

P & EP Committee: 11 JANUARY 2011

ITEM NO 5.4

10/01503/FUL: CONSTRUCTION OF 4 BED, 2 STOREY HOUSE WITH DETACHED DOUBLE GARAGE – PLOT B AT THE HAVEN SECOND DRIFT WOTHORPE STAMFORD

VALID: 3 NOVEMBER 2010

APPLICANT: HEReward HOMES LTD

AGENT: IPLAN

REFERRED BY: CLLR OVER

REASON: NOT IN KEEPING WITH CHARACTER; NOT SUSTAINABLE; NO S106

DEPARTURE: NO

CASE OFFICER: LOUISE LEWIS

TELEPHONE: 01733 454412

E-MAIL: louise.lewis@peterborough.gov.uk

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## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development
- The impact on the character of the area
- Impact on the amenities of occupiers of neighbouring dwellings

The Head of Planning Services recommends that the application is APPROVED.

## 2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

### Development Plan Policies

Key policies highlighted below.

- DA1** Development shall be compatible with its surroundings create or reinforce a sense of place and not create an adverse visual impact.
- DA2** Development shall be satisfactorily accommodated on the site, not have an adverse affect on the character of the area and have no adverse impact on the amenities of occupiers of nearby properties.
- DA6** Tandem, backland and piecemeal development.
- H15 Development to be carried out at highest net residential density
- H16 Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- T1** New development should provide safe and convenient access for all user groups and not unacceptably impact on the transportation network.
- T9 Cycle parking requirements.
- T8** Permission will only be granted for a development if vehicular access is on to a highway whose design and function is appropriate for the level and type of vehicular traffic likely to be generated by the proposed development.
- T10** Car parking provision to be in accordance with maximum car parking standard

**Planning Policy Statement 3 – Housing.** This requires Local Planning Authorities to make best use of land for new residential development and to ensure that it is well integrated with

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and complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

**Planning Policy Statement 7: The Countryside, Environmental Quality and Economic and Social Development** seeks to integrate development necessary to sustain economic and social activity in rural communities whilst protecting the character of the countryside. It indicates that new development should be sensitively related to existing settlement patterns and to historic, wildlife and landscape resources.

**Village Design Statement Implications:** Wothorpe VDS sets out a series of guidelines on Architectural Character, Scale, Relationship between buildings, Overdevelopment, Location, Building lines, Building heights and Landscaping. However, the village design statement no longer forms part of the development plan and therefore only very limited weight can be given to it in deciding this application.

**Planning Obligations Implementation Scheme** – Adopted as a Supplementary Planning Document in February 2010.

### 3 DESCRIPTION OF PROPOSAL

The proposed development is a four-bedroom house with a detached double garage. The house proposed is of two storeys, of a main block with projecting gable-end features to front and rear. The proposed dwelling would be about 11.5m wide, set 7m from the boundary with the neighbouring plot (Cromwell House) and about 3m from the boundary with Plot A. Height to eaves would be about 5.2m and height to ridge about 9m. Access is proposed via a new entrance from Second Drift, which would be shared with the dwelling already approved on Plot A.

### 4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is part of a plot known as The Haven. The site has already been divided, with the rear part of the garden to be developed as a single dwelling. The front part of the site is shown as two plots known as plot A (a dwelling on plot A was approved by Committee on the 12 October) and plot B (subject of this application). The application site comprises an area of about 40m deep and 18m wide. The front section of the plot comprises existing verge and hedge line, behind this would be the garage and shared access/turning area, then the house and garden. The site slopes in two directions.

### 5 PLANNING HISTORY

Application Number	Description	Date	Decision
01/00575/OUT	Erection of four dwellings	26.07.2001	WDN
01/01295/OUT	Erection of dwelling (Revised access)	12.03.2002	PER
02/00842/OUT	Residential development comprising one house and garage	24.09.2002	PER
03/00360/OUT	Residential development comprising two dwellings and garaging	14.05.2003	WDN
04/02018/WC PP	Variation of Condition 1 of planning permission 01/01295/OUT to allow a further three years for the submission of reserved matter	08.02.2005	PER
05/00477/WC PP	Variation of condition 1 of planning permission 02/00842/OUT (erection of house and garage) to allow a further three years for the submission of reserved matters	22.09.2005	PER
08/01203/REM	Reserved matters for the siting, design, external	08.04.2009	PER

