to below that of the main house and which proposed two smaller dormers on the south elevation. The revised extension is considered to be more in keeping with the scale of the existing property. The proposed extension would have a width smaller than the width of the existing property (approximately 4.3 metres

proposed compared to the 5.5 metre width existing). In addition, the reduced ridge height is considered to further increase the subservience of the extension with the dwelling. With the proposed extension to be set approximately 13 metres back from the existing south-facing elevation of the property, it is considered that the proposal would respect the scale and proportions of the existing house. The proposed extensions would be set 36 metres away from the public highway, behind the line of No. 3 North Fen Road adjacent, therefore it is not considered that proposal would have an unacceptable impact upon the visual character and appearance of the surrounding Glington Conservation Area. The Conservation Officer has additionally advised that the proposed single storey extension to the north of the building would sit comfortably in relation to the heritage asset and therefore would not materially undermine the non-designated heritage asset.

With regards to the two proposed dormers, the Conservation Officer advises that dormers are common features of neighbouring dwellings and those within the wider area. The proposed dormers are considered to be of an acceptable size and scale in proportion with proposed extension and they would not detract from the character and appearance of this non-designated heritage asset.

Glington Parish Council do not agree with the Officer's views above and consider that the proposed extensions would be "too large in scale and would not be in keeping with the character of the of the former farm labourers cottages they would adjoin. They also consider the scale of the extensions would not be in keeping with the surrounding Conservation Area.

ii) Detached car port

The car port originally proposed was not considered by Officers to be acceptable, given that slate was originally proposed to its roof. This was not considered to be in-keeping with the dwelling's pantile roof. The plans were therefore amended to include a pantile roof to the car port.

Officers consider that the revised car port would have the character and appearance of a cart shed and as such would appear as a subservient and ancillary structure to the main residential character of the site. It is considered that its proposed external appearance, to be finished in black boards with red pantiles, would provide an appropriate agricultural character that would accord with the village character.

The proposed car port would be positioned near to the south-west side boundary of the site. This allows the south-facing elevation of the original property to be left visible and unscreened from the development. Whilst the proposed car port has a sizeable footprint, along with a 3.9 metre ridge, it is not considered that the scale of the proposed garage would be at odds with its setting, given the size of the plot and its side position in relation to the main dwellinghouse, which sits higher at 5.4 metres to its ridge.

Although there are hedges that surround the front garden of the application site, views of the car port would be possible from the street scene. At its nearest point, the proposed garage would be positioned approximately 22 metres from the public highway. This considerable distance is considered to sufficient to avoid any adverse impact upon the visual character and appearance of the site and the surrounding area.

To ensure the proposed design of the car port remains of an acceptable standard to reflect its agricultural character, the Conservation Officer recommends that the 'permitted development' rights are removed in relation to the installation of rooflights, the addition of any garage doors and 'filling in' of the front open elevations. This condition is considered necessary and reasonable to ensure the retention of the agricultural character of the outbuilding within its Conservation Area setting.

iii) Extensions to barn

Officers consider that the existing barn contributes positively to the character and setting of the

existing dwelling. However, due to its siting at the rear of site, its significance within the Conservation Area is limited as it cannot be appreciated from the public realm to the front of the site.

It is considered that the proposed extensions would respect the scale and proportions of the existing outbuilding as a result of the 'stepped' roof design proposed, which enhances the character of the original asset. As the outbuilding and proposed extensions would not be readily visible to view from the surrounding area, it is not considered that the proposal would result in any harm to the character and appearance of the surrounding Conservation Area street scene.

To ensure that the barn is to be used as planned and for purposes that would be ancillary to the main house and not for example, as a separate independent dwelling, a condition is recommended to limit the uses to those that would be ancillary to Mouse Cottage only.

In light of the above, Officers consider on balance that the application would be in accordance with Section 72 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP19 of the emerging Peterborough Local Plan (Submission Stage) (2018).

b) Neighbour amenity

There are four properties that share boundaries with the application site. These dwellings are No. 3 North Fen Road, No. 5 North Fen Road, No. 9A The Green and No. 10 The Green. The impact of the proposal to each dwelling has been assessed as detailed below.

i) No. 3 North Fen Road

The above dwelling is positioned to the east of the application site. There is approximately 15 metres between the existing side elevation of the application property and the above dwelling and 9 metres between the site boundary and the side elevation of No. 3 North Fen Road. No. 3 North Fen Road has a detached garage to its rear, served by an access between the side boundary and the dwelling. The garden to the rear of the neighbour is enclosed by an approximate 1.8 metre high stone boundary wall along with the pitched roof garage. It is considered that the separation between the proposal and the neighbouring dwelling and garden would be sufficient to avoid any adverse overbearing impact on this neighbour.

Furthermore, given the pitched roof garage serving No. 3 North Fen Road, the two metre high boundary wall between the private road and garden serving this neighbour and the roof height to the proposed single storey extension, it is not considered that the proposed 'balcony area' would gain clear views into the neighbouring rear gardens.

During later afternoon periods, there would be some level of shadowing within the boundaries of No. 3 North Fen Road. However, much of this shadowing would occur across the garage and the associated private road, both of which are not considered to be significant to the amenity of this adjacent neighbour.

ii) No. 5 North Fen Road

No. 5 North Fen Road is positioned to the east elevation of the immediate neighbour No. 3 North Fen Road. However, as its rear garden wraps around the boundaries of this neighbouring site, it also shares a boundary with the application site at the rear of the site.

The proposed extensions to the barn would follow a linear arrangement and would be parallel to the shared boundary of this neighbouring site at the north. The proposed extensions would be sited close to the neighbour's barn. However the barn at No. 5 North Fen Road has no habitable residential use. As such, it is not considered that the proposed barn extensions would cause any

unacceptable impact to the barn. Furthermore, it is not considered that the proposed works would be adversely harmful to the rear garden. Firstly, there are two trees on the boundary which would provide a level of screening to the rear area, limiting the proposal's impact across this neighbouring land. Secondly, to the rear of No. 5 Fen Road, there are two distinct garden areas: one directly behind the dwelling, the second is the space around the barn. It is considered that neither of these areas would be adversely affected by the proposed development and sufficient amenity would remain for this neighbour.

No windows are proposed into the east-facing elevation of the two storey rear extension. In addition, the proposed roof pitch to the mono-pitched single storey extension to the rear of the dwelling would screen views into the rear garden of No. 5 North Fen Road.

iii) No. 9A The Green

This detached dwelling is located to the north-west of site. The proposed double garage is to be located 36 metres to the south. Therefore it is not considered that this part of the proposal would result in any unacceptable impact upon this neighbour's amenity given the significant separation distance.

