

NOTICE OF MEETING

MEETING	PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE:	TUESDAY 1 SEPTEMBER 2009
TIME:	1.30 pm
VENUE:	BOURGES/VIERSEN ROOM - TOWN HALL
CONTACT:	Martin Whelan Telephone: 01733 452323 e-mail address martin.whelan@peterborough.gov.uk
Despatch date:	<i>Date Not Specified</i>

AGENDA

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<i>Residential development consisting of 41 dwellings with associated roads and sewers</i>	
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<i>Provision of 2m high Betafence green powder coated Securifor 2D fence and matching gates to playing field</i>	



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Martin Whelan on 01733 452323.

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MEMBERS OF PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

Councillor N North (Chairman), Councillor M Burton (Vice-Chairman), Councillor M Todd, Councillor C Ash, Councillor C Burton, Councillor P Kreling, Councillor S Lane, Councillor P Thacker, Councillor P Winslade and Councillor Y Lowndes

NOTES:

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



Minutes of a meeting of the Planning and Environmental Protection Committee held at the
Bourges/Viersen Room - Town Hall
on 7 July 2009

MEMBERS PRESENT:

Councillors N North (Chairman), M Burton (Vice-Chairman), C Ash, C Burton, P Kreling,
P Thacker, P Winslade and Y Lowndes

OFFICERS PRESENT:

Theresa Nicholl – Planning Team Leader
Dale Barker – Principal Planner
Carrie Denness – Principal Solicitor
John Wilcockson – Landscape Officer
Jez Tuttle – Highways Officer
Martin Whelan – Senior Governance Officer

1. Apologies for Absence

The committee noted apologies from Cllr Lane (Cllr Sharp attending as substitute) and Cllr Todd.

2. Declarations of Interest

Cllr Thacker declared an interest in items 5.1 and 5.3 (fiancée of Ward Councillor); 5.4 and 5.6 (knew family) but that it would not affect her decision. Cllr Thacker also declared a personal and prejudicial interest in item 5.7 and withdrew for the item.

Cllr Michael Burton declared that he was the Ward Councillor for 5.5 and that it would not affect his decision.

Cllr Colin Burton declared a personal and prejudicial interest in item 5.6 and withdrew for the item.

Cllrs Lowndes, Sharp and Ash declared a personal and prejudicial interest in item 6 and withdrew for the item.

3. Minutes of the meeting held on 14th April, 28th April and 2nd June 2009

The committee approved the minutes of the meetings held on 14th April, 28th April and 2nd June 2009.

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

No members withdrew to make representations as Ward Councillors.

5. Development Control and Enforcement Matters

5.1 08/01365/FUL - French Farm French Drove Thorney Peterborough*

The committee received an application for consideration requesting full planning permission. The proposal was for the erection of 2 identical wind turbines to measure 60m to hub (nacelle) height and 100m to the blade tip. The blades will have a length of 40m each. Each of the turbines would have a rated output of 2-2.5MW. The turbines will be approximately 360 m apart. The proposal also included ancillary support buildings.

The committee received representations from local objectors. The concerns raised by the objectors included;

- Adverse impact on wildlife
- Additional traffic and impact on other road users
- Cumulative impact on the landscape and noise issues
- “Ice throw” incidents and the efficiency of the technology.

The committee also received representations from the applicant and agent.

Resolved (8 for, 1 abstention) : To accept officer recommendations and reject the application.

Reason for decision : The proposed wind turbine development would unacceptably affect Ministry of Defence radar systems to the degree that it would not, if the turbines were constructed, be possible to provide a safe and expeditious air traffic service to military and non-military aircraft in the area. The Ministry of Defence has advised that the applicant has failed to prove that the proposal would have no adverse impact on aviation interests as required in accordance with paragraph 25 of Planning Policy Statement 22 (PPS 22) – Renewable Energy which states;

‘It is the responsibility of developers to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department for Transport guidance in relation to radar and aviation, and the legislative requirements on separation distances, before planning applications are submitted. Local Planning Authorities should satisfy themselves that such issues have been addressed before considering planning applications’.

and paragraph 96 of the Companion Guide to PPS 22 which states:

Because topography, intervening buildings and even tree cover can mitigate the effect of wind turbines on radar, it does not necessarily follow that the presence of a wind turbine in a safeguarding zone will have a negative effect. However, if an objection is raised by either a civil aviation or Defence Estates consultee, the onus is on the applicant to prove that the proposal will have no adverse impact on aviation interests.

Thus the proposal is contrary to the provisions of Planning Policy Statement 22.

5.2 07/01296/FUL - The Green Thorney Peterborough

The committee noted that the application had been withdrawn.

5.3 09/00033/FUL - Park View Northey Road Peterborough PE6 7YX.

The committee received an application for full planning permission. The application sought permission for the erection of a 2 bedroom bungalow in connection with the operation of the angling grounds and in the management interests of the Local Nature Reserve/County Wildlife Site, at Northey Park. The proposed bungalow will replace a mobile home which the

applicant has occupied for a number of years. The proposed dwelling would be sited approximately 400m into the site, in close proximity to an existing mobile home located at the north eastern end of the park's access roadway off Northey Road in an area that would have been used for vehicle loading and departure area of the gravel pit works.

The committee received representations from the Ward Councillor and applicant in support of the application.

Resolved (8 for 1 against) : To accept the application contrary to officer recommendation, subject to the formalisation of a suitable condition and a S106 agreement.

Reason : The application was not contrary to planning policy.

5.4 09/00233/CLE - Auto Sparks Dukesmead, Werrington Peterborough.

The committee received an application for a certification of lawful development for an existing use/operation.

Resolved (9 for) : to accept officer recommendations

Reasons : Subject to the imposition of the conditions in the committee report, 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:

It is considered that the evidence submitted does satisfactorily demonstrate that the existing use of the site for general motor vehicle repairs, has taken place on the site for more than 10 years. Therefore 'on the balance of probability' it is able to justify the grant of a certificate, deeming the existing use lawful for planning purposes.

5.5 09/00384/LBC - 333 Thorpe Road Peterborough PE3 6LU

The committee received an application for Listed Building Consent. The application proposed to insert two dormer windows on the north elevation of the existing outbuilding, and one on the south elevation. Those to the north would be "blind" dormers, with permanently closed shutters, to provide additional headroom and that on the south would be obscure glazed.

Resolved (9 for) : to approve the application and accept officer recommendation

Reason for the decision : 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 proposed works will have no adverse impact upon the fabric, character or setting of the building Listed as being of architectural or historic interest. The proposal is therefore in accordance with Saved Policy CBE6 of the Peterborough Local Plan 2005 (First Replacement).

5.6 09/00501/TRE - 425 Fulbridge Road Peterborough PE4 6SE

Cllr C Burton left the meeting

The committee received a proposal to fell a mature oak tree at 425 Fulbridge Rd, that was contained within G1 of TPO 02/1956 – the group consisting of 2 Horse Chestnut & 2 Oak trees. It was noted that 1 Oak & 1 Horse Chestnut having been historically felled.

The committee received representations from a Ward Councillor requesting that the committee considered alternative options instead of immediately felling the tree.

Resolved (9 for) – to accept officer recommendation and approve the application.

Reason : 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 tree is a significant risk to road and footpath users due to the inherent defects identified and as such should be felled.
- If retained, PCC will be liable for any claims for a period of 12 months should any damage or injuries occur to 3rd parties.
- Pruning is not a viable option; any extensive crown reduction in an attempt to retain the tree will leave an unattractive specimen. The primary reason for serving a Tree Preservation Order is for the tree to provide public visual amenity value. There are also no guarantees to the trees' safety thereafter.
- Pruning is only delaying the inevitable and incurring unnecessary additional costs to the owner.

Cllr C Burton rejoined the meeting

5.7 09/00529/FUL - Land To The Rear Of 53 Willesden Avenue And 36 Paston Lane Walton Peterborough PE4 6EA.

Cllr Thacker left the meeting

The committee received a proposal to demolish existing garage blocks to the rear of 53 Willesden Avenue and to the rear of 36 Paston Lane; and to erect 2 no. one-bedroom flats in the form of a two storey development fronting Churchfield Road. The footprint of the building is 11m x 5m with a height of 7m and the plot size is approximately 16m wide by 9.2m deep with an additional area of 7m x 3.5m to the rear. The development will provide one small flat at ground floor and one at first floor. Parking is provided each side of the building which will serve both the new flats and the existing dwellings.

The Ward Councillor spoke in favour of the application. The agent also addressed the committee.

Resolved (5 for, 3 against): To approve the application contrary to officer recommendation subject to confirmation of the S106 through the Chairman's delegation scheme.

Reasons : The proposal is consistent with Planning Policies H7, DA6, and DA2

Cllr Thacker rejoined the meeting

6. **Enforcement Action in Dogsthorpe Ward****

Cllrs Ash, Lowndes and Sharp withdrew for the item

The committee resolved to consider item 6 in exempt session, members of the press and public were excluded.

The committee considered the item and agreed to take no further action.

CHAIRMAN
Times Not Specified

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09/00464/REM: RESIDENTIAL DEVELOPMENT CONSISTING OF 41 DWELLINGS WITH ASSOCIATED ROADS AND SEWERS AT LAND TO THE WEST OF UFFINGTON ROAD, BARNACK, STAMFORD

VALID: 18TH JUNE 2009

APPLICANT: DAVID WILSON HOMES SOUTH MIDLANDS

AGENT: MR MARTIN CZERNIUK, THE URBAN DESIGN COMPANY LTD

REFERRED BY: BARNACK PARISH COUNCIL

REASON: INAPPROPRIATE DEVELOPMENT NOT IN KEEPING WITH SURROUNDING CHARACTER, NOT ENOUGH 3 BED PROPERTIES, DENSITY TOO HIGH, DESIGN DOES NOT ACCORD WITH VILLAGE DESIGN STATEMENT

DEPARTURE: NO

CASE OFFICER: MRS JANET MACLENNAN

TELEPHONE: 01733 454438

E-MAIL: janet.maclennan@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Whether the proposal is in keeping with the surrounding character and will enhance the character and appearance of the Conservation Area
- Whether the proposal will result in any adverse impact on neighbouring amenity
- Whether the proposal will result in any adverse highway implications
- Whether the proposal provides for the mitigation of impact on protected species

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.