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	appearance of buildings, means of access and landscaping for a four-bed dwelling as consented under 02/00842/OUT		
10/00204/FUL	Construction of five-bed dwelling with detached garage	19.07.2010	PER
10/00688/FUL	Demolition of existing dwelling and construction of 1 x four-bed dwelling and 1 x five bed dwelling with detached double garage (on the front part of the Haven site)	09.07.2010	REF
10/00872/FUL	Erection of dwelling with detached garage and studio above	23.09.2010	REF
10/00975/FUL	Demolition of existing dwelling and construction of three-bed dwelling with detached garage	22.10.2010	PER

## 6 CONSULTATIONS/REPRESENTATIONS

### INTERNAL

#### **Local Highway Authority**

LHA raise no highway objections to this proposal. The application site is accessed via a private road and therefore has no highway implications.

#### **Archaeology Services**

The proposed development site contains no known archaeological remains.

### EXTERNAL

#### **Parish Council –**

We wish to oppose the application by Hereward Homes to build a 4 bedroom 2 storey house on Plot B at The Haven.

Our objections are based upon lack of conformity with the following policies laid out in our Village Design Statement:

VDS2 SCALE: The scale height and bulk of the development will have a significant and detrimental impact on the quality and character of Second Drift.

VDS3 Relationship between buildings: The proximity of the proposed new building to Cromwell House as well as the other two buildings on The Haven remove any open spaces and will mean that the proposed new development will overlook all three dwellings causing a substantial loss of amenity.

VDS4 Overdevelopment: The proposed development will appear overdeveloped as a result of domination by an inappropriate large scale dwelling with minimal space separating the buildings.

VDS8 Landscaping: The concentration of dwellings on The Haven site, if this application is approved, would leave little provision for appropriate hard and soft landscaping.

### NEIGHBOURS

Letters of objection have been received from six local households in response to the initial consultation raising the following issues. A consultation has been carried out on the revised plans; comments will be reported on the Update Sheet.

- Overdevelopment
- Lack of privacy for neighbours
- Size and scale in conjunction with the new dwelling being built
- Loss of trees with mass block paving
- Demolition of perfectly good dwelling to make way for new dwelling of the same size
- Development would dwarf surrounding houses
- Will dominate and overlook Cromwell House and the new house at the rear
- Unacceptable mass running along Cromwell House's [boundary]
- Will overlook Cromwell House' garden, patio and conservatory
- Due to height there could be a third storey in the attic

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- Additional traffic on single track road with limited passing places
- Impact on highway safety
- Lorries have to turn round at the top of the road, damaging driveways
- Utilities are already over-stretched
- Contravenes H7e, DA2 and DA6a and b of the Local Plan
- Breaches recommendations from Peterborough Settlement Hierarchy Studies
- Interesting and wide range of styles of housing
- Overdevelopment may turn the Drift into a new housing estate
- Development is not materially different to refused proposal [for two houses at the front]
- Reasons for refusal [of recent appeal] apply
- Garage is now detached,
- Development on The Haven should be looked at as a whole
- Change in Government policy re garden development
- Impact on property values

## **COUNCILLORS**

Cllr Over has made the following comments:

The application will reinforce a line of near identical buildings running from the top of 2nd Drift to at least one third of the length of the road

Both sides of the road are new, stone faced houses on small plots. These add nothing to the environment of the Drift and are certainly not in keeping with the large houses on large plots which are near by giving 2nd Drift a semi-rural and individualistic character

The development is not sustainable. A speculative builder will look to sell these houses to anybody with the funds to buy a £500,000 to £1mn house. Such people will generally work elsewhere and travel miles in cars to and from work in Peterborough, Leicester, Cambridge, London etc

No realistic Section 106 Agreement seems to have been reached

The numerous developments on the Haven plot have had significant local objections because residents believe that the character of the 2nd Drift will change for the worse and the local services will not cope with the extra burden.

## **7 REASONING**

### a) **Introduction**

This application is subsequent to a refusal of two larger dwellings on the front part of The Haven. The applicant submitted an appeal against that refusal, which has been dismissed by the Inspector. Members will recall that a recent revised application for the dwelling at the rear, for a dwelling with garage and studio over, was refused. The applicant has lodged an appeal against that refusal. An application for a dwelling on Plot A was approved recently by Members. This report is based on revised plans received during the application period.

