

# Public Document Pack



Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 7 September 2010

## **Members Present:**

Councillors – North (Chairman), Lowndes (Vice Chair), Burton, Hiller, Serluca, Thacker, Todd, Ash, Lane and Harrington

## **Officers Present:**

Lee Collins, Area Manager Development Management (Items 5.1 – 5.8)  
Andrew Cundy, Area Manager Development Management (Items 5.1 – 5.8)  
Jez Tuttle, Senior Engineer (Development)  
Jim Daley, Principal Built Environment Officer (Items 5.1 – 7)  
Amanda McSherry, Principal Development Management Officer (Item 5.1)  
John Wilcockson, Landscape Officer (Items 5.1 – 5.8)  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

## **1. Apologies for Absence**

There were no apologies for absence.

## **2. Declarations of Interest**

5.1 Councillor Thacker declared a personal, non prejudicial interest in the item in that she knew Mr Peter Lee, a speaker on the item.

5.2 Councillor Thacker declared a personal, non prejudicial interest in the item in that she had previously worked with the daughter of Mr and Mrs Hooton, the applicants for the item.

Councillor Thacker further declared that she had received two emails from Mr and Mrs Hooton in relation to the application, but that she did not have a personal or prejudicial interest.

Councillor Hiller declared that he also had received two emails from Mr and Mrs Hooton in relation to their application, but he did not have a personal or prejudicial interest.

Councillor Harrington declared that he also had received two emails from Mr and Mrs Hooton in relation to their application, but he did not have a personal or prejudicial interest.

Members were asked for a show of hands and it was noted that each Member had received the same two emails from Mr and Mrs Hooton in relation to their application.

5.3 Councillor North declared a prejudicial interest in the item in that he had taken part in numerous discussions regarding the application and its proposed construction. Although he had not indicated any personal views on the application, he stated that

he would leave the meeting for the duration of the item.

5.4 Councillor North once again declared a prejudicial interest in the item in that he had taken part in numerous discussions regarding the application. Although he had not indicated any personal views on the application, he stated that he would also leave the meeting for the duration of the item.

5.5 Councillor Thacker declared a personal, non prejudicial interest in the item in that she knew Mr Paul Field, a speaker on the item, in a business capacity.

### **3. Members' Declaration of Intention to make representations as Ward Councillor**

Councillor Lane declared that he would be making representation as a Ward Councillor for agenda items 5.3 and 5.4, land adjacent to Werrington Bowling Green, Werrington.

Councillor Hiller declared that he would be making representation as a Ward Councillor for agenda item 5.5, 54 Church Street, Northborough.

### **4. Minutes of the Meeting held on 27 July 2010**

The minutes of the meeting held on 27 July 2010 were approved as a true and accurate record.

### **5. Development Control and Enforcement Matters**

Councillor Ash was not present for item 5.1.

#### **5.1 10/00328/FUL – Construction of 14 No. self contained apartments consisting of 8 x 2-bed flats and 6 x 1-bed flats in 3 No. blocks with on site parking at 157 – 161 Fletton Avenue, Fletton, Peterborough, PE2 8DB**

The proposal was for the provision of fourteen apartments. Ten of which were to be provided in two blocks of two and a half storey high buildings positioned at the frontage of the site facing on to Fletton Avenue and four to be provided in a two storey high block positioned to the rear of these. Access to the site would be via a central access point from Fletton Avenue to a central courtyard containing fourteen car parking spaces, bin storage areas, cycle parking and small areas of grass landscaping. Eight of the apartments would have two bedrooms and six would have one bedroom.

The site was previously vacant and before that was used as a second hand car sales garage with parking. The area surrounding the site was predominately two storey high residential housing.

The Planning Officer addressed the Committee and stated that outline planning permission had previously been granted for fourteen flats with siting and access in February 2006. Reserved matters consent had been approved in 2009. Subsequently, a successful legal challenge had been made on the basis that the siting of the blocks in the reserved matters consent was different to siting in the outline planning permission which had been granted, the result being that that permission was quashed. A full planning application had then been refused by Members in December 2009 due to the positioning of one of the front blocks of flats (Block A) because it was forward of the established building line and was therefore considered to be detrimental to the

appearance of the street scene. Members were advised that it was important to note that that application had not been refused for any other reason apart from that issue. Works had started on site but had been stopped pending the outcome of the application before the Committee.

The main issues were highlighted as being the impact of the development on the street scene and the impact of the proposal upon the residential amenities of the adjoining properties.

Members were advised that 25 letters of objection had been received in relation to the original application, some of the main issues highlighted were that the proposal was too close to the existing properties, the loss of privacy and light to adjoining neighbours, overdevelopment of the site, insufficient car parking, the height of the buildings, the overbearing impact of the buildings and the development being out of character with the area.

Members' attention was drawn to additional information contained within the update report. Details of the latest revisions to the scheme were highlighted including the repositioning of Block B so that it was in line with the front building line of No. 163 Fletton Avenue and also the addition of chimneys in order to screen the proposed flat roof section of the roof behind 163 Fletton Avenue. The consultation period on these latest revisions had ended on 6 September 2010 and 6 further letters of representation had been received as had a petition containing 187 signatures. Some of the further issues raised within these objections were that the proposal was contrary to local planning policy, it ignored the amenity of neighbouring properties and the car parking was insufficient. Concerns had also been highlighted regarding the overbearing nature of the proposed chimneys and the proposed roof height was also higher than that of the adjacent properties.

Many of the issues raised had been previously noted by the Committee at its meeting held in December 2009 when the application was refused. Members were advised that it was pertinent to note that given the short time period since the refusal in December 2009, there had been no material differences to planning policy or the site context, therefore what was relevant for consideration at the current time was whether the reason for refusal in December 2009 had been addressed and whether any other subsequent changes to the scheme were considered to be acceptable. In order to address the reason for refusal, the latest application submitted in April 2010 showed Block A as being repositioned further into the site so that the front elevation aligned with the principle elevation of 156 Fletton Avenue. It was the view of the Officer that this amendment addressed the reason for refusal by the Committee in December 2009. In terms of the additional changes made to the scheme owing to the repositioning of Block A, its footprint had been reduced slightly giving it a slightly steeper pitch compared to that of Block B. The difference in pitches between Block A and Block B would not be so significant as to be visually detrimental to the appearance of the street scene. Block B had also been amended so that its principle wall aligned with the principle wall of the adjacent property on 163 Fletton Avenue. Therefore, both blocks had been set to align with the adjacent properties next to them. It was therefore the Officers view that because the blocks were no longer set significantly forward of the adjacent properties it was no longer visually harmful to the appearance of the street scene.

The chimney detailing which had been introduced was in line with existing surrounding properties, which also comprised chimneys, and therefore the visual impact of this on the new scheme was considered acceptable also.

With regards to residential amenity, the change in the proposal from that which had gone before and was refused in December 2009, was that eight of the apartments

were now two bedroomed, whereas there were previously ten. Six of the apartments were now one bedroomed where there were previously four. Overall this resulted in a decrease in the number of bedrooms and it was considered that there would be no further increase in terms of impact on the street scene or the amenities of the surrounding properties.

