

Item No. 1

Planning and EP Committee

Application Ref: 18/01901/FUL

Proposal: Conversion of annex to separate dwelling

Site: 333 Thorpe Road, Peterborough, PE3 6LU,
Applicant: Mr Cereste

Agent: ARC Survey & Design Consultants Ltd
Site visit: 12.12.2018

Case officer: Mr M A Thomson
Telephone No. 01733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site comprises a large detached outbuilding with walls constructed out of coursed rubble and a pantile roof, situated within the grounds of Longville Tower and Tower House, both of which are Grade 1 listed buildings. The ground floor of the outbuilding is mainly used as a billiards room with w/c and downstairs study / bedroom, and the first floor is used as a bedroom with a bathroom. The outbuilding is for all intents and purposes a self-contained annex serving Tower House.

The annex has two north facing dormer windows and a single south facing dormer window serving a first floor bedroom. The northern dormers are non-openable; there is no glazing and the external shutters are for decoration only. The southern dormer is fitted with obscure glazing. There is a south facing roof light and a window serving the first floor bathroom, which looks towards Tower House.

To the immediate south of the annex is an open air swimming pool also serving Tower House, with a large detached thatched cottage beyond (325 Thorpe Road). To the west and north is a detached two storey (335 Thorpe Road) and single storey dwelling (333 Thorpe Road). There is a linear garden that runs between these two properties. This linear piece of garden land has vehicle access onto Thorpe Road via a shared access and turning area with No's 335 and 337 Thorpe Road.

The application site is within the Longthorpe Conservation Area.

Proposal

The Applicant seeks planning permission for the conversion of the annex to form a separate 1-bed dwelling.

There would be no external changes to the annex. The swimming pool to the south would be filled in and become garden land. A new boundary would be installed between the annex and Tower House, and the linear garden area would form the parking area and vehicle access to serve the dwelling.

A separate application for Listed Building Consent (LBC) has been submitted and is running in parallel to this application (App Ref: 18/01902/LBC).

2 Planning History

Reference	Proposal	Decision	Date
09/00762/FUL	Formation of dormer windows in billiard block	Permitted	14/09/2009
09/00384/LBC	Formation of dormer windows in billiard block (renewal)	Permitted	14/09/2009
99/00149/LBC	Formation of dormer windows in billiard block	Permitted	12/07/1999
18/01902/LBC	Conversion of annex to separate dwelling.	Pending Consideration	

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 pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area

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.

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.

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 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.

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 Policy Framework 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 progress, 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.

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.

4 Consultations/Representations

Historic England (23.11.18)

No objection

PCC Conservation Officer (27.11.18)

No objection - The structure is already converted into an annexe and the plans show that little alteration would be required to the main fabric of the building.

The main change within the curtilage will arise from the wish to erect boundary treatment either side of the east gable end. A wall that was a good match in material to the main barn (reclaimed stone and lime mortar) would have the least impact on the setting of the listed site and would likely be supported.

Whilst it is rarely considered acceptable to split the curtilage of a listed building, due to impact on historic fabric and the setting of the listed building, the limited change that would ensue by way of this proposal is considered to have little perceptible impact on historic significance or setting. This is on the basis that agreement can be made for stone walls rather than timber fencing.

The west part of the site that this curtilage listed building is located is already rather contrived, due to a house being built to the north of it in the late C20. The annexe is sited in a small rectangular offshoot to the plot with the aforementioned modern house to the north and the curtilage of another listed building close by to the south.

PCC Peterborough Highways Services (29.11.18)

Object - Splitting off an annex to become a separate dwelling would mean an intensification of use of the existing sub-standard access from Thorpe Road. The Local Highway Authority requires shared accesses to be 5.5m wide at the highway boundary - the existing access is 3.9m narrowing to less than 3.4m at the position of the gates. Clearly the available dimensions are well below our requirements.

A total of 4 dwellings would be served by this narrow access which is unacceptable given the likely increase in vehicle movements in and out of the access as a result of this proposal.

The wheelie bins would have to be dragged 52m from the position indicated on the drawings to the kerbside. This is significantly in excess of the maximum distance contained in the RECAP Waste Management Design Guide SPD (2012).

Archaeological Officer (26.11.18)

No objection

PCC Tree Officer (27.11.18)

No objection - The site is within Longthorpe Conservation Area. However, the plans do not indicate any areas where trees may be affected i.e. pruned or removed. On the basis that there appears to be no impact on trees with high amenity there is no objection to the proposal.