### b) **Policy issues**

Wothorpe is defined in the 2005 Local Plan as an Infill Settlement where development is limited to infill of no more than two dwellings on an undeveloped plot in a built up frontage. This definition is taken from the Structure Plan, and the definition has not been carried forward into the Core Strategy. Wothorpe is, in emerging plans, defined as a small village and it is expected that development will be on a windfall basis.

Comments have been made regarding the Settlement Hierarchy document. However Members should note that the document has not been approved or adopted by the Council and is not Council Policy. Although Wothorpe is a small village and without convenient access to Peterborough City

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Council schools and facilities, setting aside administrative boundaries it is very close to a wide range of services and facilities available in Stamford, which is less than one mile away. This distance is easily walkable or cyclable along the existing footway and the location is not therefore unsustainable in this respect.

Members will be aware that there is a national need for additional housing, and an identified need within the Peterborough area for high quality housing. It is considered that there is no reason to resist the principle of allowing two dwellings at the front of the site.

Policies H7e, DA2 and DA6a and b have been specifically mentioned by an objector. These policies refer to character of the area, neighbour amenity and the scale of development. These matters are explored below.

### c) **Recent appeal decision**

Following the refusal of an application for two larger houses at the front of The Haven, the applicant lodged an appeal which has been refused. The key differences between the refused scheme, and the revised proposals for Plot A and Plot B, are:

A shared entrance was proposed for all three dwellings, this has been changed to a separate drive for the house at the rear and a shared access for the two front plots

Plot B was originally shown with a garage integral to the house, to allow for the driveway curving round to the dwelling at the rear.

The cumulative footprint of the two dwellings at the front was 365 sq m under the refused/dismissed proposal, the combined footprint of the approved dwelling on Plot A and the current proposal on Plot B, including their detached garages, is about 277 sq m.

It was originally proposed that Plot A was two-and-a-half storey.

The separation distances under the refused/dismissed proposal were: Thomas House – plot A 6m, between the two proposed dwellings about 1.5-2m, plot B – Cromwell House 11.5m. The separation distances currently proposed are in turn 8m, 4.5m, 12m.

The appeal decision is attached for Member's information, however the determining reason for dismissal of the appeal is the harm to character caused by the smaller spaces between dwellings, the minimal space between the two new dwellings, the appearance of a continuous run of housing on the east side of the Drift, which the Inspector describes as "suburban rather than semi-rural".

In the view of Officers these concerns have been adequately addressed by reducing the scale of development as shown in this application and that recently approved for Plot A.

### d) **Character of the area**

The character of Wothorpe is, broadly, variety in building style, and separation between dwellings. Most dwellings are detached, apart from the Victorian villas, which create their own small character area. It is inevitable that the character of an area will change over time, and this has happened to Wothorpe with the development of many plots and the increase in the overall number of dwellings. The predominant character however is still of large dwellings on good sized plots, with significant separation between dwellings.

The majority of the detached houses in Second Drift are two-storey, with two-and-a-half storey development in the Victorian terraces and in two of the new houses to the south of the site. There is also two-and-a-half storey development opposite the application site, on the old Havering site. There is a mixture of building styles along the Drift.

The north-east side of Second Drift has eight buildings along its length. The first is a terrace of Victorian houses, then there are 7 detached houses. The spacing between them varies from 1m to 7m, apart from at The Haven where separation distances prior to development of the site were about 16-18m. The current proposal, along with the permitted development on Plot B, would result in separation distances of 8m and 12m to adjacent development.

This indicates that the proposed development would respect the established level of separation between dwellings, which has altered over time, and in particular recently with the infill dwelling on part of the Cromwell House plot, and later with the three new dwellings to the south-east of The Haven. The varying styles of the houses, and the varying set back distances, aid in establishing the spacious detached character.

All of the dwellings are set back several metres from the roadway, and there is some planting which helps to screen dwellings and contribute to the wooded character of the area.