The Peterborough Local Plan (First Replacement)

Relevant Planning Policy – Adopted Peterborough Local Plan (First Replacement)

- CBE3: Development affecting conservation areas** - Proposals for development which would affect a Conservation Area will be required to preserve or enhance the character and appearance of that area.
- DA1: Townscape and Urban Design** - Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.
- DA2: The effect of a development on the amenities and character of an area** - Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

- DA11: Design for security** - Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.
- H10: Limited rural growth settlements** - The villages of Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Thorney and Wittering are designated as limited rural growth settlements where small estates, housing groups and infill will be permitted.
- H15: Residential Density** - Seeks the Highest residential density compatible with the character of an area, the living conditions of local residents, that is of good standard of design and that provides open space.
- H16: Residential design and amenity** - 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.
- H20: Range of Accommodation to meet housing need** – The City Council will seek to secure a variety of both size and type of accommodation
- H21: Affordable Housing** - Seeks to secure 30% affordable housing provision for urban sites of more than 25 dwellings or 1 hectare; and village sites of 15 dwellings or 0.5 hectares.
- H23: Lifetime homes and wheelchair housing** - Seeks to secure a supply of housing to lifetime home standards and housing suitable for wheelchair users.
- IMP1: Securing satisfactory development** - Planning permission will not be granted for any development unless provision is secured for all additional infrastructure, services, community facilities, and environmental protection measures, which are necessary as a direct consequence of the development.
- LNE6: Buffer zones for development bordering the countryside** -Seeks a buffer zone of adequate size and appropriate landscape treatment for developments bordering the countryside.
- LNE9: Landscaping implications of development proposals** - Seeks retention and protection of trees and other natural features that make a positive contribution to an area; and adequate provision of landscaping of sites.
- LNE10: Detailed elements of landscaping schemes** - Seeks provision of a landscaping scheme suitable for the development, which should include where appropriate, the retention of landscape or ecological features, suitable new planting, protection and management of scheme, provision for natural ecological regeneration and the completion of planting by first occupation or development completion, whichever is sooner.
- T1: Transport implications of new development** - Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.
- T8: Connection to the existing Highway network** - Seeks development where 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.
- T10: Car and motorcycle parking requirements** - Planning permission will only be granted for development outside the city centre if it is in accordance with approved parking standards.
- U2: Sustainable surface water drainage** - Permission will only be granted for developments that discharge to watercourses if the proposals would not increase the risk of flooding and provision has been made to secure any necessary improvements and maintenance, protect amenity, nature and the public.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Central Government Guidance

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development

Planning Policy Statement 3 (PPS3) Housing

Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation

Council Approved Guidance

- Trees and Woodland Strategy
- Residential Design Guide
- Biodiversity Strategy

There is relevant guidance within the Barnack and Pilsgate Village Design Statement (VDS) 2001.

3 DESCRIPTION OF PROPOSAL

The application seeks Reserved Matters approval for the erection of 41 dwellings, including 12 affordable dwellings. Access to the site was approved under the outline application (06/01275/R4OUT) with all detailed matters including siting, design, external appearance and landscaping reserved. The properties are primarily two storey in height (max 8.5m to ridge), with 8 properties two and a half storey (9.1m to ridge), detached and linked detached and comprise 10 x 2-bed, 5 x 3-bed, 17 x 4-bed and 9 x 5-bed dwellings. The proposal includes a comprehensive landscaping scheme including a Wildlife Corridor to the north, west and southern boundaries of the site.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located on the northern approach to the village on the western side of Uffington Road. It is rectangular in shape approximately 1.4ha with a 175m frontage. The site is an allocated site for housing development (H10.02) within the Adopted Peterborough Local Plan (First Replacement). The site is bounded to the north and west by agricultural land and to the east and south by residential development and lies approximately 40m to the north of the Conservation Area boundary. The site contains a number of trees to the frontage which are subject to Tree Preservation Orders and a variety of planting comprising young trees and hedges within the site. There is an existing crescent shaped lay-by off Uffington Road within the site boundary which contains Norway Maple trees which are protected by a TPO. There is a single point access to the site off Uffington Road.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
02/00117/OUT	Outline application for residential development: 72 dwellings	10.02.2003	REF
06/01275/R4OUT	Residential development with associated access, parking and external works	11.01.2008	PER

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – The proposal has a highly engineered layout with no variation in building line. Design of roads do not restrict vehicle speed, however, length of road and visitor parking will provide restriction. Visibility splays to be provided on all dwellings. Temporary construction access is not supported. Minor amendments sought and conditions recommended.

Environmental Health – No comments have been received at the time of writing this report. Comments will be provided as a update to Committee.

Archaeological Officer –The site falls within an area of archaeological interest close to the historic core of Barnack. Remains associated with the development of the village are expected to survive on the west portion of the site, which has remained free of previous development. Previous housing development on the road frontage (east side) of the site is likely to have destroyed archaeological remains in this area. Suitable PPG16 condition should be appended.

EXTERNAL

Natural England - No objection in principle. However, concern regarding the proposed size of the Hibernacula and the 2m buffer as a wildlife habitat which is considered to be insufficient as a habitat and potential food source for wildlife and should be increased in size. Little consideration given to the impact on the Hills and Holes SSSI, NNR, SAC as the development will have an approximate 10% increase in population and subsequent increase and pressure on the Hills and Holes. Further details should be submitted by the developer. The presence of species should be reviewed particularly prior to development, contractors to be made aware of protected species, inappropriate lighting should be minimised.

Senior Architectural Liaison Officer (Peterborough Constabulary) – The principle layout is acceptable in terms of crime prevention. Most homes have an acceptable level of natural surveillance. Southern boundary should be 1.8m fence, north and west boundaries in view of low incidents of crime hard to justify use of high boundary fencing. Should be fitted with door and windows to 'secure by design' standards. Affordable housing in particular will require lighting to homes and parking areas. Requests to be consulted on lighting proposals.

Anglian Water – Has advised the applicant is required to make a request under the Water Industry Act for provision of water and wastewater infrastructure.

Welland and Deeping Internal Drainage Board – Has not objections to the proposal. The applicant has indicated that the run off will be dealt with by means of underground attenuation tanks and soakaways ensuring that discharge will be no greater than at present.

Fire Community Risk Management Group - Hydrants required by S106 or Condition

NEIGHBOURS

Letters of objection have been received from 22 local residents raising the following issues:

- One bed properties not required, too many 4/5 bed properties, more 3 beds needed
- Occupiers will send their children to private school instead of the village school
- Parking and garage space insufficient
- Increase in volume of traffic, highway improvements and traffic calming needed
- One entrance to the site insufficient
- Out of keeping with village character
- Too dense
- All sides should have stone facing
- Land to south could include public open space
- Separation distance to properties in Linden Close insufficient
- Traffic surveys along Uffington Road not properly executed
- Affordable housing should be distributed throughout site
- Loss of tree
- More green space needed
- Part of the layby should be kept for parking
- Height of dwellings too high
- Single entrance/exit point and crescent should be retained
- Will dominate properties on opposite side of Uffington Road
- Object to use of red brick
- Bradstone tile should be used
- Properties to west should be stone and Bradstone as visible from Bainton Road

- Hedges to north and west should be retained for wildlife
- Block paving unsuitable
- Boundary wall fronting Uffington Road should be removed
- Concern re quality of life
- Needs of existing villagers not considered
- Gardens too small
- Should be play area on site

COUNCILLORS

Cllr Over – Supports representations made by Barnack Parish Council. The development will be an integral part of the village and should follow the Village Design Statement. Would oppose any indication that this an 'off the shelf' package suitable for suburban development. The current proposals have too many two and half storey houses. There is not the range or correct ratio of different types houses for the village. Concerned about encouraging young families to stay in the village and suggest more 3-bed dwellings. Opposes any attempt to have zones of different type houses on the new development. Stone and an appropriate tile should be used where possible. I would be pleased to support a wide wildlife corridor. Gardens are too small and play areas should be provided. The driveways must be large enough to park at least two cars, roads wide enough to allow emergency vehicles access when cars are parked along the side the road and extra parking for visitors, etc. Measures will also have to be taken with the traffic flow and speed on Uffington Rd.

Parish Council

The development comprises expensive housing not accessible to villagers. Development has too many two and a half storey dwellings with five bedrooms. More 3 bed properties needed. Density too high, gardens too small. All houses should have chimneys. A mixture of roof heights and styles should be included. Affordable housing should be mixed into development. Rear of houses (north and west) should be stone faced. Real stone should be used which is environmentally friendly. The variety of materials should be limited, Bradstone slates should be used. Wildlife corridors to north and west should be wider. The density of the site will have highway implications. Traffic calming is required. Site entrance is very narrow. Off-site parking should be provided to replace lay-by. Brick walls and continuous frontage along Uffington Road is out of keeping with village. Road surfaces should be tarmac with granite chippings rolled into the sprayed tarmac and Marshall Tegula paving would be out of character in Barnack. The paths should match the road surfaces as they do throughout the village. The temporary construction access will require provision to be made for safety of pedestrians and residents.

7 REASONING

a) Introduction

Outline planning permission was granted in January 2008 for residential development (ref. 06/01275/R4OUT). Access was approved with all other matters reserved. The site was once occupied by pre-war temporary 'Airey' Houses. The application follows on from extensive consultation with the Local Planning Authority and details are provided within the Design and Access Statement. The site presents a number of constraints and challenges including protected trees, ecological issues, its alignment with the open countryside, proximity to the Barnack Conservation Area and is at the entrance to one Peterborough's most attractive and historic settlements. The applicant has undertaken an exercise of Community Involvement and an exhibition was held in March 2008.

b) The principle of development

Outline planning permission granted in January 2008 established the principle of development to be acceptable.

c) Impact on surrounding character

The site area is 1.4 ha which includes the grassed crescent shape of land to the front of the site the development will provide a density of approximately 30 dwellings per hectare. There has been objection to the level of density proposed for the development, however, Policy H15 requires net densities for new development in the range of between 30 to 50 dwellings per hectare in order to make full and effective

use of land for residential development in sustainable locations and advises that densities below 30 dwellings per hectare should be avoided. This advice is also contained within PPS3. The proposed density is consistent with policy advice and although the density is higher than the existing development along Uffington Road it is not considered to be harmful to the surrounding character. The proposal accords with policy H15 and H10.02 of the Adopted Peterborough Local Plan (First Replacement).

There has been significant consultation with the Local Planning Authority with the aim of achieving a development which achieves a 'sense of place' and provides an attractive edge to the village approaching from the north whilst being sensitive to longer views of the site from Bainton Road. The existing crescent has been retained and worked into the development which reflects the crescent shaped building line of development on the east side of Uffington Road along with the treed island to the front of the site. The proposal provides a variation in roof heights and a continuous and varied frontage to Uffington Road formed by single storey buildings and walls to reflect the grain and character of the traditional village settlement. However, additional height variations have been sought and this can be achieved through a lower roof pitch to two plots along the Uffington Road frontage. Objection has been raised by the Parish Council to the continuous frontage which is considered to close off the development from the village. The continuous frontage to Uffington Road is a detail that has been requested by both Planners and the Urban Designer to help capture the 'linked' development – often by boundary walls – found within the village core and is supported. The subservience of stone faced garage walls with pantile roofs to the dwellings and an irregular building line is considered the design approach to help reflect local built character and appearance.

There are 8 two and a half storey properties within the development and there has been a number of objections to the height and scale of these properties as it is argued that they will dominate the street scene and properties to the eastern side of Uffington Road. However, the majority of the dwellings are two storey (8.5m to ridge) and the two and a half storey properties vary in height by 0.6m (9.1m). The buildings are strategically located within the development and include plots 4 and 36 which define the entrance gateway to the site, focal points at the commencement of the development (plots 1, 27, 30). Plots 20 and 21 are more typical two and a half storey buildings by having traditional dormers and the buildings provide a strong focal point (end stop) and vista viewed from the entrance to the site and is considered appropriate for the development. The increase in height by 0.6m will merely provide living accommodation within the roof while at the same time provide focal point buildings. These focal point buildings are consistent with pre-application advice and follow the principles of good design. It is considered that this development will have its own identity and it is not the intention to make reference to the development on the opposite side of Uffington Road but to reflect the village character through continuous building line, stone materials and provide an attractive development on the northern approach to the village. Building height to the east side of Uffington Road is approx. 7.3m. This is partly explained by these buildings being built to post war 'Parker Morris' yardstick standards. The separation distance between existing and proposed properties, for the majority of properties, is between 30-45 metres. Plots 30, 31 and 32 are some 20m from properties opposite. It is considered that this is sufficient distance to avoid the over dominance of the four buildings to the frontage at 9.1m high to the properties to the east side of Uffington Road. The proposal will enhance the character and appearance of the surrounding area and Conservation area and accords with policies CBE3, DA1 and DA2, of the Adopted Peterborough Local Plan (First Replacement).

d) Design and Visual Amenity

The proposed design has taken into consideration many of the architectural features of the traditional village setting. The fenestration detail to plots fronting Uffington Road makes reference to styles within the village, for example, single light and saddle bar style. Following consultation from the Conservation Officer amendments have been made to the fenestration of properties fronting Uffington Road as there was an over reliance on multi paned windows to provide window designs more typically found in the village setting. Windows to the rear of the dwellings differ from those on the frontage and this has been raised by the Parish Council. However, while it would be desirable to have a consistent window style to the front and back of properties the rear of properties are not directly visible and therefore it is unreasonable to insist on this.