The re-positioning of Blocks A and B back into the site and their relationship with the adjacent properties would not significantly change the impact in terms of loss of light, privacy or general amenity when compared against the proposal refused in December 2009.

In summary the Committee was advised that the fourteen apartments were considered to be compatible with their surroundings in terms of design and the impact on the street scene. There would be no significant adverse impact on the amenities of the occupiers of surrounding properties in terms of loss of light and privacy. The alterations to Blocks A and B to bring them in line with the existing residential properties overcame the previous reason for refusal in December 2009. The other alterations, which included the provision of chimneys and the increase of the roof pitch to Block A were also considered acceptable.

The Committee was further advised that should it be minded to refuse the application on any new grounds not previously identified in the 2009 refusal, the applicant would have the right to appeal and seek costs against the Council.

Councillor Brian Rush, Ward Councillor, addressed the Committee and requested further clarity on the section of the proposal with the reduced roof height and the imposed flat roof with chimney. The Planning Officer responded and stated that on one of the blocks the chimney had been provided as part of the scheme and this had been designed to mask a section of flat roof. The flat roof had been imposed due to the reduction in footprint of the block and to allow sufficient headroom.

Councillor Rush further questioned how much headroom there would be. The Planning Officer stated that he required a short time to work out the measurements and he would provide a response to this question whilst summing up.

Councillor Rush further addressed the Committee on behalf of local residents and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal had been changed on numerous occasions and each time the flats became less inhabitable and fit for residential properties
- The proposal was an overdevelopment of the site
- The development, by its design, would impact harmfully on the street scene, the character of the area and the amenities of the occupiers in neighbouring properties
- The neighbouring properties on Fletton Avenue, 155 and 163, had window and door openings on the side elevations facing the sides of Blocks A and B, the dining room, kitchen and landing windows of these properties would be deprived of daylight and therefore the proposal was contrary to policy DA1 and DA2. The gardens would also be deprived of daylight and would be subject to shadowing
- The property adjacent to the development on Garrick Walk would also be subject to the same issues. The occupiers of the top floor flats in Block C would be able to see straight into the front bedroom of this property
- The car parking area was substandard and there was currently no provision for disability spaces or cycle spaces. This was contrary to the Council's own policy for disabled provision. It was stated in the report that this would be dealt with by

a condition, but this would mean a reduction in the already in-adequate amenity space

- The ground floor flats in Blocks A and B would have their living room and bedroom windows backing on to the parking spaces, so noise, fumes from vehicles and the danger of impact would be high due to the lack of buffer strip between the windows and parking spaces
- There was no rear access for Blocks A and B for either parking, refuse or amenity areas. The bin locations, due to the lack of rear access for Blocks A and B, were not adequate. Residents would be encouraged to keep their bins near their front doors on the Fletton Avenue frontage due to the long walk to the bin area
- Overdevelopment would not only have a negative effect on the area it would also have an adverse effect on the neighbours. The site was in need of development but it should not be at the cost of spoiling the residential amenity and quality. The application was contrary to current national and local planning policies and completely ignored the amenity of neighbouring properties in terms of loss of daylight, overlooking, traffic and parking.

Mr Peter Lee, an objector and local resident, addressed the Committee on behalf of Fairplay for Fletton and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Fairplay for Fletton believed that there were a number of reasons not to consider the existence of the outline planning permission, granted in 2006, as being a constraint to a decision for refusal. The outline permission was now time expired and there had also been a relevant change to planning policy at Government level. This change had been made after the Committee's last refusal. At the time of the original outline there was a great emphasis being placed by Government on the need to increase residential densities, however in June 2010 there had been the cancellation by the new Secretary of State of the 'national indicative minimum density for housing'. Therefore the Council could make a new decision in accordance with its own planning policies
- The proposal was overdevelopment of the area, especially with regards to the overlooking of 1 Garrick Walk, to the rear of the development
- The distance between blocks was not the minimum distance as set out in the Peterborough Residential Design Guide
- There would be loss of daylight and overshadowing to neighbouring properties
- The parking would be incredibly cramped and the spaces were against the bedroom walls of the ground floor flats on all three blocks, therefore noise and exhaust fumes through open windows would be unacceptable
- The site was located on a busy road with parking restrictions and it was also located near to the Posh ground (Peterborough United Football Club), this would lead to further excessive parking in the area on the side roads
- The small areas of open space in scheme were inadequate, as were the outlooks and the internal arrangements. All these would lead to substandard living conditions that could only be relieved by reducing the number of units on the site
- The proposal was contrary to policies DA2, H15 and H16

Mr John Ratcliffe, a planning consultant, addressed the Committee on behalf of the applicant and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Outline development had been granted in February 2006 for fourteen flats, in three blocks and associated parking, communal open space and included access and siting

- The outline scheme which had been approved comprised three blocks, two of which fronted onto Fletton Avenue and one block adjacent to the southern boundary of the site
- An S106 agreement had been completed in August 2007 with regards to a financial contribution towards the provision by the Council of public open space
- The development, which had been started, comprised the scheme approved under reserved matters by the Committee on 28 April 2009
- Construction had ceased on 2 October 2009 following a successful legal challenge to the approval of reserved matters
- A subsequent full application for fourteen flats had been considered by the Committee on 8 December 2009 and it was resolved that permission should be refused
- A revised scheme had since been submitted with revisions to the northern frontage including alignment with the frontage of the adjacent dwelling at No. 155 Fletton Avenue and the amendment of the accommodation from 2 x 1 bed flats and 3 x 2 bed flats to 4 x 1 bed flats and 1 x 2 bed flat
- The development would comprise fourteen apartments in three blocks with a central vehicular access
- A central courtyard car parking for fourteen cars had been proposed as well as two bin storage areas for general and recyclable waste
- A main communal garden area was proposed in the south western corner of the site with smaller areas south of Block B and east of Block C
- Blocks A and B would be 2.5 storeys and block C 2 storeys
- The two front blocks facing Fletton Avenue had front elevations designed to appear as two pairs of semi-detached houses with bay windows to reflect the design and appearance of the adjoining dwellings. The upper flats in the roof area had roof lights to provide light but would maintain a plain unbroken roofscape
- Block A had been re-designed and sited to align with the front of the adjacent dwelling at No.155 Fletton Avenue
- The reduction in the footprint for Block A would result in a slightly steeper roof pitch. In order not to increase the height of this block, but in order to maintain the living accommodation within the roofspace, a flat roof had been used. The flat area would not be visible due to the introduction of chimney stacks which would form a screen
- The block at the rear of the site would be two storeys only and had been designed to reflect the design of the adjacent dwellings in Garrick Walk
- The development would be constructed using red brickwork in order to reflect the materials which are characteristic of the area
- The refuse collection would be handled by a private contractor due to refuse collection vehicles by Peterborough City Council not entering private areas
- There would be grass and shrubs on the frontage and trees in appropriate areas
- The access to the site would be a five metre wide central driveway between Blocks A and B
- The layout, scale and design would accord with previous approvals and the appearance of the scheme would reflect the character of the adjacent housing
- Block A had been redesigned and aligned with the adjacent dwelling following Members concerns which had been expressed at the Planning Committee meeting held on 8 December 2009

The Planning Officer addressed the Committee and provided a response to the question posed earlier by Councillor Rush with regards to the height of the headroom in the room with the flat roof. The Planning Officer stated that he had measured the headroom at 1.9 metres, floor to ceiling.