Local Residents/Interested Parties

Initial consultations: 9

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

Three letters of representation have been received raising the following concerns;

- the property is not suitable as a separate dwelling due to inadequate layout;
- it would not be provided with suitable land to comply with building regulations

- concerns of overlooking if windows are opened up;
- the access from Thorpe Road would result in a loss of privacy and would be inadequate;
- this access was only gained as a secondary access;
- concerns of future occupiers using the access, there is insufficient turning on site;
- cars reversing onto neighbouring land is illegal;
- this proposal would result in an intensification of the access, it is only used to pick up a skip several times a year; and
- Lack of public consultation

5 Assessment of the planning issues

The Principle of Development

The application site is situated within the urban area of the City therefore the principle of creating a self-contained dwelling can be considered in principle, subject to satisfactory assessment against the following matters.

Historic Significance, Design and Layout

Historic England and the Council's Conservation Officer have raised no objection to the proposal, or the subdivision of the curtilage serving the Grade 1 listed Tower House. The Council's Conservation Officer has only requested that the boundary to be installed between the House and the application site be constructed out of local cropped limestone walling, to match that of the outbuilding as best as possible.

Subject to securing a suitable boundary treatment by condition the proposed subdivision of the curtilage of these Grade 1 listed buildings would not unacceptably harm the setting or significance of these heritage assets, and is accepted in this instance.

The existing swimming pool would be infilled and become a patio to serve the proposed dwelling, and a new parking area would be created. There are no external changes proposed, and the works to infill the swimming pool and form a parking area would not harm the setting of these heritage assets.

As such conditions shall be attached with respect to ensuring the boundary wall be constructed out of cropped limestone, and the parking area utilises a suitable hard standing material (not gravel).

The immediate area is characterised by backland development, and given that the principle of subdividing the site has been accepted by Historic England and the Council's Conservation Officer, in this instance the change of use and associated subdivision would not unacceptably harm the setting of the Grade 1 listed building, the Longthorpe Conservation Area, or the immediate character of the area, and would accord with Policies CS16 and CS17 of the Peterborough Policies DPD (2012) and PP2 and PP17 of the Peterborough Policies DPD (2012).

Access and Parking

The Local Highway Authority (LHA) have objected to the proposal on the basis that the access width is insufficient for use by more than a single dwelling and, whilst currently used by two dwellings, the proposal would represent an unacceptable intensification of a substandard access. As such, the LHA consider that it would constitute a highway safety hazard.

Whilst this is noted, it is Officers professional opinion that the degree of harm posed by intensifying the use of this access is minimal. The proposal would not result in a substantial increase in the number of additional trips and the point of insufficient width is set a sufficient distance from the back edge of the highway to allow a vehicle to pull clear of the carriageway in the event it needed to wait whilst another exits.

Letters of representation have raised concerns with respect to future occupiers using their vehicle access and turning area, however the land is included within the redline boundary of the application and it is understood that there is a legal right of way across the land. Whilst this may

have been used sporadically for maintenance over the years, Officers understand that it is possible to gain access to the application site, and allow for vehicles to enter and leave in a forward gear.

The Local Highway Authority have also raised an objection with respect to drag distances for bins from the application site to the highway on collection days. Whilst this would exceed the maximum drag distance of 25 metres set out within RECAP guidance, this application is for the conversion of a historic building. Typically such a situation would be resisted for a new build development, however this is the conversion of an existing building and therefore it is not considered a refusal on this sole basis could be sustained, and the drag distances would be a case of buyer beware.

Subject to conditions being attached with respect to securing off-street parking the development would accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

Existing and Future Occupier Amenity

There would be no external changes proposed to the existing dormer layout, therefore no new material matters would arise with respect to concerns of overlooking or loss of privacy. It is noted that additional activity would arise as a result of the new access and parking area, however it is not considered the levels of activity, or persons coming and going from their home, would give rise to unacceptable levels of noise or disturbance to neighbouring properties.

As set out above there are no external changes proposed. Further to the Case Officer visiting the site, in particular the first floor bedroom, the only outlook is from an existing roof light on the southern elevation. This rooflight is positioned over a spiral staircase, and whilst it looks onto the end of the thatched cottage (325 Thorpe Road) it does provide a wider viewpoint to the south-west. Natural light to this space is also gained from an obscurely glazed dormer window on the southern elevation, and if the bathroom door was open, from a window facing Tower House. To confirm the obscurely glazed dormer window is situated 8m from the shared boundary with 325 Thorpe Road.

Officers are mindful that this has been used as an annex for a number of years, and whilst this may have been ancillary or for temporary periods for a family member, the bedroom is large and spacious, and considered to have good levels of amenity for future occupiers. The main ground floor would be provided with a number of windows on the north and south elevations and would be provided with good levels of natural light. The existing swimming pool would be filled in to form a patio, the patio and associated land of which is considered to be commensurate in size and scale to serve a 1-bed dwelling.