The Parish Council suggest that all of the properties should have a chimney. Out of the 41 dwellings, 12 are proposed without chimneys. However, all properties visible from key external vantage points have chimneys. The absence of chimneys to plots 6-8 and 11-19 (affordable properties) is a reflection of

building cost and level of internal facilities. The ridge height of those without chimneys is approx. 7.7m. Viewed from Bainton Road these properties will be less visible due to the fall of the land to the south east, in relation to the generally 8.5m high buildings to the north. The absence of chimneys to these plots is not considered to compromise the overall character and appearance of the development.

All properties fronting Uffington Road are to be stone faced along with focal point buildings to plots 20, 21 and 27. Buildings to the western edge of the site are visible by pedestrians from Bainton Road some 300-400m away. It is considered that given this viewing distance stone facing to these elevations is not justified. At this distance there will not be any obvious visual difference between a stone faced or brick faced elevation, provided a complementary brick is used. A good quality brick of stone colour will be indistinguishable from a stone appearance. It is considered that the 'Bradstone Rebastone, Rustic Costwold' stone is a suitable material for the stone faced properties and a complementary buff (stone coloured) brick will be agreed for the other elevations to these properties. It is proposed that all subservient building roofs (garage roofs) will be single roll clay pantile. All external facing plots i.e. Uffington Road, north and west up to and including plot 20 will be Bradstone Conservation Slate (replica Collyweston slate). All remaining properties are to be either Marley or Sandtoft (with matching garage roofs). Again, plots 11-20 along the western boundary (to have pantile) have a lower visual profile viewed from Bainton Road. It has been proposed that all elevations should be stone, however the character to Uffington Road will be shaped by the overwhelming use of stone facing and Bradstone slate and the side returns are subsidiary. However, amendments are being sought to the elevations of properties to the north of the site where the northern elevations will be clearly visible on approach to the village and should be stone faced. The Parish Council argue that locally sourced natural stone should be used. However, the cost of natural stone is significantly higher than the manufactured alternative. Materials are a significant part of a developers cost and it is likely that to refuse the application on materials would not be upheld at appeal. It is considered that the development will improve the appearance of the immediate setting, enhance the character of the Conservation Area and complement the inherent village character and accords with policies CBE3, DA1 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

The access road is to be a shared surface and will be adopted by the Local Highway Authority (LHA). As a shared surface the LHA will require the road surface to have a different appearance from normal highway for pedestrian safety. They have a preference for small unit paving such as Marshalls Tegula paving. A standard road finish is not provided where the road is a shared surface. Discussions are taking place with the developer to identify a suitable surface material which does not convey a feel of suburban block paving.

e) Residential Amenity

The proposed layout and separation distance to neighbouring properties surrounding the development is acceptable. As mentioned above the minimum separation distance to properties on the eastern side of Uffington Road is approximately 20m. Objections have been received from a neighbouring site in Linden Close to the south of the development and the number of rear facing windows which will result in loss of privacy. However, there is at least a 35m separation distance to this property and therefore the development does not present any issues for overlooking. The proposal provides private rear amenity space for the future occupiers of the dwellings which accord with the guidelines within the Peterborough Residential Design Guide. The layout of the dwellings will avoid overlooking to neighbouring plots. The proposal accords with policies DA2 and H16 of the Adopted Peterborough Local Plan (First Replacement).

The proposed layout has been considered by the Architectural Liaison Officer and the development allows for an acceptable level of natural surveillance and crime prevention. While it is ideal for the rear boundaries of properties to the north and west to comprise a 1.8m high fence this would be harmful to the countryside setting and considering the low incidents of crime hard to justify use of high boundary fencing. A 1.8m close boarded boundary fence is suggested, however, it is considered that a post and rail fence will be sufficient as there will be a planting scheme along this boundary. No details of lighting have been submitted and this shall be appended as a condition. The proposal accords with policy DA11 of the Adopted Peterborough Local Plan (First Replacement).

f) Range of Accommodation to meet housing need

The Parish Council and local residents object to the number of 4 and 5 bed properties within the development and argue that this does not reflect the views of local residents following public consultation and as indicated in the Design and Access Statement. These comments have been provided to the application and as a result 4 no. x 4 bed properties have been replaced by 4 no. x 3 bed properties (plots 34, 38, 39 and 41). One of the affordable units also provides a 3 bed property. The developer is unwilling to substitute more 3 bedroom properties. Although more 3 bed properties are requested by the Parish Council it is considered there is now a reasonable provision of 3 bedroom properties. It is considered that the number of 4 / 5 bed properties is not justified as a reason for refusal. It is acknowledged that there is a need for affordable housing to enable families to upgrade to larger properties and conversely for villagers to downsize and to enhance the sustainability of the village. However, there is no reason to suggest that this will be compromised by the size of dwellings as proposed. Indeed, it is highly likely, given that the majority of the proposed dwellings are family-sized houses, that the properties will be occupied by families who in all likelihood will make a positive contribution to the services of the village.

Planning has sought to achieve a balance of tenure available to the local community either via affordable rented or open market purchase. 30% of the dwellings are to be provided on an affordable basis. The cost of open market housing is not under the control of the planning process. Planning can influence the range of housing size but cannot dictate a specific provision of properties. To require that the majority of dwellings are three bedroom would make the development economically unviable, and no development would take place. The developer is, as the Parish recognise, seeking to obtain a return on their investment.

There is also objection to the two bedroom flat (plot 14). However, it is considered that the development provides for a range of accommodation needs. A two bedroom flat can meet a wide range of changing personal needs often on a temporary short / medium term basis. The Strategic Housing Section was consulted earlier this year on a pre-application layout for the required range of affordable housing provision. Part of this advice identified that 'the Census data from 2001 shows less than 2% of the stock in the ward is flats. Housing needs data taken from a review of the Peterborough Housing Register in October 2008 indicates that of the 9000 applicants on the register 3546 expressed a preference to live in Barnack and of these 2992 required a 1 or 2 bed property. In addition, the Peterborough Strategic Housing Market Assessment indicated that across Peterborough a suitable profile of new affordable housing units would be 34% 1 bed units and 33% 2 bed units. There is no justification to refuse this type of tenure as part of the overall affordable housing provision. The proposal accords with policies H20 and H24 of the Adopted Peterborough Local Plan (First Replacement).

The applicant has confirmed that all affordable housing shall be built in accordance with Lifetime homes standards. Hence the application conforms with policy H23 of the Adopted Peterborough Local Plan (First Replacement).

g) Affordable Housing

The Strategic Housing Section has been consulted on the proposed housing mix and has requested an additional 3 bed and 4 bed property. However, at pre-application stage, albeit on a different layout the provision of 1no 3 bed and 1no 4 bed was considered acceptable. It is considered to be unreasonable to insist on the additional 3 and 4 bed units at this stage of the application which will require additional provision for amenity space and additional car parking provision and which will compromise the layout of the scheme. Parish Council seek an integration of housing type and tenure throughout the site but this would present management issues for who ever becomes responsible for these properties and it is unreasonable to impose this requirement. The location of the affordable properties will not diminish the wider objective of building inclusive communities.

h) Highway implications

The site is served by one access point to the east of the site off Uffington Road which was agreed at outline stage. Concern has been raised by the Parish Council and local residents regarding the likely increase in traffic and resulting highway implications and that traffic calming measures should be implemented as part of the development. This issue was assessed at outline stage and it was the view of the Head of Transport and Engineering that there would only be a marginal increase in existing traffic movements which would not necessitate any additional traffic calming measures. The proposed

Temporary Construction Access as shown on plan ref. SL-CONST.ACCESS is not supported due to unacceptable vehicle-to-vehicle and vehicle-to-pedestrian visibility splays. The details of the temporary access will be dealt with by condition. The scheme has been revised to address issues of parking, visibility splays, tracking of PCC refuse vehicles and collection points. The layout of the access road could have been improved to include narrowed areas which would serve to restrict vehicular speeds however, it is considered that the short lengths of road and the provision of areas for informal on street parking will reduce the ability to speed. It is unfortunate that the provision of bin storage areas for collection days shown on the plan SL1 rev F now inhibit visibility splays. Additional minor amendments will be sought or otherwise dealt with by condition. Overall, the scheme provides adequate parking in accordance with the maximum standards within the development plan and a safe and convenient access and therefore accords with policy T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

i) Landscaping Implications

The western and northern boundaries adjoin the open countryside and in order to satisfactorily assimilate the development into the open countryside a 2 metre wide Conservation/Wildlife Corridor is provided to these boundaries which will comprise a continuous hedge with the addition of native trees. A wildlife corridor is also proposed for the southern boundary. The boundary treatment to properties adjacent to the countryside will have a post and rail fence which will avoid a hard boundary treatment and harm to the countryside setting. The Landscape Officer supports the proposed landscaping details. The Parish Council have raised the issue of the loss of so many trees to the Uffington Road frontage, however, the trees to be removed are not considered to have conservation status. Replacement planting is proposed and the applicant will be requested to add an extra tree to this frontage, overall providing 4 replacement trees. It is regrettable that so many trees will be lost however; it is inevitable that there will be some loss of tree cover in order to accommodate the development. It is considered that the proposed landscaping scheme is acceptable and accords with policies LNE6, LNE9 and LNE10 of the Adopted Peterborough Local Plan (First Replacement).

j) Ecological implications

The ecology of the site was considered under the outline application and an Ecological and Reptile Survey were submitted as part of that application. A condition was appended to the outline consent which required the developer to submit a scheme of measures to mitigate the impacts to protected species prior to commencement of development. The Common Lizard is known to be present on the site and it is considered appropriate that the mitigation measures should influence the layout of the development. Indeed, advice was provided by the Local Planning Authority in March 2009 when commenting on a revised layout that it had not been demonstrated that the layout could deliver the ecological mitigation required. The applicant was advised to involve an ecological consultant in the design process and that the relevant habitat features should be clearly indicated.

An ecological appraisal has been submitted to inform this planning application. The appraisal concluded that the botanical interest within the site is limited and although the potential habitat for reptiles was recorded on site and further surveys are not necessary. It was considered sufficient for passive displacement to be undertaken prior to works commencing and suggestions made on how this should be achieved. Furthermore to enhance the habitats suitable for supporting a population of common lizards on site after development an area of less intensively managed grassland and hibernacula should be created, if possible with a south facing aspect. A strip of Tussocky grassland adjacent to the hedgerow particular in the south eastern corner of the site would allow lizards to move from the site.

The scheme includes a 2m wide buffer zone incorporating trees and hedges to the western and northern boundaries of the site. It is proposed to supplement planting to maintain and enhance the ecological biodiversity within the site and an additional wildlife corridor is proposed to the southern boundary. A hibernacula is to be provided to the north western corner of the site, an area measuring approximately 28m² which is to provide a habitat for lizards that exist within the site.