There are no window openings on the east-facing elevation of this neighbouring property. As such, with the brick boundary and vegetation along this boundary, it is not considered that the proposed extensions to the main house and barn would unacceptably impact upon the level of privacy to this neighbour. In addition, with the proposed extension to the barn to be positioned approximately 27 metres away from the dwelling, along with the extensions to the dwelling being approximately 21 metres away, it is not considered that any adverse levels of overshadowing or overbearing impacts would result for this neighbour.

iv) No. 10 The Green

No. 10 The Green is located approximately 17 metres south of the neighbouring property No. 9A The Green. This property sits forward of the front elevation of the application property, close to where the proposed double car port is to be sited. The proposed store that would adjoin the proposed car port would be positioned approximately 4 metres away from the side elevation of No. 10 The Green. An existing beech hedge is situated along the side boundary between the neighbouring property, its front garden and the proposed garage. The 3.9 metre ridge height of the car port outbuilding would be visible from the neighbouring property. However, given the positioning and orientation of the garage and its relationship with No. 10 The Green, it is therefore not considered that the impact from the proposed garage would be unacceptable.

Given that there are no windows proposed to this garage, it is not considered that the occupiers of No. 10 The Green would have their current level of privacy unacceptably reduced. Furthermore, with the proposed garage directly to the east of the neighbouring dwelling, shadowing would affect this neighbouring property during mid-morning periods only. It is therefore considered that given the short time frame of impact, that the proposed car port building would not result in a significant or unacceptable impact.

On the basis of the above, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (Submission Stage) (2018).

c) Impact on trees

The application site is located within a Conservation Area, where trees over a certain size are afforded a degree of protection in the interest of visual amenity.

No trees are proposed to be removed either on-site or to neighbouring land. However, the applicant has advised that pruning works are required to the neighbouring Sycamore tree that is

located east of the existing barn at the rear of site. As the trees are located within the Ginton Conservation Area, any works to them have to be identified within the plans. The original plans submitted did not show sufficient clarity in respect to the proposed tree works. Therefore amended plans were received to provide greater clarity on the exact nature of the tree works proposed.

The pruning works proposed would be carried out on the applicant's land. Although the tree affected is on neighbouring land, the applicant has common law rights to prune branches of neighbouring trees that overhang onto their land. Following re-consultation on these amended plans, the Tree Officer considers that the proposed tree works are acceptable on the basis that no trees are to be removed, there are no high value amenity trees, and that the proposed pruning works would be considered to be 'light' and in line with the common law rights of the applicant.

The Tree Officer advises however that before works can begin on-site, further details would need to be submitted to the Local Planning Authority to ensure that any unintentional damage is avoided to both on-site and immediately off-site trees. Such details would either include a method statement and/or tree protection plan which would advise on tree and root protection measures. These details are recommended to be secured via a suitably worded condition.

In light of the above, the proposal is therefore considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and Policy LP29 of the emerging Peterborough Local Plan (Submission Stage) (2018).

6 Conclusions

Subject to the imposition of the attached conditions, 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:

- On balance, the proposal would not unacceptably harm the character and appearance of the site (including the non-designated heritage asset) and the surrounding Ginton Conservation Area. The proposal is in accordance with Section 72 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP19 of the emerging Peterborough Local Plan (Submission Stage) (2018).

- It is not considered that the amenity of surrounding neighbours would be adversely impacted upon by the proposed development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (Submission Stage) (2018).

- The proposed development would not unacceptably impact upon the trees on-site or immediately off-site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and Policy LP29 of the emerging Peterborough Local Plan (Submission Stage) (2018).

7 Recommendation

The Case Officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Plan (Drawing number 417/01)
- Location Plan (Drawing number 417/02)
- Existing Elevations (Drawing number 002)
- Proposed Elevations (Drawing number 417/202 Revision A)
- Existing Ground Floor and First Floor Plans (Drawing number 417/001)
- Proposed Ground Plan (Dwelling) (Drawing number 417/100)
- Proposed First Floor Plan and Roof Plan (Drawing number 417/101-B)
- Existing Plan and Elevations of Barn Outbuilding (Drawing number 417/011)
- Proposed Plans and Elevation of Barn Outbuilding (Drawing number 417/125)
- Proposed Garage (Drawing number 417/105 Revision B)
- Existing Tree Survey (Drawing number 417/003)
- Tree Survey with proposed tree works (Drawing number 417/004 Revision B)

Reason: For the avoidance of doubt and in the interests of proper planning.

- C 3 No above ground development shall take place until details of external materials for the dwelling extensions, garage and barn extensions, hereby permitted; have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance against the non-designated heritage asset and within the Glinton Conservation Area, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 4 The garage; hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as No. 1 North Fen Road (Mouse Cottage) and shall not be occupied, leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling given its scale and siting and therefore this development is only acceptable as ancillary accommodation in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C 5 The barn and its associated extensions; hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as No. 1 North Fen Road (Mouse Cottage) and shall not be occupied, leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling because of its location, design and scale and therefore this development is only acceptable as ancillary accommodation in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C 6 Notwithstanding the provisions of Class C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no rooflights shall be constructed or fitted into the proposed roof of the detached garage outbuilding.

Reason: In order to preserve the agricultural character of the proposed outbuilding and the setting of the surrounding Glinton Conservation Area, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP19 of the emerging Peterborough Local Plan (Submission Stage) (2018).

- C 7 Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the vehicular parking areas shall remain open and shall not be filled in. The car port shall be maintained as such in perpetuity.

Reason: In order to preserve the agricultural character of the proposed outbuilding and the setting of the surrounding Glinton Conservation Area, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP19 of the emerging Peterborough Local Plan (Submission Stage) (2018).