The Planning Officer further addressed the Committee in response to comments made by the speakers and stated that the outline permission was still a material planning consideration in the determination of the application, in particular, the refusal in 2009 had to be given significant weight to any decision made.

With regards to minimum densities, despite the deletion of the national indicative minimum density of 30 dwellings per hectare, the density in the Officers view was still considered to be acceptable, given the site's surrounding context.

After debate specifically relating to the location of the development, the parking provisions and the previous decisions made by the Committee in line with Government policy at the time, Members questioned the legal officer as to whether a decision to approve the proposal could be challenged in the future due to the recent changes in Government policy in relation to minimum densities of dwellings.

The Legal Officer addressed the Committee and advised that a challenge could be made as there was new Government policy, however decisions had to be weighted against material considerations and part of the previous applications which had come before the Committee had to be taken into account when reaching a decision.

After further debate and comments regarding the previous use of the site which had been a car lot, members considered the current proposal to be an enhancement of the sites former use, a motion was put forward and seconded to approve the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the open space needs of the development and there being no new material planning issues raised as a result of the current consultation which expired 30 July 2010
2. The conditions numbered C1 to C17 as detailed in the committee report
3. If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report.

**Reasons for the decision:**

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

- The 14 apartments were considered to be compatible with their surroundings with no significant adverse impact on the amenities of occupiers of nearby dwellings. The proposal was therefore in accordance with Saved Policies DA1, DA2, LNE9, T1, T9, T10 and LNE9 of the Peterborough Local Plan 2005 (First Replacement). There was some conflict with policies H7, H15 and H16 in that the density of the development was higher than the immediate surrounding residential densities. However, this was considered acceptable because the application provided for a front elevation design to Fletton Avenue that was in keeping with the character of nearby properties and the density of the development did not significantly adversely affect neighbouring residents with regard to loss of sunlight, daylight and privacy. Additionally, the Local Planning Authority had taken into account the fact that outline planning permission was granted for 14 flats in 2006. There was some conflict with policy H16 in that the amount of private amenity space was

substandard but this was being off set by provision of a contribution via a Section 106 agreement towards off site provision. The alterations to Block A, to bring its building lines in line with the building lines of the adjacent residential property, overcame the previous reason for refusal of 09/01155/FUL, so that the development could now be considered to be in keeping with the appearance of the streetscene.

- The Local Planning Authority considered that taking all material considerations into account and by the imposition of conditions where necessary, the proposal as a whole was acceptable. Despite the deletion of the national indicative minimum density of 30 dwellings per hectare of PPS3 (June 2010), the density proposed was still considered to be acceptable.

## **5.2 10/00673/FUL – Construction of 2 Storey 3 Bed Dwelling at 219 Broadway, Peterborough**

Planning permission was sought to put a single 2 storey 3 bed dwelling in the garden of 219 Broadway. All three bedrooms were to be sited on the first floor. The ground floor would contain a lounge, kitchen, dining room and study. Access to the site would continue from Broadway and was to be widened from 3 to 5 metres. Car parking on site would be provided for 4 cars.

219 Broadway contained a relatively large, two storey, brick built detached house. The 4 bedroom dwelling was built in the 1960's and was located in a residential area on a generally level triangular shaped plot of land at the junction of Broadway and Eastfield Road. The site was within the Central Park Conservation Area (although previously on the edge of the Conservation Area, the subject property had only recently become absorbed, being approved in February 2007 by the City Council). The character and appearance of the area was typified by Victorian villa type properties sited some distance back from the highway and often within substantial grounds with significant trees lining the road.

The house faced northwards and was accessed by a tarmac covered driveway off Broadway. A single garage was attached to the western side of the house and a large open car-port was positioned to the west of the garage.

There were a substantial number of trees and shrubs on the site, the majority of the large trees were growing along the boundary edges of Broadway and Eastfield Road. The heavily treed frontages to Broadway and Eastfield Road made a positive contribution to the character and appearance of the conservation area.

The Planning Officer addressed the Committee and gave an overview of the main issues. These included the design and impact of the proposal on the Conservation Area, the impact on existing trees, the impact on neighbour amenity and also highways implications. Letters of objection had been received from six local residents raising numerous issues against the application. The Broadway Resident's Association, along with Councillor John Peach, Ward Councillor, had also objected to the application on the grounds that it would be detrimental to the character of the Conservation Area and that it was specifically against the Park Conservation Appraisal Report.

Although it was accepted by the Planning Officers that the proposal was uncharacteristic of the area, which were typically single large dwellings in landscaped plots, the Conservation Officer had advised that the massing of the dwelling was acceptable and the building could be enhanced by using similar materials to those used by surrounding dwellings.

Members were advised that the development would result in a significant loss of trees however, the applicant had submitted an arboricultural report which had concluded that there were numerous poor quality trees growing within the grounds of the property.



These poor quality trees and shrubs should not be used to adversely affect the development of the site and a detailed landscape scheme should form part of the planning proposal. The Council's Tree Officer had raised no objections to the conclusions reached within the submitted report and it was considered that a detailed landscaping scheme to tidy the existing vegetation and to replace the poor quality trees would enhance the gateway site and preserve the character of the Conservation Area.

Councillor John Peach, Ward Councillor, addressed the Committee on behalf of local residents and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The ongoing preservation of the Park Conservation Area and the commitment which had been undertaken by the Council in order to manage further change or new development in the area
- The Park Conservation Area appraisal and Management Plan, which had been approved in March 2007 and the statements contained therein in relation to intensifying plots, the respect of scale, enhancing the character and appearance of an area and the non support from the Council when widening an entrance/exit if it required the removal of a boundary wall or hedge
- The application went against the new recommendations of "garden grabbing" where it was stated that new buildings should not be placed in residential gardens
- The plans highlighted the demolition of the existing garage and an extension to the existing house however, these were not mentioned anywhere in the text of the application and they were not included in the original plans. This would be a substantial change to the Conservation Area
- The garden of the original house at 215 Broadway had already been subdivided on numerous occasions, therefore 219 was already the product of numerous infill developments
- All but 12 of the over 30 substantive trees would be removed
- The current attractive view would be replaced by an 8 metre high, 7 metre wide, blank end wall of the proposal
- The Conservation Officer had negatively commented on the proposal design
- There would be conflict between the canopies of the retained trees and the scaffolding which would offer little protection for the retained trees in the future
- Many neighbours and the Broadway Resident's Association were against the proposal
- There was ample precedent for refusal, namely the appeal decision of 226 Park Road
- The Planning Officers report highlighted negativities towards the proposal in relation to the proposal in the Conservation Area
- The proposal was contrary to planning policies for the protection of Conservation Areas
- The proposal was contrary to policies CBE3, DA1 and DA2
- The proposal was contrary to National Planning Policy Guidance Note PPG17 and the Council's own policy LT3

