

## NOTICE OF MEETING

MEETING	<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>
DATE:	<b>TUESDAY 11 JANUARY 2011</b>
TIME:	<b>1.30 pm</b>
VENUE:	<b>BOURGES/VIERSEN ROOMS - TOWN HALL</b>
CONTACT:	Gemma George, Senior Governance Officer <b>Telephone: 01733 452268</b> <b>e-mail address: <a href="mailto:gemma.george@peterborough.gov.uk">gemma.george@peterborough.gov.uk</a></b>
<i>Despatch date:</i>	<i>31 December 2010</i>

### AGENDA

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1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Members' Declaration of intention to make representations as Ward Councillor**
4. **Minutes of the Meeting held on 23 November 2010** 1 - 24
5. **Development Control and Enforcement Matters**
  - 5.1 **10/01503/FUL - The Haven, Second Drift, Wothorpe, Stamford** 25 - 38
  - 5.2 **10/01202/LBC & 10/01258/FUL - Freestanding Barn, Elms Farm, Great North Road, Wittering** 39 - 48



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 Gemma George on 01733 452268.

## **MEMBERS OF PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

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

Subs: Councillors Winslade and Swift

### **CASE OFFICERS**

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts,  
Louise Lewis, Janet MacLennan, Astrid Hawley, David Jolley,  
Louise Lovegrove, Vicky Hurrell,  
Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards

Minerals and Waste: Theresa Nicholl

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

### **NOTES:**

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer 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 Town Hall, Peterborough on 23 November 2010

**Members Present:**

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

**Officers Present:**

Nick Harding, Group Manager, Development Management  
Julie Smith, Highway Control Team Manager  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillor Burton and Councillor Lane.

Councillors Winslade and Swift attended as substitutes.

**2. Declarations of Interest**

5.2 Councillor Serluca declared that she was the Ward Councillor for the item but she did not have a personal or prejudicial interest.

5.4 Councillor Ash declared that he knew a local resident of Orme Road but he had not discussed the issue and therefore this would in no way affect his decision.

5.6 Councillor Thacker declared that she was the Ward Councillor for the item but she did not have a personal or prejudicial interest.

Councillor Thacker further declared that she was a Member of Werrington Neighbourhood Council and that she knew Mr Alan Smith, a speaker on the item, but this would in no way affect her decision.

5.8 Councillor Thacker declared that she was the Ward Councillor for the item but she did not have a personal or prejudicial interest.

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

Councillor Serluca declared that she would be making representation as Ward Councillor for item 5.1 on the agenda.

#### **4. Minutes of the Meeting held on 12 October 2010**

The minutes of the meeting held on 12 October 2010 were approved as a true and accurate record.

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

Members were advised that item 5.7, Freestanding Barn, Elms Farm, Wittering had been withdrawn from the agenda.

The Chairman addressed the Committee and stated that Members would be permitted a period of five minutes in order to read through the additional information report.

Councillor Serluca left the meeting.

##### **5.1 10/01308/FUL – Demolition of existing bungalow and construction of two storey 4 bedroom dwelling at Birchfield, Springfield, Fletton, Peterborough**

The proposed development was a detached 1.5 and 2 storey four bedroom house of standard brick and tile construction. The house proposed was two stories with two front facing gable elements flanking a lower central section. The proposed house would measure approximately 13.8 metres wide by 7 metres deep and would be set 6 metres back from the boundary fronting Springfield, 5.2 metres from the southern boundary and 1 metre from the northern boundary. The height of the dwelling would be approximately 4.2 metres above ground level to the eaves and 6.9 metres to the ridge. Access to the dwelling was unaltered from the existing arrangement.

The application site was known as Birchfield and the current dwelling occupied a generous plot 46 metres deep by 20 metres width. The plot currently contained the bungalow to be demolished and a large 1.5 storey garage/store which was to remain.

Springfield was a street of varied character, a mixture of bungalows and two storey dwellings situated within a variety of differently sized plots. Whilst fairly varied the majority of the dwellings were relatively plain single fronted 1940's dwellings with little in the way of decorative ornamentation or features. The later dwellings tended to carry on this plain theme.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the proposed development would be set back 6 metres from the highway and not 7 metres as stated in the committee report. The proposal would also be located 1 metre from the boundary of the adjacent property.