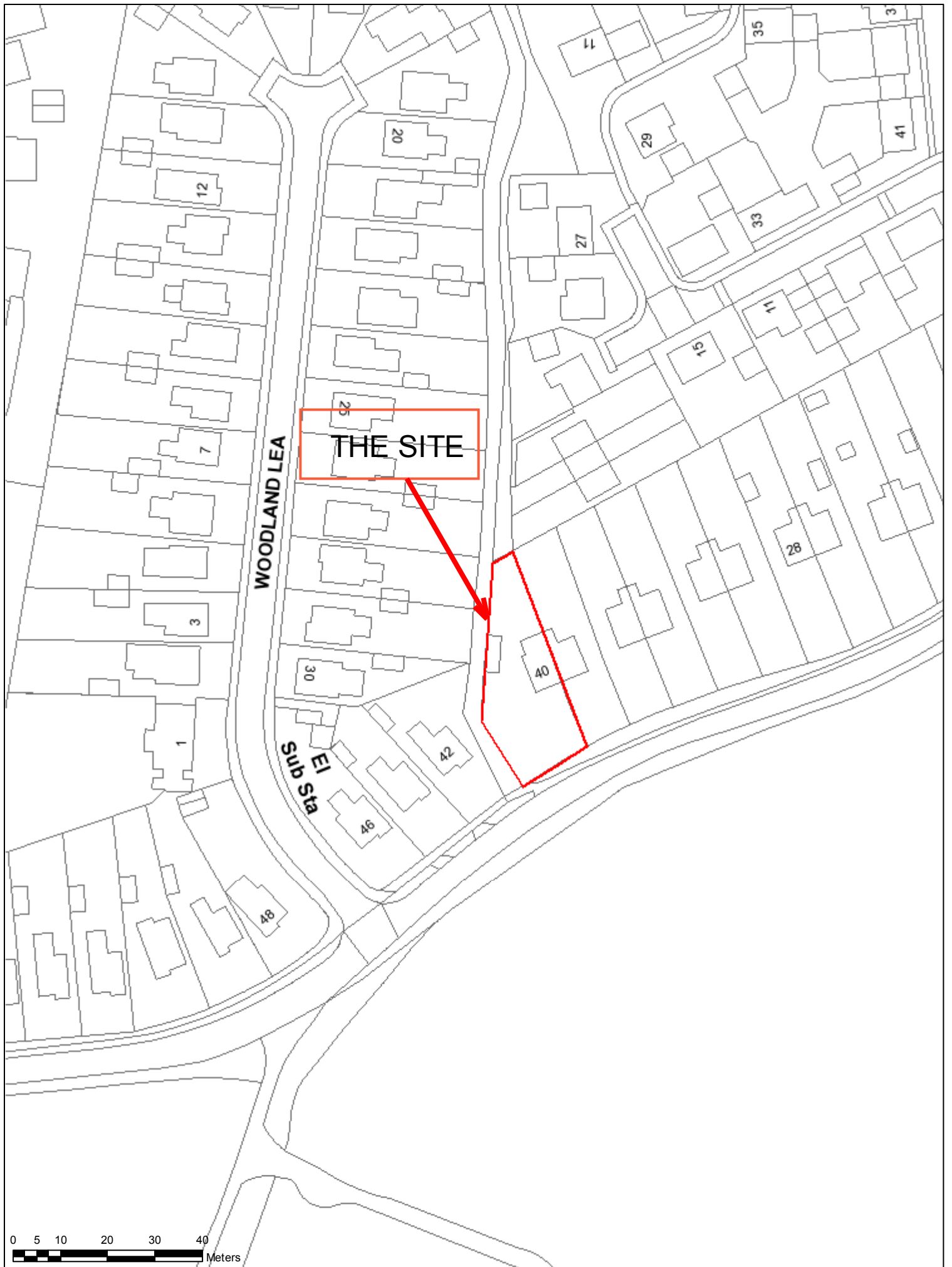
- C 8 Prior to works commencing on the application site (including soil stripping, preconstruction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until a site specific Method Statement and/or Tree Protection Plan to BS5837:2012 Trees in relation to design demolition and construction - Recommendations methodology has been submitted to and approved by the Local Planning Authority that identifies (not exclusively) the following:

- Trees to be retained and those to be removed;
- Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the application site;
- Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable);
- Details of facilitation pruning;
- Location for access, material storage, site office, mixing of cement, welfare facilities etc;
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees;

The scheme shall be implemented strictly in accordance with the agreed details/plans. The tree protection shall be erected according to the specification and locations shown on the agreed Tree Protection Plan. Signs will be placed on the tree protection emphasising that it is not to be moved, nor the area entered into until the end of development without written permission from the Local Planning Authority's Tree Officer.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition which is required to ensure no unintentional harm from the works affects any on-site or immediately off-site trees.

Copy to Cllrs Hiller and Holdich OBE



Location plan - 18/01495/HHFUL - 40 Broad Wheel Road

Scale 1:1,000
Print Date: 25/10/2018

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Planning and EP Committee

Application Ref: 18/01495/HHFUL

Proposal: Erection of single storey front and side extensions and erection of 1.8m timber fence to the front

Site: 40 Broad Wheel Road, Helpston, Peterborough, PE6 7EE

Applicant: Mr & Mrs Birch

Agent: Mr Scott Whight
Scott Whight Ltd

Referred by: Councillor Over

Reason: Applicant amenity grounds

Site visit: 14.09.2018

Case officer: Miss Sundas Shaban

Telephone No.: 01733 453504

E-Mail: sundas.shaban@peterborough.gov.uk

Recommendation: **REFUSE**

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

The application site comprises a two storey red brick built semi-detached dwelling located within the Helpston Village envelope. The property has a small porch addition to the front and a small single storey element to the rear. A small outbuilding is located at the far end of the rear garden. The property benefits from a wrap around garden with the majority of the land sitting to the side and front of the dwelling. The front garden has parking provision for several vehicles.

The street scene is made up of detached and semi-detached dwelling of similar size and appearance. The majority of the properties in this part of the street are identical in appearance and have been left untouched from the time they were originally built.

Proposal

The application seeks planning permission for single storey front and side extensions . It would project to the side by 5.8 metres and have a front projection of between 1.3 metres and 2.3 metres. The extension would have two gable ends to the front with a small recessed section in the middle. The overall height would be 5.1 metres (2.4 metres to the eaves). A new 1.80 metre high fence is also proposed.

All external materials are proposed to match the existing dwelling.

It should be noted that the proposal has been amended with the first floor element initially proposed now omitted.

2 Planning History

No relevant planning history.

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)

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.

PP13 - Parking Standards

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

Peterborough Local Plan 2016 to 2036 (Submission)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where

appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

PCC Tree Officer

No comments received.

The Woodland Trust

No comments received.

Forestry Commission

No comments received.

Peterborough Local Access Forum

No comments received.

PCC Rights of Way Officer

No comments

The Open Spaces Society

No comments received.

Ramblers (Central Office)

No comments received.

Helpston Parish Council

No objections.

Local Residents/Interested Parties

Initial consultations: 7

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No letters of representation have been received from local residents/interested parties.

5 Assessment of the planning issues

Design and impact on the character of the area

The applicant has advised that the proposed extension is required to accommodate disabled elderly parents who are going to live with them.

The general design principle for extensions is that they should to be subservient to the dwelling which they relate. For side extensions this is normally achieved by setting the extension back from the front elevation of the main dwelling, and by ensuring that is of a proportional width to the existing dwelling, so as not to dominate it.

The initial proposal was not considered acceptable it did not meet the above requirements.. The proposal has since been amended to omit the first floor element. Whilst this alleviates some of Officers concerns, the proposal is still considered to be unacceptable from a design perspective.

It is considered that at 5.8 metres wide the proposed extension would be overly wide in relation to the existing house which is about the same width. This combined with the proposed forward projection incorporating two gables which are not a characteristic of the property design, along with the size/massing of the roof which would have a maximum height of 5.1 metres, would result in a substantial extension which is not subservient to the existing property and one which is considered to be unacceptable in design terms. The proposed extension given its size and massing would dominate the existing property along with the adjoining semi detached property. It would appear as 'bolt on' feature, largely as a result of the front projections and twin gables. As such it would be out of keeping with the design of the neighbouring properties (which are all of a similar appearance) and appear incongruous within the streetscene, notwithstanding the set back from the road. As such the proposal would be visually harmful to the appearance of the dwelling and the surrounding street scene, .

In addition to the unacceptable design, and whilst each application has to be considered on its own merits, there is also a concern that the plot may be subdivided in the future with the proposed extension used as a separate independent unit given it does not have any reliance on the existing house The initial proposal included a second kitchen. The revised proposal does not show a second kitchen, however the space for the kitchen is still maintained therefore a kitchen could easily be installed. Subdividing the plot would result in unacceptable impact on the character of the area would result in a semi-detached dwelling becoming terraced.