Mr Derek Brown, an objector and local resident, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal was contrary to the Council's guidance on multiple points in relation to the provision of the Conservation Area
- The front garden was in a prominent position, being the entrance to the Conservation Area
- The smaller trees to be retained would have little impact on softening the view

- The Park Conservation Area Management Plan stated that there would be a presumption against developments in gardens unless there was no detriment to the amenity and quality of the Conservation Area
- The Planning Officers report highlighted that the building was uncharacteristic of the area and the loss of trees would harm the appearance of the Conservation Area
- The arboricultural report categorised the majority of the trees as “Group C”. This did not mean that they had to be felled in one go to make way for development
- Strong weighting for retention should be given to trees in the Conservation Area
- The report suggested that some of the trees were unsuitable for gardens, but many of the gardens in the area had the same types of tree
- The imposition of the boundary fence was also against Conservation Guidance
- The fence would be a magnet for graffiti and vandalism
- The proposal was contrary to policy DA6
- The proposal, if approved, would create a precedent for infill development

Mr Chris Hooton, the applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The applicant’s liked the trees at the property, however the arboriculturalist had classified all of the trees and some had been identified as being unhealthy
- Thinning out of the trees would be beneficial to the specimen trees
- The removal of some of the poorly trees would not impact on the street scene
- The hedge would stay the same, as would certain shrubs
- The remaining trees and the trees on the pavement of Broadway would amply obscure the development
- Work had been undertaken with the Planning Department and a plan had been produced which was compatible with the areas needs
- A modest 3 bed house would prevent any further development on the site
- The trees on Eastfield Road would not be altered, neither would the trees on Broadway
- The recommendation for the use of suitable materials had been taken on board, as had the recommendations for landscaping and replanting

The Planning Officer addressed the Committee and stated that with regards to “garden grabbing” there had been a change in policy which meant that gardens were no longer classified as Brownfield sites, however each site would still be considered on its own merits. The revision to the scheme with regards to the garage and extension were not included as part of the application, even though it was shown on the plan, therefore it was suggested that a condition be imposed stating that the details shown on any plans would not be approved as part of the application.

The Principal Built Environment Officer addressed the Committee and gave an overview of the main issues surrounding the proposal, namely the loss of the boundary planting which would lead to an open site and the increase in the density, which was at odds with certain comments made in the Conservation Area Appraisal. A balanced view was expressed and it was highlighted that with conditions and good quality materials used the proposal was acceptable in principle.

The Landscape Officer addressed the Committee in response to concerns highlighted by Members with regards to the loss of the trees. It was stated that none of the trees currently situated at the site were worthy of tree preservation orders and some were very unhealthy and were unlikely to improve. It was therefore felt that felling and replanting of healthy trees, which could take 5-10 years dependent on the species, to grow to a significant height, would be beneficial.

After debate, Members commented that it was important to weigh up whether the proposal would preserve or enhance the character of this part of Peterborough. The Officers had all agreed that they thought the proposal would improve the area, maybe not in the short term, but ultimately in the long term. Conservation Areas needed to be looked at subjectively and each proposal taken on its own individual merits.

After further debate and additional questions to the Landscape Officer, a motion was put forward and seconded to approve the application. The motion was carried by 7 votes, with 2 voting against and 1 not voting.

**RESOLVED:** (7 for, 2 against, 1 not voting) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the needs of the area
2. The conditions numbered C1 to C17 as detailed in the committee report
3. If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

**Reasons for the decision:**

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

- The amended design resulted in an improved composition that was appropriate in scale and form and would reinforce the character of the Broadway. The proposal would not therefore result in a significantly detrimental impact on the character or appearance of the Park Conservation Area.
- A detailed landscaping scheme, to tidy/thin the overgrown vegetation and to replace the mainly poor quality trees, with healthy mature species would enhance this gateway site and preserve and enhance the character and appearance of the Conservation Area.
- The proposal by reason of its design, scale and height would not result in a detrimental impact on the amenity of the occupiers of neighbouring dwellings.
- The scale and form of the development was consistent with the character of the area and would provide adequate living conditions for residents.
- The proposal would not result in a detrimental impact on Highway Safety.

The proposal was therefore in accordance with Policies DA1, DA2, DA6, CBE3, H16 and T1 of the Peterborough Local Plan (First Replacement).

Councillor North left the meeting for the duration of the next two items and Councillor Lowndes took the Chair.

Councillor Burton and Councillor Lane also left the meeting.

The meeting was adjourned for ten minutes.

**5.3 10/00730/R3FUL – Construction of Community Car Park with New Vehicular Access at Land Adjacent to Werrington Bowling Green, Stimpson Walk, Werrington, Peterborough**

The application sought permission for a 100 space car park, including 5 disabled parking spaces to be located on land to the east of the Werrington Bowls Club. The

site would be accessed via the formation of a new vehicular access off Staniland Way which would cross two cycle routes at right angles. The access would retain priority for users of the cycle ways which ran adjacent to Staniland Way and Goodwin Way. This would be achieved by providing a road ramp up to the cycleway at both junctions with rumble strips. The car park had been designed to provide pedestrian access to the adjoining playing fields, the Bowls Club, the two schools and the sports centre. The development would result in the loss of 3 semi mature specimens (2 Field Maple and 1 Lime) and 2 young trees (1 Field Maple and 1 Rowan). A height restriction barrier was proposed on the entrance to the car park. A concurrent application had also been submitted for a Skate Park on land to the north west of the application site (ref 10/00819/R3FUL).

The application site was a triangular piece of land, approximately 0.38 ha, currently designated as open space, which lay to the north west of Werrington Centre. Directly to the west was the Werrington Bowls Club beyond which was William Law Primary School. To the south was the Werrington Sports Centre and Ken Stimpson Community School and to the north east was a residential development known as Long Pasture. The site was bounded on the western side by a 2m high dense hedge, to the north east by an avenue of mature Horse Chestnut trees with adjacent footway, on the south east by a dense hedge, and avenue of semi mature Norway Maples with adjacent footway. The immediate context comprised a verdant soft landscaping character.

The Planning Officer addressed the Committee and gave an overview of the main issues, namely the loss of open space, trees and public amenity. The draft open space survey had confirmed that there was overall surplus amenity space in Werrington and accessibility to the remaining open space would not be significantly affected. A total of 5 trees would be lost but this was not considered to have a detrimental effect on the amenity of the area. For security reasons, conditions proposing the use of CCTV had been requested.