The main issues for consideration in relation to the application were highlighted as being the appearance of the proposed dwelling, the impact of the dwelling on the character of the area and the impact on the amenities of the occupiers of neighbouring dwellings. Members were advised that officers considered the design of the property to be too fussy, taking into account the simple nature of the adjacent dwellings in the area, the property was also off set within the frontage of the site and therefore would be located quite close to the bungalow on the right hand side. This was considered by officers to be overbearing on the adjacent property. Members were further advised that the property, being set back 6 metres from the footway, would not be in keeping with the adjacent properties along the road which were sited much further forward. The Committee was advised that officers were recommending refusal.

Members' attention was drawn to additional information contained within the update report and it was highlighted that there had been a statement received from the applicant and there had also been two letters of support from nearby neighbours who were associated with the applicant.

Councillor Matthew Lee, Ward Councillor, addressed the Committee in support of officer recommendation and on behalf of local residents, and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Development on the site was not opposed however, the proposed dwelling would dominate the area
- The proposal would be located on the side of the street where there were bungalows only
- The proposal was placed too far back from the highway, it should be placed further forward in order to keep the street line intact
- The buildings in the surrounding area were, with a few exceptions, of simpler design than the proposal
- The proposal, compared to the neighbouring properties, was very elaborate, very wide and very high
- Although there was some neighbour support, the impact on the remaining neighbours amenities would be great and this should be taken into consideration

Councillor Lucia Serluca, Ward Councillor, addressed the Committee against officer recommendation and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The proposal should not be refused and the applicants should be allowed to build a new family home for themselves in a place where they had lived for a number of years amongst neighbours and friends
- The neighbours that supported the application wished for the family to remain part of the community
- The existing property was poorly constructed and badly insulated. The property sat at three different levels and had extensive flat roofing
- The owners were not speculators or builders looking to make money at the expense of the existing neighbourhood
- There was an eclectic mix of housing along Springfield. This street scene had existed for many years and was varied and interesting The proposal would add further interest to the scene and would not detract from it
- The character of Springfield was varied in terms of plot, building size and design
- The proposal was of much better design than the property it would replace, being well designed, well proportioned, well positioned and in-keeping with the street scene
- The neighbours, who had been highlighted by the Planning Officer as being detrimentally affected by the application, were in support of the proposal

Mrs Nightingale, a local resident and objector, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Mrs Nightingale lived in the property opposite the proposal and she believed that the proposal was too large for the area
- The buildings along the stretch of road where the proposed dwelling would be located had for the past fifty four years been made up of bungalows only, therefore one house would stand out too much

- The proposal should be kept within the building line as it would look out of place

Mr Roy Beard, speaking on behalf of the applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The Planning Officer's recommendation for refusal was based on the officer's interpretation of policies DA1, DA2 and H16. These were broad policies and open for interpretation
- The properties along Springfield were mostly post 1950s with varying features and not plain fronted as previously mentioned
- It had been stated that the design of the proposal was too elaborate for the area having reconstituted stone cills, lintels and copings, however this was a contradiction as the property opposite consisted of the same properties and was considered to be acceptable
- The proposal was considered to be of high quality, would improve the surroundings and would lift the character of the area
- The plan area of the dwelling was 122 square metres which was less than the existing dwelling at 146 square metres
- There were dwellings in the locality which were of larger proportions than the proposal
- The proposal was said to be located close to the neighbouring property to the north, therefore restricting natural light. However, it was located 7.2 metres away, across a driveway where vehicles parked and not a garden where people sat. This was twice the specified distance in the building regulation K1
- Was there an established building line? There was another property located along Springfield that was situated 4.4 metres back from the highway

After debate, Members took a mixed view as to the nature of the proposal and its setting within the street scene. It was commented that the building was of attractive and modest design and the building line along Springfield was mixed. However, some Members also commented that the building would be too overbearing and the location of the proposal being so far back from the highway was unacceptable. Members sought further clarification from the Planning Officer with regards to planning policy on building lines. Members were provided with an explanation and it was highlighted that some variance was permissible, but in this instance it was felt that 6 metres was excessive.