Members should be aware that there is potential for accommodation to be added into the roofspace of the proposed dwelling, and neighbours have commented on this. Some neighbours have pointed

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out that Officers raised concerns about the initially proposed two-and-a-half storey development, which is correct. Two storey development is proposed under this application, although it would be open to the applicant to apply at a later date to convert the roofspace into accommodation. A condition is recommended removing Permitted Development rights for this work, to ensure that the Planning Authority retains control.

Part of the character of Wothorpe is large plots/gardens. Although the garden to the proposed dwelling would be smaller than many in the area it would be over 260 sq m, which is more than adequate for a family dwelling. It is the space between dwellings which often supports a perception of large plots, and the proposal in Officer's views respects this.

The proposed materials are natural stone and slate, which fits in with many of the more recent homes in Wothorpe, although the Victorian and most of the 20<sup>th</sup> century buildings are of brick. Some comments have been made regarding the design of the proposed house, which is similar to the style of the three new dwellings to the south-east and the two recently approved dwellings on The Haven. If the current proposal is allowed, and all the approved development on The Haven was carried out, there would be six detached dwellings in a loose group, all of a similar style. There is landscaping that screens dwellings to an extent; some landscaping has been removed recently. The similarity of the dwellings will be apparent when viewed from directly adjacent however it is not considered that the group would dominate views up the Drift. It is important also to remember that a change in character is not automatically detrimental to the character of the area.

The bulk and massing of the dwelling will be in keeping with that of nearby development.

A garage is proposed in front of the dwelling, to mirror that permitted on Plot A. Garaging to the front is to be discouraged as a general rule, however a garage to the front is already in evidence at Thomas House, to the immediate south-east, and in 2003 permission was granted for a garage to the front of Cromwell House, although this was not built. The proposed garage has a shallow roof pitch and a low profile so that the house would be the dominant feature of views towards the site.

Overall it is considered that subject to a good landscaping scheme the impact of the garage and the similarity in design and materials can be incorporated into the overall streetscene satisfactorily, and that the character of the area would not be unacceptably affected.

Several comments have been made regarding the status of Wothorpe as an "excepted village". This refers to the emerging allocation of Wothorpe as a Special Character Area. This allocation is part of the emerging Local Development Framework and should be borne in mind, but cannot be given significant weight at this stage. The emerging policy presumes against sub-division of gardens and establishes the local character as low-density development, mainly individually designed family houses, set in large landscaped gardens giving a semi-woodland setting. A brief calculation indicates that the top half of Second Drift, with the approved development at the Haven and the current proposal, would be developed at a density of about 5.5 dwellings per hectare.

### e) **Impact on neighbour amenity**

The neighbour most closely affected would be Cromwell House to the north-west. The side elevation of the proposed new dwelling would be about 12m from the side of Cromwell House. The occupant of Cromwell House has expressed concern about overlooking from the side windows – the proposed first floor side window would serve a bathroom, and a condition is recommended to require obscure glazing and restricted opening.

A utility room door is also proposed at ground floor on this side. Normally a ground floor door or window would not be a cause for concern, however in this case, due to the slope of the site, the door would be higher than the ground floor level at Cromwell House. The applicant has submitted a section through the site which shows that views should be blocked by the presence of two fences and a hedge on the Cromwell House side of the boundary. The prevention of overlooking depends primarily on the presence of a fence to the side boundary of the application plot. The ground floor level inside the house would be slightly above external ground level, and therefore it is considered that at the boundary alongside the house the fence height should be 1.8m above internal floor level rather than above external ground level. A retaining structure is proposed along this part of the site, to separate the driveway to the rear plot from the side of Plot B, and a fence of suitable height could be constructed above this.

Windows to the front of the new dwelling would look over the road, with no particular impacts on neighbours.

There are no windows proposed on the south-east elevation, looking towards Plot A.

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Windows to the rear of the dwelling would look towards the new dwelling recently approved to the rear of The Haven. The distance between the proposed rear windows and the windows on the rear dwelling would be above the 21m separation distance, varying from 24 to 26m, although there would be obliquely facing bathroom windows at 20m separation which, given the likely use of obscure glazing, is considered acceptable.

One rear bedroom windows would offer views towards the garden of Cromwell House, however views towards the conservatory and patio would be restricted as the rear walls of the houses are almost in line with each other, and casual overlooking by residents of the new house towards the sitting out area at Cromwell House is unlikely.