The Wildlife Officer has been consulted on the proposal and considers there is insufficient provision in the proposed layout to allow for the mitigation of ecological impacts, and in particular, upon the existing population of common lizard which is present and does not reflect the most recent ecological appraisal supplied with the application. An outline of possible mitigation is given in the most recent ecological appraisal this should be further developed and reflected in the site layout and design. Additional

information has been provided in support of the application in the form of a letter from FPCR (Ecologist) indicating the provision to 3 native hedgerows around the boundary of the site and the 2m wide wildlife corridor mentioned above. The grassland corridor is to be managed to create a mosaic of vegetative structure including tussocky grass and, hard ground for basking and scrub. The Wildlife Officer's objection to the ecological considerations remains extant and the provision for the common lizard remains inadequate. This is also the view of Natural England. The maintenance of the 2m strip is likely to be problematic in terms of physical access and management and the proposed area for the hibernacula not proportionate to the site area which is all currently suitable for common lizard. The proposal therefore makes inadequate provision for the mitigation of ecological impacts therefore the proposal as it stands is contrary to policy LNE19 of the Adopted Peterborough Local Plan (First Replacement). The Local authority has a legal duty under S40 of the Natural Environment and Rural Communities Act for the protection of these species. At the time of writing this report this matter remains unresolved.

Natural England is concerned regarding the additional pressure likely to be imposed by the development on the nearby Hills and Holes which is an SSSI, SAC and NNR. The development will increase the population of Barnack by 10% which may result in the ecological interests of this site being compromised by open access. Natural England has requested that the developer submit further detail of its assessment of potential impacts. Correspondence has taken place between the developer and Natural England and at the time of writing this report no further comments from Natural England have been received and will be provided as an update to this report. However, it is considered that the development is unlikely to pose a significant threat to the ecological interests of this site.

k) Building for Life

The scheme has been considered by the Urban Design Officer who has assessed the scheme under Building for Life criteria. This is the national standard for well-designed homes and neighbourhoods. It is led by CABI and backed by the Housing Corporation, Homes and Communities Agency, Design for Homes and the Civic Trust. Housing schemes achieved the Building for Life standard if they fulfil at least 14 out of the 20 Building for Life criteria, which embody functional, attractive and sustainable housing. These principles are founded on government policy and on guidance developed by CABI in partnership with Design for Homes. The proposed scheme achieves 15 points and has achieved the Building for Life standard.

l) Miscellaneous

Archaeological implications

The site falls within an area of archaeological interest close to the historic core of Barnack. An archaeological desk based assessment has been undertaken and submitted in support of the application. A standard PPG16 condition was appended to the outline consent (06/01275/R4OUT)

Floodrisk and Drainage

A flood risk assessment has been undertaken and has been submitted in support of this application. It concluded that this was a brownfield site and suitable for redevelopment and there are no flood risk management issues which will be adversely affected if the redevelopment proceeds. The nature of the sub soil is suitable for the use of soakaways and should facilitate the use of SUDS techniques. The redevelopment of the site should not increase the risk of flooding to adjacent land. A condition was appended to the outline consent for details of foul and surface water drainage facilities to be submitted and approved in writing by the Local Planning Authority. It is proposed that underground storage tanks will be used to attenuate drainage and by using adoptable soakaways, there will be no increase in surface water run off. The Welland and Deepings Internal Drainage Board have no objections to the proposal.

Contamination

The site has been previously developed and therefore there is potential for ground contamination. A condition was appended to the outline consent and will ensure that appropriate investigation and mitigation is undertaken. A site investigation report (February 2008) has been submitted as part of this application. At the time of writing this report no comments have been received from Environmental Health or the Environment Agency.

Site in vicinity of Hazardous Installation

The proposed development is within the Consultation Distance of a major hazard pipeline. The Health and Safety Executive has been consulted and do not advise against development.

Infrastructural requirement

The outline planning consent (06/01275/R4OUT) was subject to a legal agreement to provide: 30% affordable housing (50/50 rent and shared ownership), a financial contribution towards off-site public open space which will include a contribution towards a new cricket pavilion; contributions towards libraries, cemeteries, waste and recycling, public transport, education, local highway improvements, provision of footpaths/cycleways within the site; and a travel plan.

8 CONCLUSIONS

This is a Brownfield Site within a sustainable location which can adequately accommodate the development of 41 dwellings without compromising the surrounding character or residential amenity of the occupiers of surrounding properties. The height, design and scale of development will complement this part of Uffington Road and enhance the character of the Conservation Area. Notwithstanding the benefits of the proposal, at the time of writing this report it remains to be demonstrated that appropriate measures to mitigate for impacts to protected species, known to be present on the site, can be achieved. The applicant is negotiating with the Council's Wildlife Team to resolve this issue and it is anticipated that the matter will be resolved prior to Committee.

This information will be provided to Members in an update report to Committee. On the basis that the Wildlife issues are resolved and 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 development will enhance the character and appearance to the northern entrance to the village, will reinforce a sense of place and will respect nearby development and longer views into the village
- the proposal makes efficient and effective use of a Brownfield site without harming the character of the surrounding area or neighbouring residential amenity
- the proposal will enhance the character and appearance of the Conservation Area
- the design and proposed materials will reflect and make reference to architectural features found on properties within the village
- the development makes adequate provision for the residential amenity of the future occupiers of the properties
- the proposal provides adequate parking provision for the occupiers of the dwellings and visitors and will not result in any adverse highway implications.

Hence the proposal accords with policies CBE3, DA1, DA2, H10, H15, H16, H20, H21, H23, LNE6, LNE9, LNE10, T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

In the event that the Wildlife issues are not resolved the recommendation will be revised.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED 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 the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until a plot-by-plot schedule and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C 3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C4 No development shall take place until details of all road, footpath and courtyard surface materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C5 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.**

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C6 No development shall take place until details of street lighting (including location, appearance and illumination levels) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to safeguard the amenity of the area and in the interests of safety and, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C7 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(s) shall be constructed other than as those expressly authorised by this permission.**

Reason: In order to protect the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C8 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 other than those expressly authorised by this permission.**

Reason: In order 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).

- C9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.**

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

- C10 Prior to the occupation of the dwellings hereby approved, the existing accesses to the lay-by on Uffington Road shall be removed, and re-instated to provide a continuous footway along the frontage of the site in accordance with plan SL1 F in accordance with details submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of highway safety, and to encourage the use of sustainable travel modes, in accordance with Policies T1 and T3 of the Adopted Peterborough Local Plan (First Replacement).

- C11 This permission does not include the temporary construction access shown on plan SL-CONST.ACCESS. Prior to commencement of development, a plan detailing the revised proposals for the temporary construction access and restoration thereof, shall be submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the approved details and be retained until the permanent vehicular access to the site is constructed.**

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- C12 The dwellings shall not be occupied until the areas shown as parking on plan SL1 F have been drained and surfaced, and those areas shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the dwellings to which they are allocated.**

Reason: In the interest of Highway safety, in accordance with Policies T10 and T11 of the Adopted Peterborough Local Plan (First Replacement).

- C13 No dwelling shall be occupied until space has been laid out within the site in accordance with plan SL1 F for vehicles to turn so that they may enter and leave the site in forward gear, and those areas shall not thereafter be used for any purpose other than the turning of vehicles.**

Reason: In the interest of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- C14 Visibility splays clear of any obstruction over a height of 600mm above footway level shall be provided on either side of the junction of the proposed access road with the public highway, in accordance with plan SL1 F. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 90m measured along the channel line of the public highway from the centre line of the proposed access road. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access).**

Reason: In the interests of Highway safety, in accordance with Policies T1, T3, T5 and T8 of the Adopted Peterborough Local Plan (First Replacement).

- C15 The visibility splays as shown on the approved plans at the junction of the access road with the public highway shall be provided before the use of the access commences.**

Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).

- C16 The vehicular access hereby approved shall be ungated.**
Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).
- C17 Before the dwellings are occupied, visibility splays shall be provided on both sides of the accesses shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m (for shared accessed) and 1.5m x 1.5m (for individual plot accesses) measured from and along respectively the highway boundary.**
Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).
- C18 No additional vehicular access shall be made to Uffington Road.**
Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).
- C19 Notwithstanding the submitted information and prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the Construction Management Plan shall include amongst other matters:**
- a scheme for the monitoring of construction noise;
 - a scheme for the control of dust arising from building works, site works and any demolition of existing buildings;
 - a scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways;
 - a scheme of working hours for construction;
 - a scheme for construction access; including details of haul routes to the site, associated health and safety protection measures and details of
 - measures to ensure that all construction vehicles can enter the site immediately upon arrival;
 - a scheme for parking of contractors vehicles;
 - appropriate times for access for construction vehicles;
 - reference to the approved tree protection measures;
 - details of measures to ensure the contractors are aware of the archaeological issues on the site;
- The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**
Reason In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

Informatives:

1. **Public Health Act 1925 S17-18**
The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.
Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.
2. **Highways Act 1980 - Section 184, Sub-Sections (3)(4)(9)**
This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway.
These works **MUST** be carried out in accordance with details specified by Peterborough City

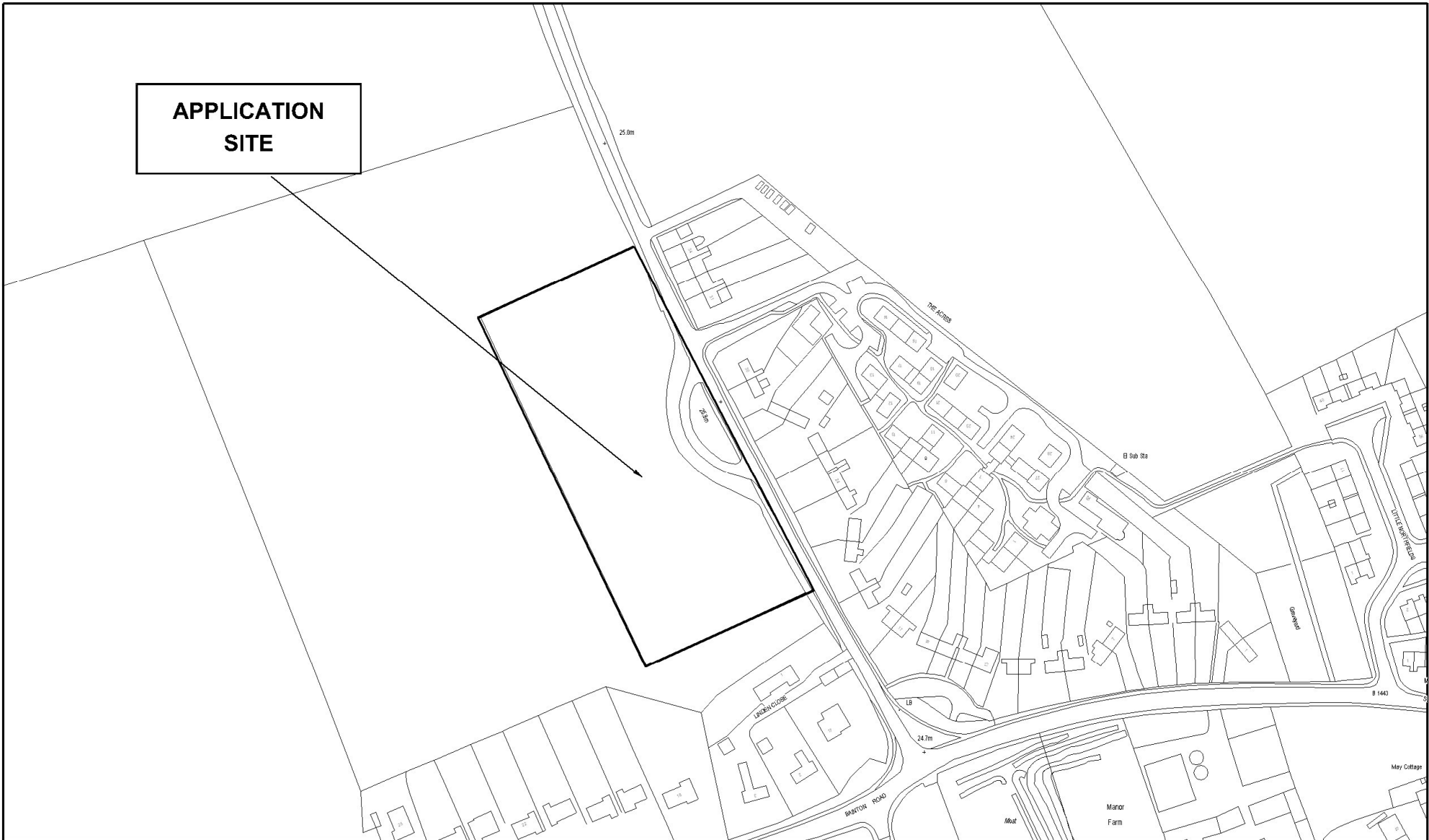
Council.

Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee.

Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.

3. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
4. The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.
5. The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421.
6. **Highways Act 1980 - Section 148, Sub-Section C**
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
7. **Highways Act 1980 - Section 149**
If any thing is so deposited on a highway as to constitute a nuisance, the local authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
8. The developer should give consideration to Marshalls Rialta block paving or a gravel surface dressing, for the surfacing of the adoptable roads. A central drainage channel is also suggested.

Copy to Councillor Over



LOCATION PLAN 09/00464/REM

Land to the West off Uffington Road, Barnack, Stamford

Scale 1:2500 Date 20/8/2009 Name MKB Department Planning Services

PCC GIS



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09/00629/FUL PROVISION OF 2M HIGH BETA FENCE GREEN POWDER COATED
SECURIFOR 2D FENCE AND MATCHING GATES TO PLAYING FIELD AT
NORWOOD SCHOOL GUNTHORPE

VALID: 11.06.2009

APPLICANT: MRS DEBORAH REYNOLDS

AGENT: MR RICHARD WATERMAN

REFERRED BY: CLLR FOWER

REASON: THE IMPACT CAUSED BY THE PROPOSALS ON THE AMENITY OF THE
OCCUPIERS OF NEIGHBOURING DWELLINGS AND THE IMPACT UPON
THE CHARACTER OF THE AREA.

DEPARTURE: NO

CASE OFFICER: DAVE JOLLEY

TELEPHONE: 01733 453414

E-MAIL: david.jolley@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The effect of the proposals on the amenities of the occupiers of nearby dwellings
- The impact upon the character of the area
- The loss of open space that had previously been used by the public

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.

The Peterborough Local Plan (First Replacement)

DA2 The effect of a development on the amenities and character of an area

Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

PPS1 Delivering sustainable development

Planning permission should only be granted if a development is sustainable, in terms of materials, design and community

3 DESCRIPTION OF PROPOSAL

Permission is sought to erect a 2.0 metre Nylofor 2D security fence around the school playing field area of Norwood School. The fence would be set back 6.0 metres from the edge of the pathway adjacent to Elter Walk, to the North West along the line of the existing fence that divides the school playing field and the community field and directly adjacent to the rear boundaries of the properties along Keswick Close.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The Norwood school site sits within a broadly residential area bounded to the west by Elter Walk and to the east by Keswick Close. North of the application site is an additional playing field, not owned by the school.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
01/01635/R3FUL	Three single storey extensions to provide cloakrooms/wc's	21.12.2001	Permitted
04/01010/R3FUL	Single storey extension to form enclosed lobby	21.06.2004	Permitted
98/00756/R3FUL	Retention of existing mobile teaching unit for educational use (95 PO296 refers)	01.07.1998	Permitted
06/00125/R3FUL	Single storey extension to staff room	21.02.2006	Permitted
07/00878/FUL	Single storey extension to form store for main hall	29.05.2007	Permitted

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objections

EXTERNAL

Architectural Liaison Officer (Cambridgeshire Constabulary) – States that in recent months the school has reported incidents to the police of damage and theft. The Nylofor type of fence will provide the deterrent for regular users walking their dog etc on the field and provide an adequate level of child protection. Nylofor 2D fencing is probably the best compromise between aesthetics and security.

NEIGHBOURS

Letters of objection have been received from 12 local residents raising the following issues:

- Will create a walkway to the rear of Keswick Close that will be used by undesirables
- Will impact on nearby residents amenity
- Will harm the community, There has been open access to the field for more than 20 years
- Children will no longer be able to play on the field
- The area round the school is safe therefore the fence is not needed
- It will be like looking at a prison fence
- A different, more open type of fence would be more acceptable
- 'No Dog' Signs could solve the dog problem
- Will devalue nearby properties

COUNCILLORS

Cllr Fower has objected to the application on the following grounds;

- The proposals will unacceptably harm the amenity of the area
- The type of fencing is out of character with the area

7 REASONING

a) **The principle of the development**

The school wishes to enclose their school field within a 2.0 metre green weld mesh fence with 3 sets of matching 2.0 metre gates.

At present the school field is unsecured and offers free access at all times. This has caused the school a number of problems and is considered by the school to be a risk to child safety. The school have sited issues such as;

- Dog excrement being left on the field
- Broken glass and needles being discovered by children
- Horses being left on the field and
- People accessing the field whilst the children are playing

Other security issues have been highlighted by the head teacher and confirmed by the architectural liaison officer involving incidents of theft and vandalism.

Through discussion with the applicant the type of fence proposed has been changed and moved 6.0 metres away from the pathway parallel to Elter Walk. It is considered that the new, more open type of fencing would be acceptable in this location.

b) The effect of development on the amenities of the occupiers of nearby dwellings

The original submission, on which the comments of residents are based, was considered unacceptable. The fencing chosen was too heavy duty and too close to the frontages of the residents of Elter Walk. Taking on feedback from the local residents the fencing specification has been revised, the new fencing is far more open and more light weight in appearance, the fence has also been moved 6.0 metres in from the edge of the pathway from Elter Walk have on balance enabled the revised proposals to be considered acceptable and in accordance with Local Plan Policy DA2.

In addition the access strip from Coniston Road, along the rear of the gardens along Keswick Close has been removed. This will prevent any issues with crime and anti social behaviour taking place in this location and will prevent disturbance being caused through its use as a means of access to the unfenced portion of the field.

It is clear that there will be an impact upon the amenities of the Residents of Elter Walk, they have enjoyed uninterrupted views across the field for over 30 years. However, taking the revisions into consideration it is considered that the impact upon amenity is not enough to warrant refusal of the application under policy DA2.

c) The impact upon the character of the area

The Norwood school site sits within a broadly residential area. Currently the playing field of the school is bordered by a low fence and shrubbery. Access to the field is via a pair of low gates one at Coniston Avenue and the other adjacent to Elter Walk. Visually the fence is in a fair condition and is improved by the planting to the front of the fencing. It is clear that installing a 2.0 metre weld mesh fence on a field that currently is bounded by a low wooden fence will result in an impact upon the character of the area. However this has been mitigated as far as possible by changing the fence specification to a more open type, by setting the fence back from the pathway adjacent to Elter Walk and by retaining the existing fence and shrubbery, it is considered that the impact upon the character of the area is outweighed by the child safety needs.

d) The loss of open space that had previously been used by the public

It is regrettable that the public will no longer be able to gain access to a field that they have been able to use freely for over 20 years. The anger this has caused is understandable. However the school has the right to control access to its own property. There is an additional playing field to the North East of the Norwood School field that is of a comparable size and should be adequate for the needs of the local population.

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:

This type of fencing around schools is not unusual and is perhaps sadly a sign of the times that we live in. The pressure from parents who quite rightly demand the safest of environments for their children coupled with incidences of theft and vandalism have forced the head teacher into this action.

The head teacher of Norwood School has a duty of care towards her pupils. The most practical way to ensure the safety of these children is to prevent access to the school by members of the public. The only way to achieve this is through this type security fencing. A lower, perhaps more aesthetically pleasing fence would not serve the purpose that is required of it as it could be easily climbed.

It is clear that the proposals would cause harm to both the character of the area and to the amenities of the occupiers of neighbouring dwellings, this is contrary to policy DA2 of the Peterborough Local Plan (First Replacement); however this harm is not considered severe enough to warrant refusal and the need to provide a safe environment for children further tips the balance in favour of approval.

Therefore on balance the proposals are considered compliant with policy DA2 of the Peterborough Local Plan (First Replacement).

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to 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 Notwithstanding the approved details all existing planting and fencing should be retained and where necessary repaired.**
Reason: In order to soften the visual impact of the proposed fencing; in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).

Copy to Councillors: C Burton, D Fower, P Thacker



LOCATION PLAN 09/00629/FUL

Norwood Primary School, Gunthorpe Road, Gunthorpe, Peterborough

Scale 1:2500 Date 19/8/2009 Name MKB Department Planning Services

PCC GIS



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09/00708/FUL: CONSTRUCTION OF CAR PARK ASSOCIATED WITH HOTEL AT GREAT
NORTHERN RAILWAY HOTEL, STATION ROAD, PETERBOROUGH

VALID: 02.07.2009

APPLICANT: CRE8 UK LTD

AGENT: DAVID SHAW

REFERRED BY: CLLR TRUEMAN

REASON: LOSS OF GARDEN GROUND

DEPARTURE: NO

CASE OFFICER: NICK HARDING

TELEPHONE: 01733 454441

E-MAIL: nicholas.harding@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The acceptability of additional car parking spaces
- The loss of landscaping and impact on trees
- Design for security

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

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

CC12 Proposal for any development which would prejudice the comprehensive redevelopment of the opportunity area will not be permitted

CC15 Within the city centre new car parking for existing development is limited to that which serves the operational requirements and needs of motorists with mobility difficulties.

T1 New development must not unacceptably impact on any element of the transportation network.

LNE9 New development should protect and retain trees and natural features that make a positive contribution to the environment, and make adequate provision for landscaping of the site.

DA11 The vulnerability to crime must be satisfactorily addressed, in the design, location and layout of proposals.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

PPG13 Planning Policy Guidance for Transportation seeks to integrate planning and transport, and to use a package of measures to promote sustainable transport choices.

3 DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the creation of 30 additional car parking spaces on the site to be used for hotel and rail users. The car parking area was formerly part of the garden area of the hotel.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located within the City Centre boundary and Railway Station Opportunity area, as defined by the Peterborough Local Plan. It is also located adjacent to the Primary Public Transport corridor of Bourges Boulevard.

The land uses surrounding the site are the former royal mail sorting office to the north, the railway station to the west, and to the south a taxi rank, multi-storey car park and surface level station car park. Bourges Boulevard bounds the site to the east, beyond which is the Queensgate shopping centre and associated car parks, and the bus station.

The application site consists of the Great Northern Hotel building, its car park and garden areas. The hotel is currently closed and undergoing refurbishment works, however it is understood that it is proposed to re-open shortly. The hotel was originally built in 1852, and was further extended in 1859, and the 1970's.

5 PLANNING HISTORY

No relevant planning history

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – Recommends refusal of the application as the development will result in an overprovision of parking in a city centre area. A travel plan to encourage a modal shift away from the car should be implemented before increasing on site car parking.