The need for the applicant to create space for elderly parents is noted and it is considered that there is scope to extend the property. However the extension does need to be designed to ensure that it sits comfortably with the existing property and the wider streetscene. Officers are happy to work with the applicant to find an acceptable solution. Suggestions have been made to the applicant as to how this would be accommodated in a way which would achieve an acceptable design, however the applicant has asked for the current proposal to be determined.

The application also includes a new section of 1.80 metre high fencing to the front. The fence would be well set back from the road and as such there are no concerns with this aspect of the scheme.

As such the proposal is considered to result in unacceptable impact on the host dwelling as well as the character, appearance or visual amenity of the surrounding area, contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the emerging Peterborough Local Plan (2018).

Neighbour amenity

The nearest neighbour affected by the proposal is to the south-west (no.42) The proposed extension would be located at least 10 metres from this neighbours boundary given there is a

public footpath separating the two dwellings. This distance is considered sufficient as to not result in overbearing impact or unacceptable overshadowing on this neighbour.

With regards to the attached neighbour to the north-east the majority of the proposed extension would be blocked by the presence of the existing two storey dwelling. Only the front projecting elements would be visible to this neighbour. The nearest part would be located approximately 3.5 metres from the shared boundary with this neighbour. This separation distance is considered acceptable given the elements visible to this neighbour would only stand at 3.4 metres height (2.4 metres to the eaves) with the roof facing away from the neighbour, thereby further reducing the impact.

Given the above the proposal is not considered to result in unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (2018).

Parking

The site benefits from a very large front garden which can accommodate several vehicles. The proposal would result in the creation one more bedroom, however the parking requirement on the site would not increase and sufficient off-street parking would be retained

As such it would not result in any unacceptable impact on the nearby public highway, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (2018).

6 Conclusions

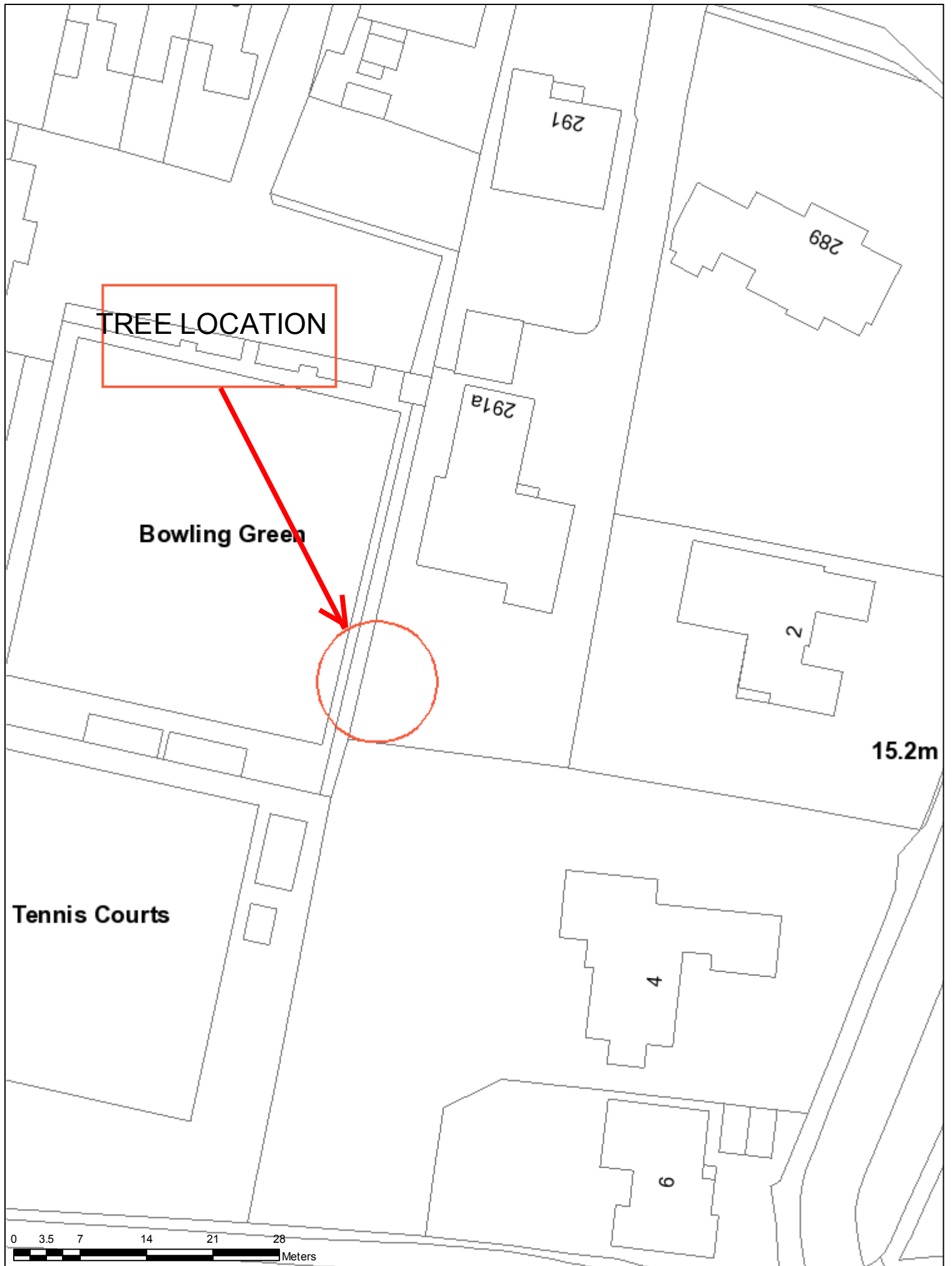
The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED**

- R 1 The proposed side and front extensions would, by reason of their width, front projection including gables and overall size/massing of the roof result in an unacceptable design which would dominate the existing property and appear incongruous, failing to respect the character, visual appearance and proportions of the host property, adjoining semi detached and the surrounding area. The extensions would be clearly visible in the public realm, to the visual detriment of the property and the wider street scene. As such the proposal would be contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies (2012) and Policy LP16 of the Emerging Peterborough Local Plan (2018).

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Tree Location plan - 18/00002/TPO - 291A Thorpe Road



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Reference: 18/00002/TPO

Proposal: Confirmation of Tree Preservation Order 18/00002/TPO

Site: 291A Thorpe Road, Peterborough, PE3 6LU

Site visit: 23.07.2018

Case officer: Mr Bryan Clary
Telephone No. 01733 453465
E-Mail: bryan.clary@peterborough.gov.uk

Recommendation: **CONFIRM** Tree Preservation Order 15/00001/TPO

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

Purpose of Report

A provisional Tree Preservation Order (TPO) 18/00002/TPO at 291A Thorpe Road, Peterborough, PE3 6LU has been served following a 211 Notification (17/02082/CTR) requesting the removal of t1 Sycamore. The provisional TPO has been the subject of public consultation and as an objection was received, the Committee are required to determine the application in accordance with para 2.6.2.2 (f) of the Council's Constitution.