Councillor Stephen Lane, Councillor John Fox and Councillor Judy Fox, Ward Councillors, addressed the Committee jointly on behalf of local residents and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The car park had been a stumbling block and it was a shame that it could not have been agreed through the schools PFI contract to place the car park in the schools grounds as the main beneficiaries would have been the school, sports centre and library
- A Council owned car park in this location would be welcomed to numerous other groups of people and not just local shoppers, it would help to ease ongoing parking issues, especially with regards to the dropping off of school children
- The car park would not be compulsory for use and the old car park would still be available for use
- The car park was required and this had been highlighted by the communities response to the original regeneration application
- The location of the car park was considered to be the best choice
- Concern had been high amongst the Ward Councillors with regards to the community car park and the possible implementation of charges
- The disabled spaces had been moved nearer to the bowls club, as had been requested
- Additional conditions were requested to alleviate local concerns with regards to the implementation of adequate signage warning motorists of the entrance to the community car park to ensure the safety of pedestrians and cyclists, that sufficient lighting was provided leading from Ken Stimpson School to the car park for safety reasons and to install CCTV to provide security for the users of the car park

- The main concern had always been for the school users, library users and sports centre users to have somewhere to park now Tesco's had taken over the car park

Mr Richard Lord, an objector and the Headmaster of Ken Stimpson School, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The disappointment at the lack of consultation undertaken prior to the application being made
- It was believed that the original site, that being the schools tennis courts, would have been a better location for a community car park in the area
- The understanding that it was not the PFI arrangements which had rendered the proposal impossible, rather a financial issue, was misrepresented
- The focus on who the community car park was mainly for, needed to be addressed, namely the staff at Ken Stimpson and William Law Schools and the Library and Sports Centre
- The distance of the car park to the schools, library and sports centre, was a concern. It was believed that users would not use the new car park unless restrictions were placed on the Tesco's car park, such as charges. This would make the new car park simply an overspill car park for users of Tesco's
- CCTV would be welcomed as would enhanced lighting due to the distance away from the schools, sports centre and library
- The safety aspects for both pedestrians and cyclists was of extreme concern, specifically in relation to the entrance, which was on a sharp bend and there was also a corner which became extremely icy in the winter

Members expressed concern at the safety issues with regards to the sharp bend at the site and comments were sought from the Highways Officer on this issue. The Highways Officer addressed the Committee and stated that he had spent time at the site and the majority of cars did slow down significantly to go around the sharp right angled bend. Two proposed conditions had also been requested with regards to the visibility splays at the road access junction and also cycle visibility splays. With regards to the icy corner, this would be reported to the maintenance department as icy roads usually meant that the drainage was not functioning properly.

After debate, a motion was put forward and seconded to approve the application with additional conditions with regards to lighting and safety signage. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C6 as detailed in the committee report
2. The informatives numbered 1 to 3 as detailed in the committee report
3. An additional condition in relation to the provision of lighting at the site
4. An additional condition in relation to safety signage at the site

**Reasons for the decision:**

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

- The proposed siting for the community car park accorded with a variation of the S106 agreement for planning consent for the phase I regeneration of Werrington Centre (08/01471/FUL)

- Appropriate measures had been implemented to ensure the priority and safety of users of the cycleway/footway network adjacent to the proposed access
- The siting of the car parking would not result in a significant loss in open space and would not give rise to a deficiency of open space
- The design of the car park would assimilate with the surrounding open and verdant character while allowing for the material surveillance by users of the adjacent footways
- The proposal would not result in an adverse impact on the amenities of occupiers of neighbouring residential properties.

Hence the proposal accorded with policies DA1.DA2, DA11, LNE9, LT3, T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).

#### **5.4 10/00819/R3FUL – Construction of Concrete Skate Bowl at Land Adjacent to Werrington Bowling Green, Stimpson Walk, Werrington, Peterborough**

The application sought permission for the provision of a Skate Park on land to the north of the Werrington Bowls Club. The construction would comprise an in situ concrete bowl, designed to provide a mix of bowls and ramps. An indicative design scheme had been submitted and would be approximately 250m<sup>2</sup> in area with a maximum bowl height of 2m. A very similar scheme had recently been completed in Bretton Park. The area would be heavily mounded with no perimeter fencing. A concurrent application had been submitted for the construction of a community car park on land to the east of the Skate Park (ref. 10/00730/R3FUL).

The application site was approximately 800m<sup>2</sup>, currently designated as open space, which lay to the north east of the Werrington Bowls Club. The site was bounded to the north east by an avenue of trees, a public footway beyond which was an area of open space and to the north west and south west by a mature hedge. William Law Primary School planning field abutted the site to the north west. Directly to the south east was a triangular piece of land which was subject to planning application ref. 10/00819/R3FUL for the provision of a community car park. The immediate context comprised an open soft landscaping character.

The Planning Officer addressed the Committee and gave an overview of the main issues namely the design and impact of the proposal, the security of the area and the impact on neighbours' amenity. Members were advised that the park would be situated far enough away from neighbouring dwellings as to not impact on residential amenity. With regards to issues in relation to security, the provision of CCTV would be conditioned. The park would provide a much needed recreation facility for local children and teenagers.

Councillor Stephen Lane, Councillor John Fox and Councillor Judy Fox, Ward Councillors, addressed the Committee jointly on behalf of local residents and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The Ward Councillors had worked extremely hard, alongside Werrington Neighbourhood Council and the Youth Service, to provide facilities for youths in Werrington
- There was a major problem with youths congregating at the Werrington Centre and they needed alternative places to go
- The youth of Werrington had been heavily involved in the project, including its design
- It would be detrimental for the youth of Werrington if this proposal was not approved
- The majority of users would be committed to their sport, therefore were likely to be well behaved and responsible

- Skate culture was about more than just the physical activity, it was about the display of skills and made for an enjoyable spectator sport
- There would be an earth mound around the bowl which would mitigate against any unnecessary noise levels
- The location of the bowl would help with a number of Council strategies with regards to youth work, helping with obesity issues and having a positive impact on reducing anti social behaviour by getting the skateboarders away from public buildings and car parks
- An additional condition was requested with regards to the provision of omni directional CCTV from the car park and lighting at the skate park for the safety of users

Mr Richard Lord, a supporter and the Headmaster of Ken Stimpson School, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Congratulations were extended to the Ward Councillors and Werrington Neighbourhood Council for all the hard work which had been undertaken to provide the facility for the youths of Werrington
- The proposals for both the skate bowl and the multi user games area (MUGA) were welcomed
- There were concerns however regarding the future location of the multi user games area. The location may bring anti social behaviour onto the fringe of the school site. Therefore, could a condition be implemented to mitigate against this?
- Would it be possible for the multi user games site to be placed nearer to the skate bowl?

The Planning Officer addressed the Committee and stated that a separate planning application would be required for the MUGA and the current proposal was simply for the provision of the skate park.

After debate, a motion was put forward and seconded to approve the application with a preferred option informative to investigate whether the CCTV in the car park could be made omni directional in order to cover the skate park area. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C5 as detailed in the committee report
2. A preferred option informative to investigate whether the CCTV in the nearby car park could be made omni directional in order to cover the skate park area
3. The development should be carried out in accordance with the approved Plan at all times unless the written agreement of the Local Planning Authority has been given to any variation. This was due to the reason detailed in the committee report

**Reasons for the decision:**

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

- The proposal would not result in the loss of open space and would provide a recreational community facility for children and teenagers

- The design of the Skate Park would assimilate with the natural features of the site and would not result in an adverse visual impact on the amenity of the area
- The site was located at an adequate distance to neighbouring residential properties to avoid any detrimental impact
- The vulnerability to crime had been addressed

Hence the proposal accorded with policies DA1, DA2, DA11, LNE9 and LT3 of the Adopted Peterborough Local Plan (First Replacement).

Councillor Hiller left the meeting.

The meeting was adjourned for five minutes.

Councillor North re-joined the meeting and took the Chair.