EXTERNAL

Senior Architectural Liaison Officer – There have been a number of recorded crimes of vehicles and occupants using the ground of the hotel in the last 12 months. In view of this history of crime on site it is considered that lighting levels of the new car parking areas should be of a good standard. Without adequate lighting, it is believed that car crime would not only continue, but that it would increase.

Peterborough Civic Society – Are disappointed at the loss of the garden area which they considered provided an important setting to the hotel and provided a valuable amenity area. The southern car park has been sensitively designed and implemented with good materials, with an appropriate degree of retained landscaping. The Society's aim is to see the retention of the hotel and so accept that for viability reasons, car parking for the hotel and for income is required. On this basis, support is given to the proposal.

NEIGHBOURS

2 Letters of objection have been received from 2 residents raising the following issue:

- The land was formerly used as garden ground for the hotel for many years, and was a welcome feature of the site and should not be lost for car parking. Permission should be refused and the land re-instated as garden.

COUNCILLORS

Cllr Trueman raised concern about the loss of the hotel garden ground, and the unauthorised nature of the works that have already taken place on the site. He opposes the application and considers the garden and pond should be reinstated.

a) The provision of car parking

This application seeks planning permission for 30 additional car parking spaces on the site for hotel and rail users, taking the total number of spaces on site to 97. The applicant argues that when events previously took place at the hotel there was a shortage of car parking on site, with users parking on the grass areas, access ways and distant car parks. The applicant advises that this is because the adjacent multi-storey car parks of the Queensgate centre were not available for patrons to use at that time as they closed too early and before the events finished, and the railway station car parks, due to their daily pricing structure, were also not an appropriate alternative.

Unlike a series of other recently refused car park applications the hotel site is located in close proximity to the railway station, bus station, cycle network and taxi rank, therefore there are many opportunities for users of the site to travel sustainably and by other modes of transport other than the private car. However, despite the availability of these other sustainable travel options the hotel has found that, due to the nature of their use and late night operations and when the sustainable travel modes are not so readily available or patrons for personal safety reasons preferred to bring their car, the number of car parking spaces on site was not sufficient.

Policy CC15 seeks to limit the provision of car parking spaces in city centre developments encouraging the shared use of existing car parks, and improving accessibility by means of transport other than the car before allowing new car parking. The applicant has looked into the possibility of sharing nearby car parks but the pricing structures and opening hours have proved to be unsuitable. The sites location is very sustainable in close proximity to the bus and train stations and adjacent to cycle routes and taxi ranks, therefore it is difficult to see how the applicant could improve the accessibility by means other than the car any further. The implementation of a travel plan to help encourage people to car share, cycle, use public transport etc is the only additional measure that the applicant could consider.

Policy CC15 states when it is not possible to share existing car parks, the number of new spaces should be that which serves the operational requirements of the business and the needs of motorists with mobility difficulties.

Using Peterborough City Council parking maximum standards the number of spaces for this development should be 81, therefore the hotel currently has a shortfall of 14 spaces. However the proposed development would result in an overprovision of 16 spaces, and will not just be used for the operational needs of the development; the applicant proposes to allow the car park to be used for rail users and hotel users. This is in line with the policy objective of shared use of the car parking spaces and will assist in the use of journeys by train.

Whilst the addition of car parking spaces on this city centre site is not strictly in accordance with Policy CC15 of the Local Plan, on balance it is considered the addition of 30 spaces, to meet the specific needs of this development and which can be used for railway car parking is in this instance considered to be acceptable. A condition requiring a travel plan to be implemented to encourage more sustainable modes of transport is also recommended.

b) Landscaping and impact on trees

The extended car parking areas on site are within the rooting zone of a significant number of trees, most notably a linear group of Lime trees on the southern boundary of the premises, Tree Preservation Order reference 4.1992. It is highly likely that the construction of these parking areas would have resulted in harm to the shrub planting and trees directly adjacent, as the removal of topsoil and construction of the parking areas could have caused significant root severance and compaction to the tree roots. The potential for harm to the trees has already occurred and cannot be reversed, and the true consequences of this development on the trees would not be able to be identified for some time, potentially years.

There has been loss of a garden on the site, however it is considered that the significant elements of the original hotel pleasure garden have been retained, and the new parking areas are well screened from the public realm. In addition the garden could have been significantly altered in ways that did not require

planning permission, so it would not be possible to insist that the garden be reinstated in its entirety. To maintain adequate screening and to improve the setting of the hotel a comprehensive landscaping scheme, including repair and refurbishment of boundary railings together with specimen tree and shrub planting would be appropriate. This could be secured by a planning condition. There is a large tree opposite the station which has had much of its crown removed. This tree should be completely removed and replaced with at least three limes to complement the existing specimens, which are likely to have been part of the original pleasure garden.

Whilst the damage to the existing trees and shrubs on site is regrettable, it is considered that in this instance, a comprehensive landscape scheme and replacement planting would be an acceptable mitigation measure. On this basis the proposal is considered to be in accordance with LNE9 of the Local Plan.

c) **Design for security**

There is a history of car crime on the site. It is considered this would not only continue but increase with the provision of additional car parking spaces on the site. The use of appropriate lighting in the new car parking areas would be an appropriate measure to assist in reducing the vulnerability to crime, and could be secured by means of a planning condition. This addresses the concern raised by the Police Architectural Liaison Officer.

Subject to the implementation of appropriate lighting, the proposal is considered to be acceptable and in accordance with Policy DA11 of the Local Plan.

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:

- a) The proposal is acceptable and would not be contrary to any land allocations in the Adopted Peterborough Local Plan (First Replacement) 2005.
- b) Subject to the implementation of an agreed Travel Plan (to be secured through condition) involving the promotion of cycle and bus travel, this proposal for car parking provision above the maximum number of spaces normally permitted via Local Plan Policy, will mitigate pressures on the local road network without significant discouragement of other modes of travel. The car parking will also be a shared facility for use of rail users as well as hotel patrons. The development thereby accords with policies CC15 and T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- c) The proposal would not have any significant adverse impact upon highway safety and convenience. The development thereby accords with policies T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- d) a comprehensive landscape scheme and replacement planting would be an acceptable mitigation measure against the regrettable damage caused to existing landscaping. On this basis the proposal is considered to be in accordance with LNE9 of the Local Plan (First Replacement) 2005.

9 RECOMMENDATION

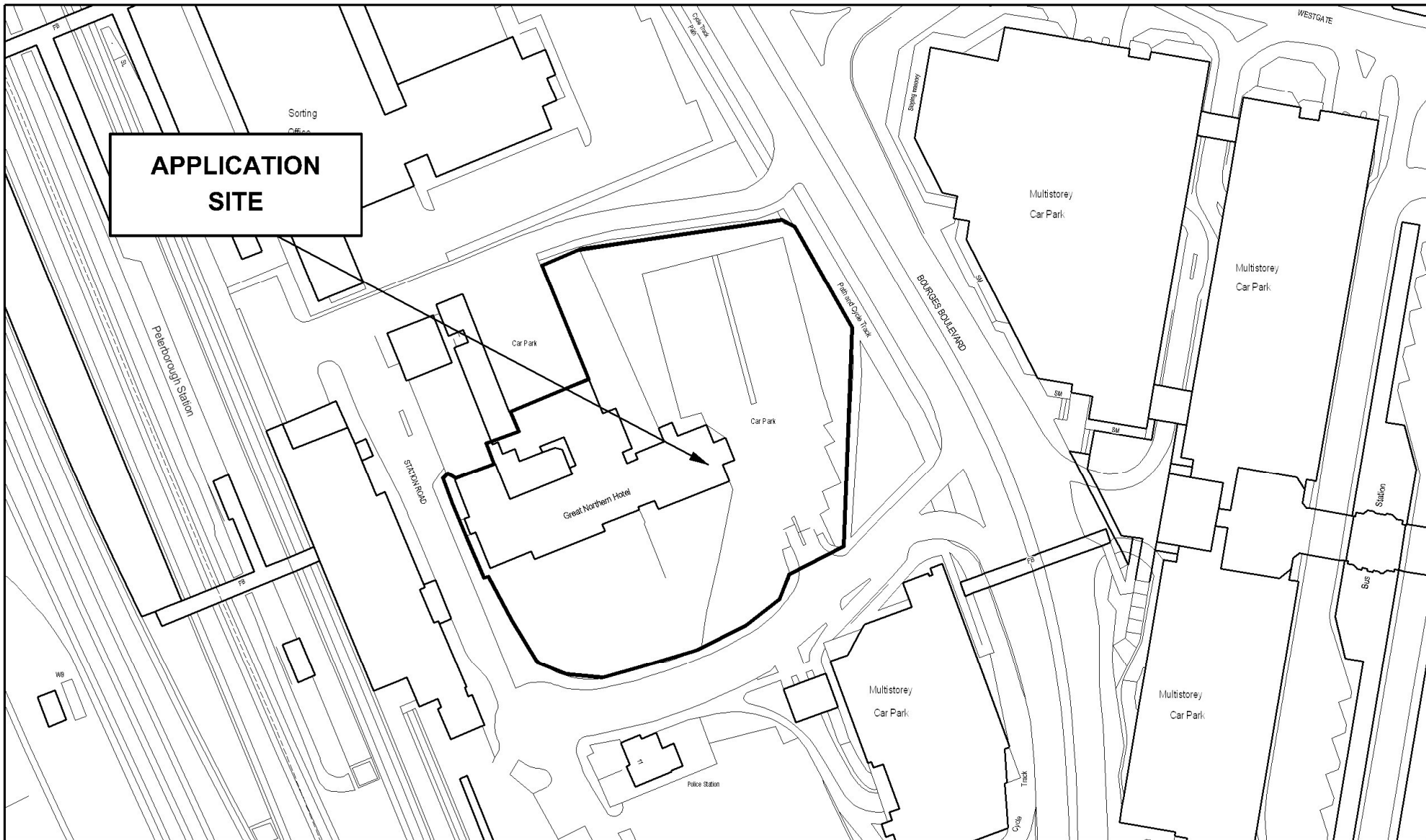
The Head of Planning Services recommends that this application is APPROVED subject to the following conditions:

- C1 Within 2 months from the date of this permission, or within other such period as may be agreed in writing with the Local Planning Authority, details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. This lighting shall be implemented within 4 months of the date of this permission in accordance with the approved details.**

Reason: In the interests of community safety in accordance with policy DA11 of the Peterborough Local Plan (First Replacement).

- C2** Within three months from the date of this permission a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority; the landscaping scheme shall include details of hard landscaping, planting plans, written specification (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme.
Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE9 of the Peterborough Local Plan (First Replacement).
- C3** If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure that the successful establishment of the landscaping scheme, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C4** Within three months from the date of this permission a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed within 6 months of the date of this permission in accordance with the approved details.
Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE9 of the Peterborough Local Plan (First Replacement).
- C5** Notwithstanding the details hereby approved, within 2 months from the date of this permission, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include targets and proposals for promotional measures, incentives to encourage the use of public transport, cycling, walking and car sharing, together with a timetable for the implementation of each of these measures. The details approved shall be implemented in accordance with the timetable contained therein.
Reason: To facilitate sustainable modes of travel, such as walking, cycling or public transport, rather than continued demand for these temporary parking spaces, in accordance with policy T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.

Copy to Councillors: Hussain, Khan, and Fazal.