The main considerations are:

- Is the tree worthy of inclusion into a TPO in terms of public visual amenity value?
- Is the proposal reasonable and justified having regard to the objections raised?

The Director of Growth and Regeneration recommends that the TPO is CONFIRMED

Site and Surrounding

The Sycamore is in the rear garden of 291A Thorpe Road, immediately adjacent to the boundary with Longthorpe Bowling Green to the west.

Description of the Tree

T1 Sycamore. Mature although relatively small for its age and species. The structure of the primary unions and limbs appear sound and is physiologically the tree is in good condition. The only pruning of note is that of historic crown lifting works where branches overhung the bowling green, however, these do not diminish the value of the tree. The overall crown shape is weighted towards the garden but this is not a concern from a structural point of view.

2 Planning History

Relevant Planning History

17/02082/CTR proposed the felling of the Sycamore. As a direct result 17/00001/TPO was served to prevent the tree's removal. An objection to the TPO was received prior to confirmation (albeit outside of the objection period). To provide the land owner a fair objection 17/00001/TPO was not confirmed and the TPO was reserved as 18/00002/TPO.

An objection to the serving of 18/00002/TPO has been received by the land owner Ms Kelly Olsen.

3 Planning Policy

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

- Town and Country Planning Act 1990, Section 198 states
198.— Power to make tree preservation orders
(1) If it appears to a local planning authority that **it is expedient in the interests of amenity** to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.
- The Town and Country Planning (Tree Preservation) (England) Regulations 2012

4 Consultations/Representations

Objection

An objection to the TPO was received 10 June 2018 from the resident of 291A Thorpe Road (Ms Kelly Olsen) by email and later by letter. An email in response was sent by Bryan Clary (PCC Tree Officer) with final objection points being received by email 03 August 2018. This email trail can be found at **Appendix 1**. The six main points of the objection email are outlined below:

Objection 1: T1 Sycamore produces excessive nuisance from seedlings, leaves, honeydew and other seasonal nuisances. In addition, it is questioned why there is a change of stance by PCC given that previous pruning over Longthorpe Bowling Green has resulted in a lopsided crown.

PCC Response 1: The seasonal nuisances are noted particularly the seedlings in the spring and greenfly in the summer. However, the issues stated are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO. The issues raised are characteristics of all trees and are considered a reasonable 'nuisance'. This train of thought is in line with PCC's Tree and Woodlands Strategy and how PCC manages its own tree stock with regard to public complaints on these matters.

With regard to previous pruning it appears historic and there is no record of a request from the Bowling Green to prune back to their boundary line. It is noted that the Bowling Green are currently aware of their obligations (given that the LPA have received a 211 Notification from them this year). However, the lopsided crown does not detract from the amenity nor makes it structurally unsafe.

Objection 2: The Sycamore is not a native tree.

PCC Response 2: The species of tree or its origin is not relevant under the TPO legislation. As the tree meets the TPO assessment criteria it does not matter what the species is.

Objection 3: Shading by the tree – it blocks the sun from the garden during the afternoon, particularly on the patio.

PCC Response 3: As per response 1. Shading and other seasonal nuisances are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO

Objection 4: The overall public amenity of T1 Sycamore is questioned. The tree is not visible as stated from the playing field to the south when the trees are in leaf. The public amenity of the tree is also questioned particularly from the Longthorpe Memorial Hall Play Area.

PCC Response 4: Please refer to photographs at Appendix 3. T1 Sycamore can be seen from the playing field to the south where it breaks the skyline – see Plate 1. This view has been increased since the removal of a Sycamore in the Bowling Green. In addition, T1 Sycamore can be seen from within the publicly accessible Play Area that is managed by PCC – see Plates 2, 3 and 4. Overall, there are strong views of T1 Sycamore and there is no question of its public amenity.

Objection 5: The safety of T1 Sycamore is questioned with regard to its proximity to the dwelling at 291A Thorpe Road especially in severe weather and given the crown of the tree is weighted towards the garden/dwelling.

PCC Response 5: The tree does not appear to be unsafe and is in good condition. The LPA would be minded to approve future applications to lightly prune the tree from the dwelling to create adequate clearance. In addition, it is worth mentioning that it is likely that the development of the property was undertaken with the tree in mind so risks other than tree failure would have been mitigated within the design e.g. foundation depth.

Objection 6: The tree is too big for the size of the garden and therefore is inappropriate. Furthermore, of the tree in relation to the garden the Sycamore makes up 75% of the garden length (boundary next the Bowling Green) and 35% of the garden width. The Sycamore would be replaced with an appropriately-sized native species.

PCC Response 6: The tree is relatively small for the species and in my opinion will not grow significantly larger given its maturity. It is more likely to grow at a slow incremental rate and consolidate its current form. As such a crown reduction of any sort would be counterproductive as it would result in a vigorous, dense regrowth, ruin the aesthetics and branching architecture of the tree and make the tree less safe due to decay and pathogens. It is therefore argued that the tree is in proportion to its garden setting. However, whilst there will be an element of future growth there would be no objection from the LPA to crown lifting and a light prune over the garden if a future application was received.

The replanting of a new tree would be welcomed, however, it is maintained that current tree is appropriate for its location.

5 Assessment of the planning issues

Assessment of T1 Sycamore

Local Authorities within the best practice guidance 'Tree Preservation Orders – A Guide to the Law and Good Practice' are encouraged to develop systems to appropriately assess trees to ensure that the serving of TPOs is transparent and open to scrutiny. At PCC an assessment criteria has been developed which in its first section assesses the public amenity and the value a tree holds and later assesses the quality of the tree.

An evaluation of T1 Sycamore was made and the tree is assessed as having sufficient amenity value although it is noted that this is only 'sometimes' and the tree is not prominent. The tree is healthy has a life expectancy and likely contribution of at least 20-40 years. The loss of the tree

would have had a negative impact on the immediate landscape as it is one of only a few trees in the immediate area that has good longevity.

It is noted that another tree (also a Sycamore) within the Bowling Club has been given consent to be felled under 18/00891/CTR on the basis that it was low quality and did not possess the longevity of the tree subject to this objection.

TPO serving procedure

17/00001/TPO was served as a direct result of the 211 Notification 17/02082/CTR that requested the removal of T1 Sycamore. The LPA had six weeks to decide whether or not T1 Sycamore Tree merited a TPO. If the TPO had not been served the result of the notification would have been consent to remove the tree.

An assessment was made to see if T1 Sycamore Tree was worthy of TPO, it subsequently passed, therefore 17/00001/TPO was served but not confirmed due to a late objection from the landowner. The second TPO 18/00002/TPO is identical to the first TPO but has allowed the land owner to lodge an objection within the appropriate timeframe.

Ms Kelly Olsen's Objections

Ms Olsen's objections are concise and logical. However, the objections outlined above do not detract from the fact that T1 Sycamore Tree has sufficient amenity value, is in good condition, has reasonable longevity and is worthy of a TPO.