Therefore given the historic use of the annex and the presence of a number of existing openings, albeit one of them obscure glazed, it is considered in this instance the property would be provided with satisfactory levels of amenity for future occupiers.

A condition shall be attached with respect to restricting permitted development rights with respect to extensions, roof and opening alterations, porches and outbuildings to ensure satisfactory garden is retained to serve the development, to protect the setting of the adjacent listed building and the amenity of neighbouring properties. With respect to openings this would be consistent with Condition 4 of the original 2009 application which prevented the permitted dormer windows from being opened up.

Subject to conditions withdrawing permitted development rights, satisfactory boundary treatment being provided and the swimming pool to be filled in prior to occupation, the development would provide satisfactory amenity for future occupiers and would not result in an unacceptable adverse impact to neighbouring amenity, in accordance with Policies CS16 of the Peterborough Policies DPD (2012) and PP3 and PP4 of the Peterborough Policies DPD (2012).

Other Matters

The following matters have also been raised within letters of representation;

- It would not be provided with suitable land to comply with building regulations.

Officer Response: There is nothing to suggest that the development would not comply with building regulations, and it is noted that as the annex is not proposed to be altered the change of use being applied for as part of this planning application would not require building regulations.

- This access is a secondary access only, it is only used to collect a skip several times a year, and cars reversing onto neighbouring land is illegal;

Officer Response: Officers understand that the Applicant has a legal right of way across the land. Whether it is a primary or secondary access, this is a civil matter between the two parties. As the redline of the application connects to the highway, there is no reason to refuse planning permission on matters of access or turning.

- Lack of public consultation

Officer Response: Neighbouring properties have been consulted in accordance with the Town and Country Planning (Development Management Procedures Order) (England) 2015 (as amended) and in accordance with the Councils policy on consultation set out in the Statement of Community Involvement.

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 proposed dwelling would be located within the urban area of the city, and the proposed change of use and works would not unacceptably harm the setting or significance of the adjacent Grade 1 listed buildings, the Longthorpe Conservation Area, or the character or appearance of the immediate area. As such the proposal would accord with Policies CS1, CS2, CS16 and CS17 of the Peterborough Core Strategy DPD (2011), and PP1, PP2 and PP17 of the Peterborough Policies DPD (2012);
- The proposed change of use to a self-contained dwelling would not result in any unacceptable harm to the amenity of adjoining neighbours, and a satisfactory level of residential amenity would be provided for future residents, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2012) and PP3 and PP4 of the Peterborough Policies DPD (2012); and
- The proposed change of use to a self-contained dwelling would not constitute a highway safety danger and sufficient car parking would be available in the nearby car park, in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).

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 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), planning permission will be required for extensions, outbuildings, openings and dormer windows, porches, chimneys, flues or soil and vent pipes.

Reason: In order to protect the amenity of the area, neighbouring amenity and the setting of the adjacent Grade 1 listed building, in accordance with Policies CS16 and CS17 of the

Peterborough Core Strategy DPD (2011) and PP2, PP3 and PP17 of the Peterborough Policies DPD (2012).

- C 3 Prior to the first occupation of development hereby approved space shall be laid for the parking and turning of two vehicles in accordance with drawings 1753 E001A (Location Plan), 1753 E002 (Existing Site Plan) and 1753 E005 (Proposed Site Plan). The parking area shall utilise a solid bound material and shall not thereafter be used for any purpose other than the parking of vehicles in connection with the use of the dwelling hereby approved.

Reason: To ensure the development is provided with satisfactory parking, in accordance with Policy PP13 of the Peterborough Policies DPD (2012).

- C 4 Prior to the occupation of the dwelling hereby approved details of the boundary treatment separating the dwelling from Tower House shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the boundary wall shall be constructed out of cropped limestone.

Thereafter the boundary wall shall be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing a satisfactory boundary treatment to serve the development and to protect the setting and significance of the adjacent Grade 1 listed buildings, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and PP2, PP3, PP4 and PP17 of Peterborough Policies DPD (2012).

- C 5 Prior to the occupation of the dwelling hereby approved the swimming pool shall be infilled in accordance with Drawing 1753 E005 (Proposed Site Plan), and shall thereafter be retained for the purposes of garden / patio serving the dwelling hereby approved.

Reason: In the interest of providing a satisfactory garden to serve the dwelling in accordance with Policy PP4 of the Peterborough Policies DPD (2012).

- C 6 The development hereby approved shall be carried out in accordance with the following approved plans:

- 1753 E001A - Location Plan
- 1753 E002 - Existing Site Plan
- 1753 E003 - Existing and Proposed Elevations
- 1753 E004 - Existing and Proposed Plans
- 1753 E005 - Proposed Site Plan

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

This page is intentionally left blank