After further debate, a motion was put forward and seconded to approve the application with delegated authority to be given to officers to establish any appropriate conditions. The motion was carried by 6 votes, with 2 voting against and 1 not voting.

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

1. The delegation 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 compatible with its surroundings; in accordance with policy DA1 of the Peterborough Local Plan (First Replacement)

- The proposal would not harm the character of the area or the amenities of the occupiers of neighbouring dwellings; in accordance with policy DA2 of the Peterborough Local Plan (First Replacement)
- The proposal provided for acceptable levels of light, privacy and amenity space; in accordance with policy H16 of the Peterborough Local Plan (First Replacement)
- The proposal would not harm any element of the transportation network; in accordance with policy T1 of the Peterborough Local Plan (First Replacement)
- The proposal was in accordance with appendix V of policy T10 of the Peterborough Local Plan (First Replacement)

Councillor Serluca re-joined the meeting.

## **5.2 10/01295/FUL – Construction of 3 bedroom house with revised car parking at land to the rear of 12 Robins Close, Woodston, Peterborough**

The proposed dwelling was a three bedroom, three storey detached dwelling of standard brick and tile construction. The dwelling would measure 6 metres wide by 8 metres deep with a dual pitch roof measuring 5.3 metres above ground level at the eaves and 8.8 metres at the apex. The dwelling would be sited 0.8 metres from the southern boundary of the application site and an amenity area of 55 square metres was proposed to the rear of the dwelling and two tandem parking spaces to the side of the dwelling.

The application site was a small extension to the previously approved application 08/00147/FUL – the erection of 4 x 3 bedroom semi detached dwellings and 2 x 2 bedroom semi detached dwellings.

The site was comprised of former garden space of numbers 2 and 4 Wharf Road and was accessed via the turning head of Robins Close and shared its boundaries with properties within Robins Close, Wharf Road and Oundle Road, with allotments lying to the west. The site lay approximately 1 mile west of the city centre.

The surrounding area was of mixed character, the properties of Oundle Road being generally of late C19th/ early C20th, with features such as canted bay windows with stone capping, stone window cill and lintels and decorative brick stringing. The properties of Wharf Road and Robins Close were more modern 1950's dwellings with very little architectural detailing aside from small porches.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the impact on the amenities of the neighbouring dwellings, the ability of the site to accommodate the development and the character and appearance of the proposed dwelling.

Members were advised that there were to be no windows located on the side elevation looking towards the rear of the houses along Oundle Road apart from a staircase window. The distance of the proposal from the properties along Oundle Road was 20 metres and it was considered by Planning Officers that this distance would provide for minimum overshadowing and was more than generous.

Members were further advised that Highways had identified shortfalls with the parking area as the width of the parking turning area fell below standard by 1 metre. Highways had therefore recommended refusal of the application. Planning Officers however did not consider the difference in size to be unworkable in terms of the revised parking area.

Councillor Matthew Lee, 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 previous planning application for 6 dwellings had received no serious local opposition and Councillor Lee, as Ward Councillor had not wished to challenge officer recommendation
- The addition of another dwelling onto the site would be an overdevelopment and would lead to issues with traffic flow and parking. At busy times of the week the street was already congested and people would not be able to turn properly in the space provided
- The residents of Oundle Road felt that the proposal was abutting right up to their gardens. Although there were to be no windows in the elevation, a loss of amenity would still occur
- The previous application was reasonable but this was an overdevelopment

Mr Robert Chiva, the architect, addressed the Committee on behalf of the applicant and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The proposal was not three storey, but was two storey with a room in the roof
- The eaves and ridge height was of normal height for a two storey dwelling
- The distance from the gable of the proposed dwelling to the rear walls of the houses along Oundle Road was about 27 metres, the houses along Oundle Road had extensions built on the rear and the distance from these extensions to the gable was approximately 20 metres. The gable had no windows therefore there would be no overlooking
- There had been numerous applications approved in the Peterborough area with less separation distances between dwellings
- With regards to the issue of car parking, it was agreed that 5 metres was less than the normal recommendation, but in order to compensate, the width of the bays had been increased and the corners had been splayed off in order to assist with manoeuvring
- With regards to overdevelopment, the garden was of appropriate size and parking was provided
- The proposal fitted in with the approved houses adjacent

The Highways Officer addressed the Committee and gave further background explanation as to the reasons for the Highways objection to the proposal. Members were advised that 6 metres was standard width for a parking turning area and in this case only 5 metres had been provided. The applicant had indicated that the parking spaces had been widened, but unfortunately there had been no measurements provided. The Highways Officer explained that the knock on effect of traffic being able to turn in the turning head would mean traffic along the public highway would also be disturbed and this was unacceptable.