### **5.5 10/00787/FUL – Construction of 4 Bed Dwelling and Detached Garage at 54 Church Street, Northborough, Peterborough**

The application sought permission for the erection of a one and a half storey 4 bed dwelling and detached garage within the rear garden of 54 Church Street. The dwelling would be sited approximately 42m to the south of the existing dwelling and access would be served off Paradise Lane. The dwelling would have a narrow plan form of 6m in width and a principal ridge height of 7.2m. The proposed materials were rough dressed artificial stone with Bradstone Conservation Slate. A single garage comprising a wooden barn style structure was proposed to the side/rear of the site.

The site was situated on the southern side of Church Street at the far eastern edge of the village and lay within the Northborough Conservation Area boundary. The site contained a 17<sup>th</sup> century Grade II listed building fronting Church Street occupied as a residential dwelling. There had been extensions to the property and a recent substantial detached garage to the east of the site. The host dwelling was constructed of coursed stone rubble with steeply pitched thatched main roof with subservient roofs covered in pantile. The site had a substantial curtilage extending approximately 57m rearwards. The site had a particularly verdant character and contained a number of mature trees within the site and was enclosed by mature trees and shrubs to the east and south. Directly to the east of the site was a quiet country lane which served a dwelling known as Paradise Cottage situated approximately 300m down the Lane. The surrounding area was residential in character comprising an eclectic range of property styles on the south side of Church Street, within the Conservation Area boundary, many of which were listed properties. Directly opposite the site on the northern flank the character changed and there were relatively modern developments comprising single storey dwellings built circa 1970s. The character to the south and east comprised open countryside.

The Planning Officer addressed the Committee and highlighted the main issues including the impact of the proposal on the listed building, the impact on the character and appearance of the Conservation Area, landscape implications and also highway implications.

Members were advised that the sub division of the curtilage could detract from its architectural and historical character. Historical maps had indicated that the application site was a separate parcel of land from 54 Church Street and the remains of a stone wall denoted the separation. Taking this into consideration and also the distance from the listed building, the existing landscaping and traditional cottage style design and the independent access it was considered that the proposal would not harm the setting of the listed building.



The proposal would reflect the design and materials of many of the buildings within the village and a landscaping scheme would integrate the development into the landscape. Four trees would be required to be removed in order to implement an access onto Paradise Lane, the impact of this would be minimal due to the number of surrounding trees and hedging on the boundary of the site. Concern had been raised by the Conservation Officer with regards to the removal of the ash tree along Paradise Lane, however the tree survey stated that the tree was in poor condition and it recommended that the tree be felled for safety reasons. This conclusion was echoed by the Council's Tree Officer.

Members' attention was drawn to additional information contained within the update report. Northborough Parish Council had submitted a further written update in objection to the application as a representative was not able to be present at the meeting. The main issue highlighted in the written submission was the recent appeal decision made against the proposed development at the rear of number 42 Church Street, Northborough. It was felt that the reasons for rejection of this application were the same issues that were highlighted in the current application for 54 Church Street.

One further letter of objection had also been received and an additional condition had been recommended by Highways in respect of the provision of visibility splays.

Councillor Peter Hiller, Ward Councillor, addressed the Committee on behalf of local residents and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal was situated in a rural conservation area and not an urban conservation area
- Opportunistic development within the curtilage of a listed building in a long established and protected conservation area had to be resisted
- The application was similar to the one refused by officers about a year ago, in the same street
- The application was subsequently refused by the planning inspector after the decision had been appealed against
- The previous application had been rejected by the planning inspectorate due to it being contrary to the local plans established policy and these were the same reasons as to why the current application should be refused
- The proposal was contrary to policy DA2, in that it would be extremely close to the neighbours garden and property and would affect their enjoyment and privacy of their garden
- The proposal went against the established policy of protecting the owners of neighbouring houses, especially listed houses, being subjected to additional noise, loss of privacy and detrimental views of bricks instead of the trees they currently had sight of. Why should they have to put up with that?
- The proposal was contrary to policy DA6
- The properties had a high market value and were supposed to have larger gardens with privacy, space and a pleasant outlook. They should not be potential building plots and policy DA6 re-enforced that
- The new Coalition Government had stated that gardens were no longer to be considered as Brownfield sites for potential developments
- The proposal was contrary to policy CBE8, which stated that the Council would not grant consent for a subdivision of a garden or grounds of a listed building. The application practically halved the garden
- The proposal was contrary to policy CBE3, which stated that the Council would require all proposals for a development that could affect a conservation area, to preserve or enhance the character and appearance of that area. How did the current proposal do that?

- The proposal was contrary to policy CBE9, which stated that the Council would not grant permission for the change of use of any listed building's curtilage, if the works associated with the change would be damaging to the fabric, appearance and setting of the building. The proposal included the removal of mature trees for a new driveway, leading onto a rural conservation area lane, lined with mature hedgerows
- The proposal was contrary to policy LNE12, which stated that the Council would not grant permission for development resulting in the loss of an established hedgerow
- The proposal was contrary to policy DA9, in that planning permission should not be granted for any development within a village envelope which would result in a loss of part or all of a tree hedge frontage, like the hedge down Paradise Lane
- The map which had been mentioned, highlighting that the land at one point was not part of the applicant's garden, could not be given much weight as it was not the reality today. The garden was only one plot now, protected by legislation, if it wasn't, then it would be open countryside

Mr Paul Field, an objector and the owner of the neighbouring property to the proposal, addressed the Committee and stated that he agreed with everything in the statement made by Councillor Peter Hiller. Mr Field then went on to read a statement out which had been issued by Councillor Marco Cereste, the Leader of Peterborough City Council, on June 15 2010 with reference to the National Planning Policy Statement 3, with regards to PPS3 Housing. The document was available to be viewed on the Peterborough City Council website.

Mr Paul Bownes and Mr Paul Hutchings, the applicant and the agent, addressed the Committee jointly. In summary the issues highlighted to the Committee included:

- The proposal had been subject to detailed and lengthy discussions with the Planning Officers and it had been discussed within the weekly planning surgery with the Head of Planning and over the last two years, comments from the officers had been responded to positively and a scheme had been produced that was considered to be well integrated into the conservation area
- The proposal would preserve the rural character of Paradise Lane
- It had been demonstrated in the application that it would be acceptable to sub divide the grounds of the listed cottage at 54 Church Street
- The current curtilage was extensive and a dense belt of trees and shrubs existed between the existing site and the proposed dwelling obscuring any views into the site
- The independent access from Paradise Lane would preserve the character of Church Street frontage
- The new dwelling would not be visible from Church Street and would be suitably screened by the retained trees and shrubs, which would be further enhanced by additional planting
- The removal of the trees had been suggested following the recommendation contained within the Tree Officers report, which stated that the large ash tree was diseased and needed to be felled for health and safety reasons
- Paradise Lane was used by numerous vehicles including farm machinery and horse boxes, therefore was a road in its own right

The Planning Officer addressed the Committee and responded to previous points mentioned by the speakers. It was highlighted that Brownfield sites were no longer development sites and each individual case was judged on its own merits against planning policies. Historical maps had indicated that this site was not previously part of the curtilage of the listed building and it was located 42 metres from the neighbouring property.