### f) **S106**

The applicant has agreed to a contribution under the Planning Obligation Implementation Scheme.

### g) **Highways/parking**

A double garage forms part of the proposal, and there would be sufficient space to park visitor's vehicles in front of the garage. There would be ample space to accommodate cycle parking.

There are no Highway objections to the proposal.

Some neighbour comments have been received regarding traffic movements and impact on the Drift. Second Drift is a private road and it is the responsibility of the owners to maintain it and manage turning. The slight increase in traffic movements will not have any significant impact on safety on the adopted Highway.

### h) **Other matters**

The following comments have also been made:

#### **Demolition of perfectly good dwelling to make way for new dwelling of the same size**

Demolition of the existing dwelling was permitted under the previous application, and its demolition will allow for the construction of two dwellings, if this application is approved. There is no planning reason to resist demolition of the existing dwelling.

#### **Loss of trees with mass block paving**

Some trees have already been removed. It is reasonable to expect that the driveway will be hard surfaced, however there will be a hedge along the front of the site, and a grass verge, as well as other landscaping in the area.

#### **Utilities are over-stretched**

It is the responsibility of the utility companies to provide services to residents.

#### **Change in Government policy re garden development**

Development on gardens is still allowed if it does not cause harm.

#### **Impact on property values**

This is not a material planning consideration.

## **8 CONCLUSIONS**

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

- the site is within the settlement boundary
- a dwelling can be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- a suitable level of amenity can be provided for residents, including access and parking

- the proposed dwelling would not affect the character of the area to an unacceptable degree
- the applicant has made provision to meet the infrastructure needs arising from the development
- the proposal is therefore in accordance with Policies H16, T1, DA2, DA6 and IMP1 of the Peterborough Local Plan 2005 (First Replacement).

## **9 RECOMMENDATION**

The Head of Planning Services recommends that this application is APPROVED subject to the satisfactory completion of a Section 106 agreement and the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 Materials to be used in the construction of the approved development shall be as described in approved plan 2009/51-17, unless agreed otherwise in writing by the Local Planning Authority.**  
Reason: In the interests of the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C3 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), no garage, carport or domestic enlargement to the dwelling or the garage shall be constructed other than as those expressly authorised by this permission.**  
Reason: In the interests of visual and residential amenity, in accordance with Policy DA2 of the Adopted Peterborough Local Plan (First replacement).
- C4 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), no windows shall be inserted into any elevation or roof slope at second floor level, or to the south-east or north-west elevations at first floor level.**  
Reason: In order to ensure that the Local Planning Authority can protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C5 The dwelling and garage shall be constructed at the level shown on plan 2009/51-201 C, unless otherwise agreed in writing with the LPA.**  
Reason: In the interests of visual and residential amenity, in accordance with policy DA2 of the Adopted Peterborough Local Plan (First replacement).
- C6 Surface water disposal shall be by means of soakaway unless percolation tests prove negative in which case an alternative means of disposal shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The soakaway or alternative approved means of disposal shall be implemented prior to the first occupation of the dwelling.**  
Reason: To prevent surface water flooding in accordance with the aims of PPS25.
- C7 Before the development hereby permitted is first occupied, the proposed first floor windows on the north-west elevation, and the bathroom windows on the rear elevation, shall be obscure glazed and apart from any top hung fan lights shall be incapable of being opened and shall subsequently be maintained as such.**  
Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C8 Prior to the commencement of development and notwithstanding submitted plans, a landscape planting scheme shall be submitted to and approved in writing by the Local**



**Planning Authority. The scheme shall include the existing landscape features within the site that are to be retained; the enhancement and creation of natural features within the site; the retention, enhancement and creation of wildlife corridors and the use of native species in planting.**

**The landscape planting scheme shall be implemented in the first planting season following completion or first occupation of the dwelling, whichever is sooner.**

Reason: In order to enhance the visual amenities of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

**C9 Prior to occupation of the dwelling a fence shall be erected along the north-west boundary parallel to the side elevation of the dwelling, to a height of 1.8 metres above the internal ground floor level of the dwelling.**

Reason: Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

If the S106 has not been completed within two months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

**R1** A request has been made by the Local Planning Authority to meet the infrastructure requirements arising from the development, however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).

Copy to Councillor D Over

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