LOCATION PLAN 09/00708/FUL

Great Northern Railway Hotel, Station Road, Peterborough

Scale 1:1250 Date 20/8/2009 Name MKB Department Planning Services

PCC GIS



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09/00762/FUL: FORMATION OF DORMER WINDOWS IN BILLIARD BLOCK AT 333
THORPE ROAD PETERBOROUGH PE3 6LU
VALID: 3 APRIL 2009
APPLICANT: MR M CERESTE
AGENT: MR D TIMMS
REFERRED BY: INTERIM HEAD OF PLANNING SERVICES
REASON: MEMBER INTEREST
DEPARTURE: NO

CASE OFFICER: LOUISE LEWIS
TELEPHONE: 01733 454412
E-MAIL: louise.lewis@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the development on the amenities of neighbours
- The impact of the development on the Listed Building and the conservation area

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

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

DA2 – Requires that development does not have any adverse impact on the character of the area or neighbour amenity

CBE6 – Requires that works to Listed Buildings are sympathetic to the character and setting of the original building; are not detrimental to its long term stability; and will not result in the removal of features of architectural or historic interest.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Planning Policy Statement 15 – Planning and the Historic Environment – contains advice on dealing with Listed Building Consent applications.

3 DESCRIPTION OF PROPOSAL

It is proposed to insert two dormer windows on the north elevation of the existing outbuilding, and one on the south elevation. Those to the north would be “blind” dormers, with permanently closed shutters, to provide additional headroom and that on the south would be obscure glazed.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The main listed building on the site is Tower House which is Grade 1 listed. The outbuilding in question is of coursed rubble with a pantile roof. There is one existing rooflight.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
99/00149/LBC	Formation of dormer windows in billiard block	12/7/99	Consent
09/00384/LBC	Formation of dormer windows in billiard block	Pending	

6 CONSULTATIONS/REPRESENTATIONS

NEIGHBOURS

Two letters of representation have been received. One expresses no objection, the other raises concerns about overlooking from the new windows.

7 REASONING

a) Introduction

Listed Building Consent was granted for this development ten years ago. A fresh issue of Consent was approved by Members at Committee in July, subject to there being no objection from English Heritage and The Secretary of State.

b) Policy issues and Principle of development

The proposed development does not benefit from Permitted Development rights as it is within the curtilage of a listed building.

The relevant Policies are listed above.

c) Impact of development on Listed Building

The scheme will have no adverse impact on the main Grade 1 Listed Building, or on the curtilage and setting of the main listed building. The building subject of this application is an ancillary, curtilage listed building.

d) Other matters

A neighbour has raised concerns regarding overlooking.

The works currently under consideration are a result of negotiation (in 1999) that took this into account. Overlooking can be addressed by Condition requiring blind dormers to the north and obscure glazing to the south.

Any proposal to create a separate dwelling would require separate planning permission.

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 proposed works will have no adverse impact upon the fabric, character or setting of the building Listed as being of architectural or historic interest. There will be no detrimental impact on the amenities of occupiers of neighbouring dwellings. The proposal is therefore in accordance with Saved Policies DA2 and CBE6 of the Peterborough Local Plan 2005 (First Replacement).

It is recommended that subject to there being no objection from English Heritage, and to approval from the Secretary of State Listed Building Consent be granted subject to 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 The dormer cheeks shall be rendered with lime mortar unless an appropriate alternative is agreed with the Local Planning Authority in advance of works commencing. Any colour applied to the render shall be agreed in advance with the Local Planning Authority.**
Reason: In order to protect the character of a building Listed as being of architectural or historic interest in accordance with Saved Policy CBE6 of the Peterborough Local Plan 2005 (First Replacement).
- C3 The shutters of the blind dormers shall be dark stained to match the windows unless an appropriate alternative finish is agreed in writing with the Local Planning Authority in advance of works commencing.**
Reason: In order to protect the character of a building Listed as being of architectural or historic interest in accordance with Saved Policy CBE6 of the Peterborough Local Plan 2005 (First Replacement).
- C4 The dormers to the north elevation shall be blind dormers with permanently closed shutters and the dormer to the south shall be obscure glazed. The dormers shall be so maintained thereafter.**
Reason: In order to protect the amenities of occupiers of neighbouring dwellings in accordance with saved Policy DA2 of the Peterborough Local Plan 2005 (First Replacement).

Copy to Councillors: M Burton, M Dalton, S Dalton



LOCATION PLAN 09/00762/FUL

Tower House, 333 Thorpe Road, Peterborough

PCC GIS



Scale 1:1250 Date 20/8/2009 Name MKB Department Planning Services

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09/00789/WCPP: REMOVAL OF CONDITION 8 (RIDGE HEIGHT) OF PLANNING PERMISSION REF 03/01174/R4OUT TO REMOVE RIDGE HEIGHT RESTRICTION ON PLOTS 1-5 AT HUNTLY LODGE THE VILLAGE ORTON LONGUEVILLE PE2 7DN

VALID: 20 JULY 2009
APPLICANT: MR JAY LUMSDEN-DIN
AGENT: CHRIS EYRES DESIGNS
REFERRED BY: INTERIM HEAD OF PLANNING SERVICES
REASON: IN VIEW OF PREVIOUS MEMBER INTEREST
DEPARTURE: NO

CASE OFFICER: LOUISE LEWIS
TELEPHONE: 01733 454412
E-MAIL: louise.lewis@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The implications of the restriction on design of the dwellings
- Impact of a change in ridge height on the setting of the Listed building and the character of the area.

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

Relevant policies are listed below.

The Peterborough Local Plan (First Replacement)

DA1 – Development should secure high quality urban design appropriate to the area

DA2 – Development should be in keeping with the character of the area and have no adverse impact on the area or neighbours

CBE3 – Development within or close to a Conservation Area should enhance or maintain the character of the Conservation Area

CBE7 – Permission will not be granted for development which would be detrimental to the setting of a Listed Building

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

PPS1 – Securing Sustainable Development – seeks to ensure the delivery of sustainable development through the planning system.

PPS3 – Housing – Seeks to ensure that a variety of good quality sustainable housing is maintained and created.

PPG15 – Historic Environment – Seeks to ensure that development respects the Historic Environment

3 DESCRIPTION OF PROPOSAL

This application is to remove the Condition restricting ridge height imposed when permission was granted in 2003.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is contained within the historic walled garden of Orton Hall. Until some years ago it accommodated the Huntly Lodge School, which was demolished in about 2004. The site is currently vacant, with the ground slab of the demolished school building remaining and a variety of trees. In places the wall has fallen down or been otherwise removed, and railing put in place. There are no immediately adjacent buildings. The surrounding area is largely wooded.

5 PLANNING HISTORY

Application No.	Description	Decision	Closed Date
03/00790/CON	Demolition of former school buildings	Consent	28.07.2003
03/01174/R4OUT	Erection of five dwellings	Consent	29.10.2003
98/00888/R3FUL	Use of whole building for educational purposes (pupil referral unit)	Consent	30.09.1998
06/01340/WCPP	Variation of Condition 1 of planning permission 03/01174/OUT to allow a further 3 years for submission of reserved matters	Consent	20.11.2006
06/01688/REM	Erection of five dwellings	Refused	22.12.2006
08/01192/DISCHG	Erection of 5 dwellings - Discharge of conditions 3,4,7,9, and 11 of planning permission 03/01174/R4OUT	Comments	09.12.2008
08/01204/LBC	Widening of existing entrance and infilling of existing openings	Consent	31.12.2008
08/01484/DISCHG	Erection of five dwellings - discharge of conditions 6, 9, 10 and 12 of planning permission 03/01174/R4OUT	Under consideration	
09/00615/REM	Construction of a detached dwelling and separate garage	Withdrawn	04.08.2009

6 CONSULTATIONS/REPRESENTATIONS

NEIGHBOURS

- Letters of objection have been received from one neighbour commenting that the increase in height would be detrimental to the overall appearance of the project; and that there is a covenant requiring that the wall and the Hall are visible from each other.

COUNCILLORS

- Cllr Winslade has indicated that she has no objection to the application.

7 REASONING

a) Introduction

This application follows pre-application discussion with Officers.

Outline permission was granted in 2003, for the development of the site for 5 dwellings. At the time it was anticipated that one developer would build out the whole site, and that discussions and negotiations would involve only one applicant.

However the purchaser of the site wishes to sell it on as five separate plots for individuals to develop their own dwellings. This has resulted in several applicants and architects being involved, each with their own design ideas.

Among other conditions, were two conditions controlling the amount of development. These restricted the overall height of development, and the overall footprint of development, to those of the (now demolished) school. The school was a maximum of 7.3m high, and had a built footprint of 1200 sq m.

b) Policy Issues

The relevant Policies mainly cover design matters, and also are concerned to protect the setting of a listed building. The general aim of the policies relating to design is that the aim should be to achieve good design.

c) Implications of height restriction for the new dwellings

The footprint restriction of 1200 square metres, when divided (unequally) between the five plots, results in large dwellings. Large houses with large footprints will normally have large spans, and this, taken with the design style of the building, will dictate the ridge height. The average footprint of the five new houses will be 240 sq m – to give a comparison, the footprint of the nearby new rectory is about 145 sq m with a ridge height of about 8.1m.

The provenance of the restrictive conditions is not clear, however the intention appears to have been to place a quantifiable restriction on the amount of development. Schools and dwellings are different styles of building with different demands for internal spaces and the relationships between spaces, and the resultant designs are quite different. What worked for the school turns out, in practice, not to work for the dwellings.

It has become clear that the restriction on ridge height is a significant constraint to securing high quality design on the site. It is not practical to restrict spans or storey heights to the extent that would be required in order to secure an appropriate roof pitch with an overall height below 7.3 metres.

Officers have spent a great deal of time discussing the design issues with applicants and architects, without any solution being reached. Should the height restriction not be lifted Officers would be in the unfortunate position of having to either refuse applications for well designed houses because they did not comply with the height restriction, or approve applications for houses that are architecturally unbalanced, but which do comply with the height restriction.

d) Impact on the listed buildings and surroundings

Officers have drafted a set of design guidelines which should help to achieve a cohesive development across the site. The guidelines cover separation distances, materials, landscaping and also set out that dwellings should have a two storey, mainly masonry front elevation. These guidelines are broadly acceptable to all the plot developers, and have been amended at an all-party discussion which was felt to move all concerned towards an understanding of how to achieve an overall excellent development. These guidelines include a requirement for dwellings to be a certain distance from the listed wall.

The wall itself is of brick, and is about 2.6m high. It is proposed to impose a replacement height condition on dwellings restricting development to a maximum of 8.5m, which will give sufficient height for roof pitches which suit the styles of the proposed dwellings to be accommodated.

The additional ridge height, to a maximum additional 1.2m, will have no harmful impact on the setting.

The dwellings would always have been visible above the wall although due to the wooded nature of much of the surroundings, views would be fleeting. Most clear views of the development would be from part of the car park and grounds of the Orton Hall Hotel, the listed building of which the garden originally formed part. Orton Hall has a variety of roof styles, heights and pitches, but the main two storey part has a steeply pitched roof. Officers have not advised that development should copy or be unduly influenced by the Hall, and good modern architecture would be supported, but development must be sympathetic to the setting of the Hall and enforcing a height restriction which will necessarily result in squat buildings will not create sympathetic development.

e) Other matters

A neighbour has mentioned a covenant. Legal covenants are not material planning considerations and are a matter of private law, therefore cannot be considered when determining this application

Increasing ridge height will not unduly affect views. The dwellings will be well spaced and both wall and Hall will be visible from most viewpoints.