Members expressed concern at the removal of the trees and the impact on the conservation area, particularly along Paradise Lane. The Planning Officer responded stating that the removal of several trees along Paradise Lane would be necessary for the implementation of an access; however the impact would not be noticeable due to the amount of vegetation along the lane.

The Principal Built Officer further addressed the Committee and stated that he would not like to see hard surface boundary walls. The boundary edges should be reinforced with significant hedge and tree planting to give a naturalistic feel to the boundary.

After debate, Members expressed further concern regarding the affect of the proposal on the Conservation Area and the impact of continued garden developments in the long term. The proposal was against the Council's policies for backland filling and would not enhance the character of the Conservation Area. It would be detrimental to the setting of the listed building in the Conservation Area. The subdivision of grounds was not acceptable and the development was not compatible with the location and concern was also expressed at the landscaping proposals.

After further debate, a motion was put forward and seconded to refuse the application. The motion was carried by 7 votes, with 1 voting against.

**RESOLVED:** (7 for, 1 against) to refuse the application, against officer recommendation.

**Reasons for the decision:**

The proposal was unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The affect of the proposal on the Conservation Area
- The proposal would be harmful backland development
- The impact on the setting of a listed building
- The subdivision of the grounds of a listed building
- The non compatibility of the proposal within the location
- The loss of trees and the impact on the landscaping

Hence the proposal did not accord with policies CBE3, DA6, CBE7, CBE8, DA1 and LNE3 of the Adopted Peterborough Local Plan (First Replacement).

**5.6 10/00872/FUL – The Haven, Second Drift, Wothorpe, Stamford, Erection of Dwelling with Detached Garage and Studio Above**

The proposed development was a five bedroom house and detached garage with studio above within the garden of an existing house fronting Second Drift. The house proposed was of two storeys, with a one-and-a-half storey wing and detached garage. Access was via an existing gated access to the northern edge of the site.

The application site was the rear section of the garden to The Haven and measured about 27m by 36m. It would be served by the existing access point between The Haven and Cromwell House, approx 5 m from Cromwell House and 7m from The Haven, which would be extended to about 40m long to reach the site. The site sloped in several directions and a small stream ran along the eastern edge. There were a number of trees within the site.

There was an established pattern of large plots within Wothorpe, some with development in the rear, including adjoining sites where recent development included a

new house on what was part of the Cromwell House plot, three new houses to the south-east, and opposite where the replacement of one house with four new houses was allowed on appeal. The character of the area remained one of large houses in large plots.

The Planning Officer addressed the Committee and gave an overview of the proposals main issues which were highlighted as the principles of development, the impact on the character of the area and the impact on the amenities of neighbours. Letters of objection had been received from local households raising numerous issues specifically in relation to the dominance of the proposal upon nearby dwellings, the height and bulk of the proposal, the increase in the size of the garage and its proposed height and addition of dormer windows which would further impact on the amenity of nearby dwellings. The studio over the top of the garage would create privacy issues for Cromwell House and loss of privacy also for the immediate neighbours.

Members were advised that the application site was subsequent to an application which was approved by Members earlier on in the year for a five bedroom house with detached garage. The application proposed changing the size and design of the garage, which when previously approved, had been a single storey about 6 metres square and a ridge height of 4.5 metres. The revised plans showed the garage as 6 metres by 7.8 metres with a ridge height of 6.7 metres and dormer windows with a studio above. Members were further advised that there had been no other changes proposed to the previously approved scheme.

The proposed garage would have would have two upstairs dormer windows facing north west towards the boundary with Cromwell House, approximately 24 metres away. The distance to the conservatory of Cromwell House would be approximately 33 metres. The dwelling approved by Members earlier in the year, contained first floor windows facing Cromwell House at lesser distances of about 28-29 metres, and these would have given a more direct view into the rear of Cromwell House. The proposed windows would also give views over the existing property at The Haven, that being approximately 20 metres away from the proposed garage windows, however as the views would be oblique and would only affect a part of the garden it had not been considered that there would be any unacceptable impact. It was considered however that a condition should be appended in order to control any future openings in the roof of the studio garage.

Members' attention was drawn to additional information contained within the update report. Councillor David Over, Ward Councillor, had submitted a supplemental written statement to the Committee as he was unable to be present at the meeting and there was also a suggestion by Planning Officers to remove four conditions relating to the preservation of a tree that was no longer in place.

Mr Jonathan Marshall, a local resident of Cromwell House and objector, addressed the Committee. In summary the concerns highlighted to the Committee included:

- Controversy had surrounded The Haven development from the onset
- At a previous Committee meeting the development had been described as a chalet by the Planning Officers. This was hardly the correct term for a large family dwelling
- The application was to significantly increase the footprint of the dwelling
- The whole Haven plot should have been looked at as one big development, not as individual plots
- To allow the proposal would have a knock on effect on the proposed dwellings at the front of the plot
- There was no benefit to the community as a whole, only to the developer

- The proposal was speculative building, which sought to manipulate the previous planning approval for greater profit with no consideration for the neighbours or the character of Wothorpe
- The application was contrary to policy DA2
- The studio garage with dormer windows would be visible from several surrounding properties, particularly as mature trees had recently been removed from the bottom north east corner of the plot
- The worst affected area would be Cromwell House, two further windows, other than those already proposed in the approved development, would now overlook the garden, garden terrace, house and landing
- The ground where the proposed garage was to be placed was significantly higher than the new house, this would also have a significant impact
- The previous owner of The Haven had removed all of the mature silver birch trees from the boundary, which had given Cromwell House a secluded feel in the past
- The Planning Officers seemed more concerned with the possible additional overlooking of The Haven property and not the other surrounding properties
- If the studio was to be utilised as an office then it would mean that it would be occupied throughout the working day and beyond and would lead to overlooking at all times
- If approval was minded to be given, then maybe Velux windows could be conditioned

The Planning Officer addressed the Committee in response to concerns highlighted by Members with regards to the increased footprint of the garage. Members were advised that due to the distance between the garage and the occupied dwellings it was not thought that there would be any substantial decrease in amenities.

Members further commented that the original planning permission had been granted with a smaller footprint for the garage and it was felt that the current proposal with the extended garage took the application too far and was unnecessary massing in a very rural area. There appeared to be a more direct view over the conservatory of Cromwell House and would be very obtrusive and would affect the amenity of surrounding dwellings.

Members sought clarification as to the distance between The Haven and Thomas House. The Planning Officer clarified that the distance was measured at approximately 20 metres.

After further debate, a motion was put forward and seconded to refuse the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to refuse the application, against officer recommendation.

**Reasons for the decision:**

The proposal was unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The overdevelopment of the site
- The impact on residential amenity

Hence the proposal did not accord with policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

**5.7 10/00975/FUL – Demolition of Existing Dwelling and Construction of Three-Bed Dwelling with Detached Garage at The Haven, Second Drift, Wothorpe, Stamford**

The Committee was advised that the item had been withdrawn from the agenda by the Head of Planning Services and would be considered at a later date.