T1 Sycamore Tree was under threat of removal and the LPA took steps by serving a TPO to prevent the trees removal. Ms Olsen within her objection comments still states that she wishes to remove the tree therefore T1 Sycamore would be under threat and most likely removed if the TPO is not confirmed.

The issues that Ms Olsen has forwarded with regards to the nuisances that T1 Sycamore create are noted but these are no more than other protected trees within the City. With regard to the proximity of the tree to the dwelling there is currently adequate clearance and this can be maintained if necessary by pruning. The presence of a TPO will not prevent reasonable and appropriate tree management and pruning such as crown lifting and a minor crown reduction over the garden has been discussed in principle.

Overall, the objections do not detract from the amenity or longevity that T1 Sycamore Tree offers.

6 Conclusions

T1 Sycamore Tree is a mature and attractive tree. It is in good health and conservatively has 20-40 years lifespan. The tree makes positive contribution to the amenity value of the area.

The proximity of the Sycamore Tree to the dwelling at 291A Thorpe Road is not deemed a major concern and with regard to shading and seasonal nuisances these are no more than to be expected by any other tree subject to a TPO and therefore are not considered appropriate reasons for the tree's removal.

7 Recommendation

The Director of Growth and Regeneration recommends that Tree Preservation Order 18/00002/TPO is confirmed.



Bryan Clary <bryan.clary@peterborough.gov.uk>

Objection to TPO 02/2018

1 message

Bryan Clary <bryan.clary@peterborough.gov.uk>
To: bryan.clary@peterborough.gov.uk

26 October 2018 at 13:00

----- Forwarded message -----

From: **Kelly Olsen**
Date: Fri, 3 Aug 2018 at 10:00
Subject: Re: Objection to TPO 02/2018
To: Bryan Clary <bryan.clary@peterborough.gov.uk>

Dear Bryan,

Thank you for coming round the otherday and taking the time to explain the process and TPO, please see below my responses to your email (marked as KO:). I would like to continue my objection to the TPO, please advise on next steps.

Best regards,

Kelly Olsen

Further to our onsite conversation last week I asked you to reconsider your objection to Tree Preservation 02/2018 served 15 June 15 2018 on T1 Sycamore at [291A Thorpe Road, Peterborough](#). As may recall I explained that the objection will be heard at planning committee and that they will have the final decision on whether or not the TPO is confirmed.

The 211 Notification 17/02082/CTR requested the removal of the Sycamore and a TPO was served on the basis that it has sufficient amenity and longevity to be a component of the local landscape now, and in the foreseeable future. Your objections are noted and I respond to each of them in turn:

1. Seedlings, leaves, honeydew and other seasonal nuisances - These points are noted. However, the issues stated within the objection and discussed onsite are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO. These are all characteristics of trees and are considered a reasonable 'nuisance'. This stand is also in line with our Tree and Woodlands Strategy and how we also manage our own tree stock with reagrd to public complaints on these matters.

KO: This tree has been pruned significantly before and was not under a TPO then, so why is this different now? The tree has grown a lot one side (i.e. not over the neighbour's side, the bowling green) and is 'lopsided' The tree also takes up 75% of the garden (length along back garden fence) and the branches cover approx. 35% of the garden (width), this is inappropriate for a garden tree and adds to points 2 & 3 below in that it is not native and should be in large open areas not in medium sized gardens.

In addition, the tree attracts large numbers of greenfly, these also enter our bedroom (master bedroom) as the branches of the tree are very close to the windows, this is significant in the hot summer months and has meant we have had to keep the windows closed, this is not acceptable and creates severe discomfort.

2. The Sycamore is not a native tree - This is irrelevant under the TPO legislation. If the tree has public amenity it does not matter what its species is.

3. Shading of the garden - Shading and other seasonal nuisances are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO.

4. Limited public amenity - It is acknowledged that the tree cannot be seen from Thorpe Road to the north. However, the tree can be clearly seen from the playground to the south and west of your property.

KO: The bowling green has a gate that leads onto a path for access to it and a small part of this is aligned with the children's play area, it is opposite the play area, not an integral part and the play apparatus is mainly around the corner from this path. I would argue that this statement above is spurious and the tree does not constitute any form of public amenity and I have never seen anyone standing at this gate looking at the green, trees or anything else.

5. Safety of the tree with regard to its proximity to the dwelling at 291A Thorpe Road - The tree does not appear to be unsafe and is in good condition. There would be no objection to any future applications to lightly prune the tree from the dwelling.

KO: I am still concerned about severe weather with the proximity of this tree to the house, not in that the tree will fall down, but branches could and given that the tree has been heavily pruned one side it has spread out with branches, as stated above very close to the house and upstairs windows.

6. Size of the tree in relation to the garden - The tree is relatively small for the species and in my opinion will not grow significantly larger given its maturity. It is more likely to grow at a slow incremental rate and consolidate its current form. As such a crown reduction of any sort would be counterproductive and not recommended. I believe the tree is in proportion to its garden setting. However, whilst there will be an element of future growth there would be no objection to crown lifting and a light prune over the garden if an application was received.

KO: The tree, in relation to the size of garden is inappropriate as stated above, its spread and the percentage of garden it covers is significant, as stated above. Sycamores are not appropriate for medium sized gardens. We would like to replace this tree with an appropriately-sized native species. Given that young tree growth is beneficial for the environment, more so than existing trees we believe this would be more beneficial.

On 2 August 2018 at 17:32, Bryan Clary <bryan.clary@peterborough.gov.uk> wrote:

Kelly

Further to our onsite conversation last week I asked you to reconsider your objection to Tree Preservation 02/2018 served 15 June 15 2018 on T1 Sycamore at [291A Thorpe Road, Peterborough](#). As may recall I explained that the

objection will be heard at planning committee and that they will have the final decision on whether or not the TPO is confirmed.

The 211 Notification 17/02082/CTR requested the removal of the Sycamore and a TPO was served on the basis that it has sufficient amenity and longevity to be a component of the local landscape now, and in the foreseeable future. Your objections are noted and I respond to each of them in turn:

- 1. Seedlings, leaves, honeydew and other seasonal nuisances** - These points are noted. However, the issues stated within the objection and discussed onsite are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO. These are all characteristics of trees and are considered a reasonable 'nuisance'. This stand is also in line with our Tree and Woodlands Strategy and how we also manage our own tree stock with regard to public complaints on these matters.
- 2. The Sycamore is not a native tree** - This is irrelevant under the TPO legislation. If the tree has public amenity it does not matter what its species is.
- 3. Shading of the garden** - Shading and other seasonal nuisances are not sufficient reasons to severely prune or remove trees that are subject to, or are worthy of a TPO.
- 4. Limited public amenity** - It is acknowledged that the tree cannot be seen from Thorpe Road to the north. However, the tree can be clearly seen from the playground to the south and west of your property.
- 5. Safety of the tree with regard to its proximity to the dwelling at 291A Thorpe Road** - The tree does not appear to be unsafe and is in good condition. There would be no objection to any future applications to lightly prune the tree from the dwelling.
- 6. Size of the tree in relation to the garden** - The tree is relatively small for the species and in my opinion will not grow significantly larger given its maturity. It is more likely to grow at a slow incremental rate and consolidate its current form. As such a crown reduction of any sort would be counterproductive and not recommended. I believe the tree is in proportion to its garden setting. However, whilst there will be an element of future growth there would be no objection to crown lifting and a light prune over the garden if an application was received.