8 CONCLUSIONS

Allowing a variation in the height restriction of the proposed new dwellings will enable good sympathetic design in keeping with the character of the area and appropriate to the setting of the Listed Orton Hall. This proposal to vary the Condition is therefore in accordance with Saved Policies of the Peterborough Local Plan 2005 (First Replacement).

9 RECOMMENDATION

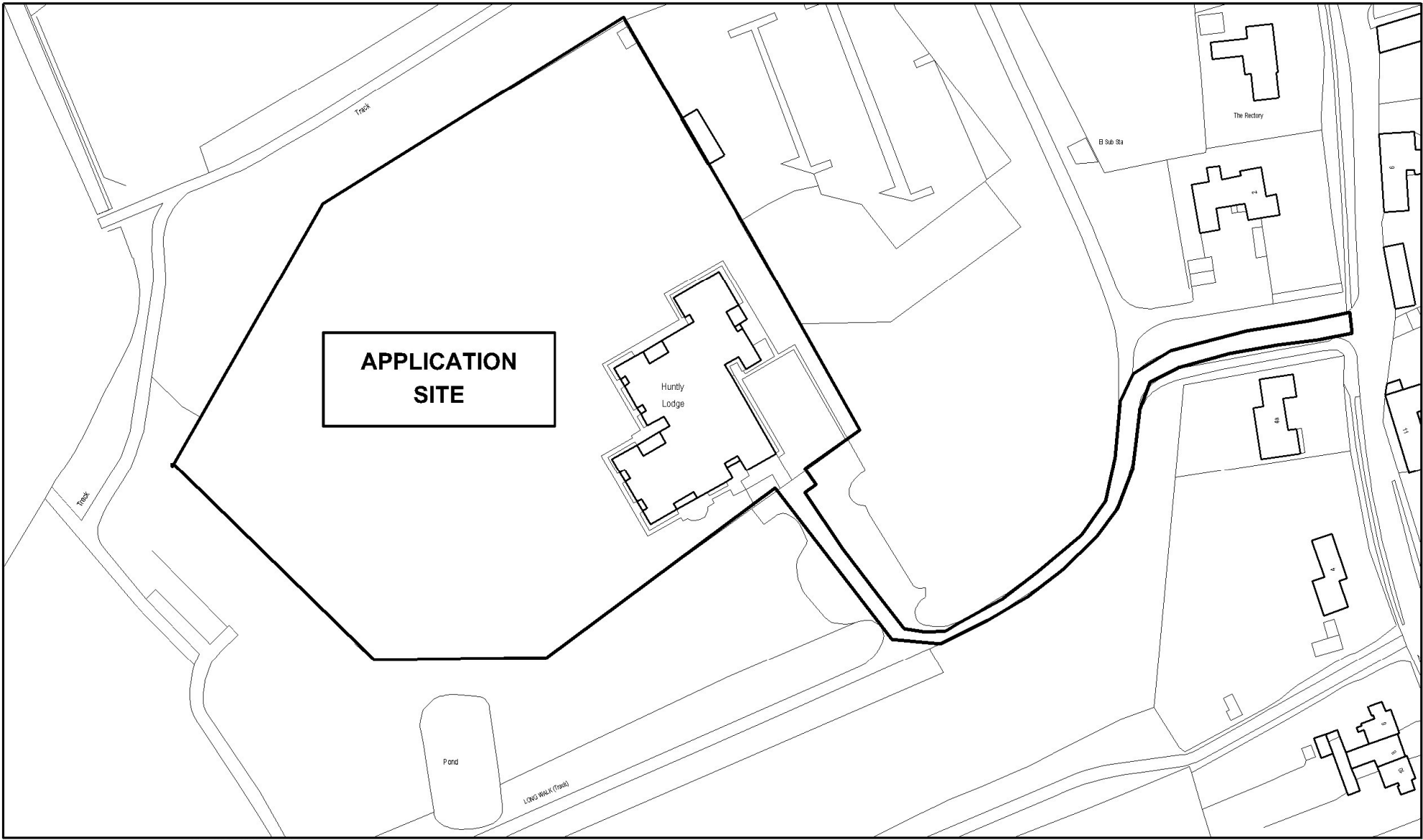
Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

Allowing a variation in the height restriction of the proposed new dwellings will enable good sympathetic design in keeping with the character of the area and appropriate to the setting of the Listed Orton Hall. This proposal to vary the Condition is therefore in accordance with Saved Policies of the Peterborough Local Plan 2005 (First Replacement).

C1 No part of the residential development hereby approved shall be higher than 8.5m (other than appropriately designed chimney stacks).

Reason: To protect the character of a building listed as being of architectural or historic importance and the character of the area in accordance with Saved Policies DA2 and CBE7 of the Peterborough Local Plan 2005 (First Replacement).

Copy to Councillors: J. Goodwin, G. Murphy, P. Winslade



LOCATION PLAN 09/00789/WCPP
 Huntly Lodge, The Village, Orton Longueville, Peterborough

Scale 1:1250 **Date** 20/8/2009 **Name** MKB **Department** Planning Services

PCC GIS



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PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No.
1 SEPTEMBER 2009	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr M. Lee - Cabinet Member for Environment Capital and Culture	
Contact Officer(s):	Barry Fagg Interim Head of Planning Services Jim Daley - Planning Services	Tel: 01733 453475 Tel. 01733 453522

BUILDINGS OF LOCAL IMPORTANCE - DESIGNATION CRITERIA

R E C O M M E N D A T I O N S	
FROM : Jim Daley - Planning Services	Deadline date :
That Committee:	
1. Supports the criteria set out at Appendix 1 for the designation of buildings of 'local importance' as amplification of Policy CBE11 (Buildings of Local Importance) of the Peterborough Local Plan (First Replacement) 2005	

1 PURPOSE AND REASON FOR REPORT

- 1.1 Policy CBE11 (Buildings of Local Importance) (Appendix IX) of the Peterborough Local Plan identifies 15 buildings of local importance which are considered by their individuality to make a positive contribution to the local scene or have local historic significance. They further the City Council's objective of preserving and enhancing the historic fabric and special character of Peterborough.
- 1.2 This report recommends criteria for the future selection of locally designated buildings to ensure consistency to the management and approach to 'local list' designation.
- 1.3 This report is for the Committee to consider under its Terms of Reference No. 2.6.1.5 to be consulted by and comment on the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

2 TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

3 BACKGROUND

- 3.1 Buildings and structures which are of national importance in terms of their historical or architectural interest are included on the national 'statutory list' – i.e. listed buildings. Peterborough has many buildings which although not meeting the national criteria for statutory listing contribute to the historical, architectural, and social character of Peterborough. Some of these buildings have been identified and are included on a 'local list' (Local Plan Policy CBE11 Appendix IX).

- 3.2 The 'local list' is a 'non-statutory' designation and does not provide any statutory protection. This list is advisory only and does not provide the Council with additional powers. Some of these buildings have other protection, for example because they are in a conservation area, and they are all protected by the usual planning permission procedures of the Town and Country Planning Act 1995.
- 3.3 As stated in the Peterborough Local Plan (First Replacement) 2005 (Policy CBE11), the demolition or substantial alteration of the external appearance of a Building of Local Importance will only be permitted if all reasonable steps have been taken to retain the building, including examination of alternative uses, and it is demonstrably impracticable of retention or retention unaltered or could be practicably retained as part of a redevelopment scheme and the benefits of the scheme outweigh the local importance of the building.
- 3.4 The aim of the 'local list' is to safeguard buildings and to ensure that repairs, alterations and extensions are sympathetic to their character. Existing powers are used to preserve these buildings when considering applications for planning permission. 'Local list' designation is an important tool of a local authority in its planning policies. The Planning Authority takes into account the designation of these buildings when considering planning applications.
- 3.5 Designation as a 'Building of Local Interest' brings a number of benefits to the owner. Help and advice is freely available to those carrying out alterations and repairs, and some relaxation of building regulations may be appropriate for such buildings.
- 3.6 Local designation complements the national regime and allows local people to identify and protect buildings that promote 'local distinctiveness'. The forthcoming 'Heritage' reform – the Heritage Protection Bill, due to be enacted in 2010 – encourages the greater use of 'local listing' by Local Authorities.
- 3.7 The present 'local list' is limited in its extent. It is proposed to prepare a revised 'local list' based on the selection criteria set out at Appendix 1. The criteria have been developed to achieve consistency of selection of buildings / structures and are adapted from the Government's criteria for the selection of buildings on the Statutory List. The proposed criteria would reflect buildings and structures of local rather than national significance, and not already on the Governments statutory 'list'. The criteria will help ensure that the future selection of locally designated buildings is carried out in an open way and this process would also include equivalent levels of consultation to those undertaken for national designation.
- 3.8 It is proposed to report a revised 'local list' to P&EP Committee and subject to Executive approval, consultation with owners would then be carried out. A final report identifying a revised 'local list' would then be reported to P&EP Committee for support and then submitted to the Executive for adoption and go forward as part of the emerging Planning Policies Development Plan Document (LDF).

4. REASONS FOR RECOMMENDATIONS

Support of the proposed criteria for the selection of 'local list' buildings will:

- amplify policy CBE11 (Buildings of Local Importance) of the Peterborough Local Plan (First Replacement) 2005
- help achieve consistency in the selection of 'local list' buildings
- reflect the wide range of locally important buildings in Peterborough.

5. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing - this would not advance the Council's aim of the delivery of a high quality planning service, further the City Council's objective of preserving and enhancing the historic

fabric and special character of Peterborough, or respond to the anticipated changes arising in the management of local heritage in the forthcoming Heritage protection reforms.

6 IMPLICATIONS

6.1 There are no specific financial implications for the City Council identified in this report.

7 BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)
Planning Policy Guidance Note 15: Planning and the Historic Environment.
Heritage Protection for the 21st Century Department for Culture Media and Sport 2007
Draft Heritage Protection Bill. April 2008

Appendix 1 - Criteria for selection of Buildings of Local Importance (Local Listing)

A Building of Local Importance is one that is not already statutorily listed but is of significant architectural or additional historical interest. The following criteria define architectural interest for the purpose of the list of Buildings of Local Importance. A building may fulfil one or more criteria.

Age and rarity

- A1** If the building was built before 1840, does it survive in anything like its original external condition?
- A2** If it was built between 1840-1919 (Victorian/Edwardian), does it retain its original features? Is it of sufficient quality to distinguish it from other buildings of that period in Peterborough?
- A3** If it was built between 1919-1939, is it an outstanding example of the style of the period?
- A4** If it was built between 1939-1945, is it a rare surviving example of a wartime structure?
- A5** If it was built between 1946-1980, is it a building of exceptional quality and design?
- A6** If it is a significant landmark building, folly or curiosity?

Historic interest

- B1** Is the building or structure associated with an important historic figure?
- B2** Is it a fine or rare example of a building that illustrates social or economic history, or a good example of town planning?
- B3** Does it illustrate an important part of Peterborough's cultural history? For example, schools, churches, public buildings, leisure, entertainment and commercial buildings.
- B4** Is it an important part of Peterborough's industrial history?

Architectural interest

- C1** Was the building designed by an architect important to Peterborough or the local area?
- C2** Was it designed by an architect of national importance?
- C3** Is it an example of a style of building that is unique to the local area?
- C4** Is it a group of buildings that together are a good surviving example of an historic architectural style?
- C5** Is it a good early example of a particular technological innovation in building type and technique?
- C6** Are the buildings important for the townscape and street scene?

Street furniture or other structures (boundary stones, post boxes, memorials, lamp posts, statues, and similar)

- D1** Is it a rare surviving example of street furniture that contributes positively to the local area?
- D2** Is it important in terms of local history?

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