**5.8 10/00990/FUL – Construction of 5 Bedroom House at Plot 5, Huntly Lodge, The Village, Orton Longueville, Peterborough**

Planning permission was sought for the construction of a five-bedroom detached two storey dwelling within the development known as 'Huntly Lodge'. The proposal would extend to a footprint of approximately 395sqm with the addition of a detached triple garage and plant room to the front of the dwelling. The dwelling was proposed to be of a modern design with a large amount of glazing to the elevation treatment.

The application site was formerly a Peterborough City Council facility occupied by a large education building with access road from the village through the neighbouring woodland. The site was enclosed by the Grade II listed wall, which surrounded the 'kitchen garden' to Orton Hall, situated to the north east of the application site. There were a number of mature trees contained within the site and to the south was situated a woodland County Wildlife Site managed by the Woodland Trust.

The Planning Officer addressed the Committee and stated that outline planning permission had been granted in October 2003 for the erection of five dwellings with a restricted total footprint of 1200 metres. The main issues of the proposal were the design and the impact on the character of the area. The scale and massing of the dwelling would appear unduly obtrusive and overpowering within the street scene. The proposed triple garage and front boundary wall would not be in keeping with the surrounding area.

Members' attention was drawn to additional information contained within the update report. There had been additional comments received from the Conservation Officer, who had recommended refusal. Comments had also been received from the Archaeological Officer, stating that no further work was deemed necessary and the Parish Council, stating that the development was too modern for the surrounding area.

Councillor Pam Winslade, a Ward Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The application was within the Orton Longueville Conservation Area
- The area had a previous problem with graffiti and vandalism
- The access road could not be upgraded due to preservation orders
- The proposal exceeded all of the original recommendations with regards to height and footprint

Mr Paul Sharman, the agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The project had been discussed with the Council's Planning Department on numerous occasions and the design brief issued by Planning Officers had been worked to
- There had been two previous planning applications made for the plot which had been successful
- The first proposal had been designed to fill the design brief, it had been subsequently discovered that a more relaxed approach could be taken to the styling and hence the subsequent proposal which was approved

- There had previously been a restriction on the size of the dwelling, but after an application from the owners of plots 2, 3 and 4, it had been agreed that this restriction could be lifted, as well as the restriction on the size of the garage. The house had then been further re-designed to take into account all of these changes
- 78% of the plot would be underdeveloped, how could this then constitute overdevelopment?
- The proposal was no more out of keeping with the area than the proposals received for plot 4 or the original design for plot 1
- The proposal could be moved back so it did not come over the established building line
- Concessions had been made in response to the objections raised by the planning department, but none of the points had been accepted
- The dwelling would be constructed by materials specified by the planning authority

The Planning Officer addressed the Committee and confirmed to Members that the initial approval had been given with 1200 sq meters for the five dwellings on the site and the proposal before the Committee would take up a substantial amount of that space.

Members commented that it was difficult to gauge how large the proposed dwelling would be, having not seen the plans for the other proposed properties. The location was a secluded corner plot with a long driveway and it was difficult to see how the proposal would be of detriment to the area. The proposal was of good quality and the city needed more of this type of housing.

After further debate, particularly in relation to the size of the plot and the original approval, which had been granted for a total area of 1200 sq meters, a motion was put forward and seconded to approve the application. The motion was carried by 8 votes, with 1 voting against.

**RESOLVED:** (8 for, 1 against) to approve the application, against officer recommendation subject to:

1. The delegation of the area of conditions to Planning Officers

**Reasons for the decision:**

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

- The proposal was in keeping with the area
- The proposal did not constitute overdevelopment

Hence the proposal accorded with policies contained within the Adopted Peterborough Local Plan (First Replacement).

The Chair of the Committee requested it to be minuted that the Committee was disappointed that Councillor Graham Murphy, Ward Councillor and the referrer of the item to the Committee, had neither attended the meeting nor submitted a written statement.

## **6. Northborough Conservation Area Appraisal**

A report was submitted to the Committee, which outlined the Northborough Conservation Area Appraisal and Management Plan. The report also provided an update on the outcome of the public consultation on the Draft Northborough Conservation Area Appraisal and Management Plan and proposed amendments to the Conservation Area Boundary.

A review of the Northborough Conservation Area had been carried out in 2009 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed appraisal had been prepared for the area and, following public consultation and subsequent amendment, it had been proposed that the Northborough Conservation Area Appraisal was formally adopted as the Council's planning guidance and strategy for the area.

Members were advised that the draft appraisal public consultation had commenced on 7 December 2009 and had concluded on 8 February 2010. Twelve representations had been received and the appraisal had been revisited in order to take account of these representations.

Members were further advised of the main aspects contained within the Management Plan, including the history of the settlement in Northborough and background to the introduction of the Conservation Area. The document also contained sections on the landscape of Northborough, its townscape and the trees, hedges and walls contained within. The Draft Management Plan was also highlighted and Members were informed that the City Council did not intend to prevent change or new development in the Northborough Conservation Area, however the effective future management of the area would be achieved by the positive use of development control and planning enforcement powers.

Members positively commented on the document and congratulations were given to the Principal Built Environment Officer for all of the hard work undertaken. Members further commented that it was extremely important to protect where people lived but to also ensure controlled expansion.

### **RESOLVED:**

That the Committee:

1. noted the outcome of the public consultation on the Northborough Conservation Area Appraisal;
2. recommended that the Cabinet Member for Housing, Neighbourhoods & Planning considered and approved the proposed boundary changes; and
3. supported the adoption of the Northborough Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Northborough Conservation Area

## **7. Peakirk Conservation Area Appraisal**

A report was submitted to the Committee, which outlined the Peakirk Conservation Area Appraisal and Management Plan. The report also provided an update on the outcome of the public consultation on the Draft Northborough Conservation Area Appraisal and Management Plan and proposed amendments to the Conservation Area Boundary.

A review of the Peakirk Conservation Area had been carried out in 2009 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A



detailed appraisal had been prepared for the area and, following public consultation and subsequent amendment, it had been proposed that the Northborough Conservation Area Appraisal was formally adopted as the Council's planning guidance and strategy for the area.

Members were advised that the draft appraisal public consultation had commenced on 7 December 2009 and had concluded on 8 February 2010. Eleven representations had been received and the appraisal had been revisited in order to take account of these representations.

Members were further advised of the main aspects contained within the Management Plan, including the history of the settlement in Peakirk and background to the introduction of the Conservation Area. The document also contained sections on the landscape of Peakirk, its townscape and the trees, hedges and walls contained within. The Draft Management Plan was also highlighted and Members were informed that the City Council did not intend to prevent change or new development in the Peakirk Conservation Area, however the effective future management of the area would be achieved by the positive use of development control and planning enforcement powers.

Members once again positively commented on the document and congratulations were given to the Principal Built Environment Officer for all of the hard work undertaken.

**RESOLVED:**

That the Committee:

1. noted the outcome of the public consultation on the Peakirk Conservation Area Appraisal;
2. recommended that the Cabinet Member for Housing, Neighbourhoods & Planning considered and approved the proposed boundary changes; and
3. supported the adoption of the Peakirk Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Peakirk Conservation Area

13.30 – 18.45  
Chairman

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