Please can you take this opportunity to review the comments above and take into account our discussion. I therefore ask you to reconsider your objection to the TPO.

I am happy to receive further comment although if you wish to still pursue the objection I will arrange a date for the next available planning committee. It may be helpful if you talk to an independent arboricultural consultant if you wish to seek third party clarity on the issue. Otherwise, I am happy to answer any queries.

I look forward to hearing from you

Regards

Bryan Clary
Tree Officer

Natural & Historic Environment Team
Sustainable Growth Strategy
Peterborough City Council
Town Hall , Bridge Street
Peterborough PE1 1HF

Email: bryan.clary@peterborough.gov.uk
Tel: 01733 453465
Mobile: 07920 160206

To find out more about Peterborough City Council please go to: www.peterborough.gov.uk

Please consider the environment before printing this email

We are moving.....

The Planning and Building Department is relocating to Fletton Quays on the 11 August 2018. From this date our new address will be:-

Sand Martin House

Bittern Way

Fletton Quays

Peterborough

PE2 8TY

Our email addresses will remain unchanged.

Please note that the Office will be closed on Friday 10 August and Monday 13 August to allow for the move. We expect to reopen on Tuesday 14 August.

On 12 June 2018 at 09:54, Planning Appeals Mailbox <planningappeals@peterborough.gov.uk> wrote:

----- Forwarded message -----

From: **Kelly Olsen**
Date: 10 June 2018 at 22:31
Subject: 17/02082/CTR
To: planningappeals@peterborough.gov.uk

DearSirs,

I would like to appeal the above decision. When we applied for permission we were completely unaware that this might lead to a TPO and this may have changed our approach had we known. I would like to appeal based on the following reasons:

We would like to appeal the decision regarding the felling of the sycamore tree for the following reasons:

- The tree sheds seeds and other pods/buds all year round and this creates lots of issues with the other plants in the garden as well as creating a massive re-seed during the winter where we have to daily stop new seedlings growing (there are many 1000s of these) both on the lawn and in the borders
- Sycamore is not native to the UK and we would look to plant a native tree that would be fast growing
- The tree blocks all of the sun from the garden during the afternoon, particularly where the patio has been built and the garden furniture is situated
- The tree is not visible, as suggested, from the playing field during the summer months when the other trees are in bloom and we do not believe that anyone would be adversely affected by the removal of this tree
- We are very concerned as to how close large branches are to the house as the tree is only growing out over our property (the other side of the tree has been severely cut back and this must have been done a while ago as this hangs over a lawn bowling green)
- The tree spreads across a quarter or more of the lawn

Best regards,

Kelly Olsen

[291a Thorpe Rd](#)

[Peterborough](#)

[PE3 6LU](#)

--

Technical Services

Planning and Building Control

Growth and Regeneration Directorate

[Peterborough](#) City Council

Town Hall

Bridge Street

[Peterborough](#)

PE1 1HF

Email: planningappeals@peterborough.gov.uk

Telephone 01733 453413

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Kelly Olsen

TREE PRESERVATION ORDER ASSESSMENT FORM

Site address and parish: 291A Thorpe Road (Longthorpe Parish)	
Location in property: Rear garden	
Tree species: Sycamore	
Map ref:	SCORE: 64
Inspected by: Bryan Clary	Date: 13.12.17
<p>Mature. Located <1m from the boundary. The Sycamore contributes to the local landscape and is one of the better quality trees with good long term potential compared to others in the vicinity. The tree is in good overall condition and is relatively small for the species. It is noted that tree works have been undertaken on the bowling green side of the crown, however, they do not diminish the value of the tree. No defects were noted nor were there any requirements noted for extensive tree surgery now or in the future. The only tree works that are possible in the future may be a reduction from the dwelling and crown lifting.</p>	

In order to set a standard for the Tree Preservation Order assessment, the trees importance/visibility must be judged taking account of the factors which increase the trees desirability for inclusion, and areas of potential conflict associated with the built environment.

It is suggested that the use of half points is used to increase accuracy and balance where categories do not quite match.

Only Complete Section 2 when assessing a group.

If the tree scores less than 7 in Section 1 or 2, question the reason for making the Order.

If the tree is marked as 'No' in Item 1.1, 'Extensive' in Item 3.4 or item 3.9, or 'High' in Item 3.14 or item 4.4, the tree should not be scheduled for a TPO unless there are extenuating circumstances.

In Item 3.10 the size of the tree should be judged according to the average for the species.

If the trees score less than 25 in Section 3 question the reason for making the Order.

To be considered for a TPO the score should be at least 50 points, the exception being a tree of historic interest or a tree recognised as a key feature in the area.

Trees being assessed as a group should score at least 56 points.

See over for assessment form

Prior to assessing the tree(s) health it would be prudent to judge if the tree(s) should be assessed as a single specimen or a group.

Individual

Does the trees merit protection as individual specimens in their own right? Yes ■ No □

Group

Does the overall impact and quality of the trees merit a group designation? Yes □ No □

Would the trees reasonably be managed in the future as a group? Yes □ No □

Woodland

Does the woodland form an area greater than 0.1 hectare? Yes □ No □

Would normal silvicultural management principles reasonably be applicable?

Does the woodland currently contain regeneration and a Ground flora? Yes □ No □

Does the woodland form part of a garden? Yes □ No □

Area

Does the area comprise scattered individual trees? Yes □ No □

Is the area classification warranted as an emergency measure? Yes □ No □

Is the area designation intended as a temporary measure Pending future reclassification? Yes □ No □

Do all trees/species merit inclusion? Yes □ No □

Landscape function

- Landmark tree(s) □
- Skyline ■
- Road frontage □
(trunk, principal, classified, unclassified)
- Backdrop ■
- Glimpses between properties or through gateways ■
- Filtered views ■
- Screening/buffering ■

Visual Prominence

- Conurbation □
- Neighbourhood, estate, locale □
- Site and immediate surroundings ■
- Value restricted to site □

Tree/Group		3	2	1	Score	Notes
Visual Amenity						
1.1	Seen by the general public	Easily	Sometimes	No	3 2 1	
1.2	Presence of other 'local' trees	< 4	< 10	> 10	3 2 1	
1.3	Visual impact close by	High	Average	Low	3 2 1	
1.4	Visual impact at a distance	High	Average	Low	3 2 1	
Visual Impact as a group						
2.1	Group quality close by	Good	Moderate	Poor	3 2 1	
2.2	Group quality at a distance	Good	Moderate	Low	3 2 1	
2.3	Group impact at a distance	Great	Moderate	Low	3 2 1	
2.4	Group impact close by	Great	Moderate	Low	3 2 1	
Group quality/impact should take account of the health, vigour, character and interdependence of all the relevant trees						
Tree Health Considerations						
3.1	Visual health at a distance	Good	Moderate	Poor	3 2 1	
3.2	Visual health close to	Good	Moderate	Poor	3 2 1	
3.3	Main stem structure	Good	Moderate	Poor	3 2 1	
3.4	Cavities	None	Some	Extensive	3 2 1	
3.5	Forks	Good	Average	Weak	3 2 1	
3.6	Main branch structure	Good	Average	Poor	3 2 1	
3.7	Extension growth	Good	Average	Poor	3 2 1	
3.8	Foliage condition	Good	Average	Poor	3 2 1	
3.9	Fungi present	None	Minor	Extensive	3 2 1	
3.10	Tree species/size comparison	Large	Average	Small	3 2 1	
3.11	Maturity	SM/Mat	F Mature	O Mature	3 2 1	
3.12	Past management	Appropriate	Average	Inappropriate	3 2 1	
3.13	Life expectancy	> 40 years	< 40 years	< 10 years	3 2 1	
3.14	Future maintenance	Low	Average	High	3 2 1	
3.15	Future visual impact	High	Average	Low	3 2 1	
Impact considerations						
4.1	On the highway	Low >12m	Mod <12m	High <6m	3 2 1	
4.2	On the services	Low >12m	Mod <12m	High <5m	3 2 1	
4.3	On a wall	Low >12m	Mod <12m	High <5m	3 2 1	
4.4	On a building	Low >30m	Mod <30m	High <6m	3 2 1	
The harmony of the tree and its surroundings (size, growth rate, shade and past ground works) at the time of inspection may add or deduct .5 of a point						
Special Interest Factors						
5.1	Rarity of the species	Rare	Moderate	Common	3 2 1	
5.2	Species rarity for the local soil	Rare	Moderate	Common	3 2 1	
5.3	SSSI	> One	One	None	3 2 1	
5.4	Historic interest	Great	Moderate	None	3 2 1	
5.5	Other factors	> One	One	None	3 2 1	
6	Total Score (50 or 56 required)				64	

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Photographs







T1 Sycamore



T1 Sycamore

TOWN AND COUNTRY PLANNING ACT 1990

291A Thorpe Road

Tree Preservation Order 18/00002/TPO

The Council of the City of Peterborough, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

1. Citation

- (1) This Order may be cited as 291A Thorpe Road Tree Preservation Order (18/00002/TPO).

2. Interpretation

- (1) In this Order “the authority” means the Council of the City of Peterborough
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

3. Effect

- (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

4. Application to trees to be planted pursuant to a condition

- (1) In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 15 JUNE 2018

The Common Seal of Council of the City of Peterborough was affixed to this Order in the presence of:

Col. Pices

Authorised by the Council to sign in that behalf



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Sycamore (<i>Acer pseudoplatanus</i>)	E516469 N298286

None

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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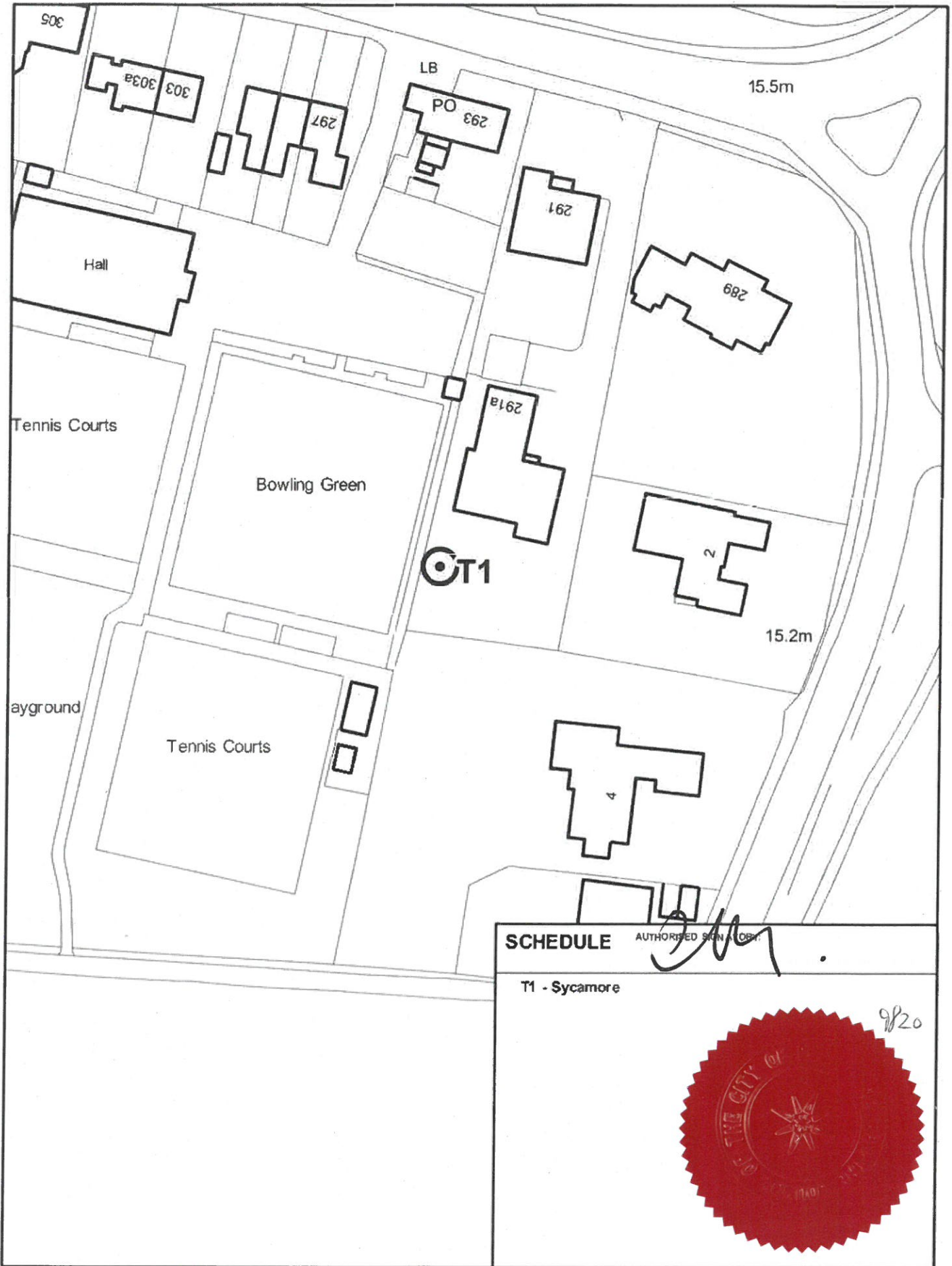
None

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None



TREE PRESERVATION ORDER 18/0002/TPO
291A Thorpe Road

Scale 1:750 **Date 13/06/2018** **Department Serco GIS Support** **Name DB** **PCC GIS**



PETERBOROUGH

CITY COUNCIL

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