The access road was also extremely narrow and emergency vehicles would only be able to gain access if residents were parked appropriately. With regards to refuse collection, there appeared to be no space for the residents to pull their wheelie bins up to the public highway and generally refuse would only be collected if it was within 25 metres of the public highway. On this point, it was not conclusive what had been agreed between the waste department and the developer.

After debate, Members expressed concern at the amount of space available for vehicles turning and manoeuvring in and out of the proposed car parking spaces. A



motion was put forward and seconded to refuse the application. The motion was carried by 9 votes for and 1 voting against.

**RESOLVED:** (9 for, 1 against) to refuse the application against officer recommendation.

**Reasons for the decision:**

The amount of space allowed for turning and manoeuvring in and out of the proposed car parking spaces serving Plots 3 and 4 fell below the required standards. This would risk that the car parking spaces would not be used by residents. As a result of this, vehicles would park along the private access road, thus narrowing the width which would reduce the convenience of use and safety for users. The proposal was therefore contrary to Policy T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The meeting was adjourned for ten minutes.

**5.3 10/01345/FUL – Partial demolition and conversion of existing main building to form 4 dwellings (2 x 1 bedroom and 2 x 2 bedroom flats), full demolition of existing out buildings and construction of 21 dwellings (6 x 2 bedroom houses, 2 x 3 bedroom houses, 1 x 4 bedroom house and 12 x 2 bedroom flats) together with access, car parking and landscaping, and;**

**10/01346/CON – Partial demolition and conversion of existing main building to form 4 dwellings, full demolition of existing out buildings and construction of 21 dwellings at 80 Lincoln Road, Peterborough**

Full planning permission was sought under planning reference 10/01345/FUL for conversion of the existing main building into 4 flats (2 x 1 bedroom, 2 x 2 bedroom), 6 two bedroom houses, 2 three bedroom houses, 1 four bedroom house, and 12 two bedroom flats together with access, car parking and landscaping. Conservation Area consent was sought under reference 10/01346/CON for partial demolition of the main Thurston House/Gayhurst Victorian villa, and full demolition of all the other buildings on site.

A total of 25 residential properties would be provided on the site, 16 flats and 9 houses. 12 two bed flats would be accommodated within Block A. This was a three storey L-shaped block which fronted onto Lincoln Road and its design reflected the large terrace of former houses opposite. 4 flats would be accommodated within the retained Thurston House, 2 one bedroom and 2 two bedroom flats. Each flat would have one car parking space.

Of the 9 houses that would be provided; 3 dwellings were to be accommodated in Blocks D (a two storey high row of terrace properties); 2 dwellings in Block E (a two storey high pair of semi detached properties); and 4 dwellings were to be located in Block C (a terrace of 3 two storey high and 1 two and half storey properties). Each of the 2 bedroom properties would have one car parking space and the 3 and 4 bedroom properties would each have two car parking spaces.

30% of the residential units would be affordable. A total of 32 secure cycle parking spaces were to be provided for the flats and each of the dwellings would have a cycle storage. The site was to be accessed from Lincoln Road.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were reminded that an application had been refused at Full Council earlier in the year for the redevelopment of the site which included the

complete demolition of Thurston House. The proposal had also been for 100% affordable housing. The application now presented to the Committee included the retention of the majority of Thurston House and was no longer for affordable housing only. The mix was expected to be 30% affordable with the remaining being open market.

The main issues were highlighted and included the impact of the development on the Conservation Area and 80 Lincoln Road, the impact of the development on trees and ecology, the proposed design and layout, the impact on neighbouring sites, car parking provision, housing provision and the S106 Planning Obligation.

The Planning Officer reminded Members of the main points of the previously refused scheme and highlighted the main changes. Members were advised that the revised application would make for better views into the site from Lincoln Road and the character and appearance of Thurston House would be retained. Four flats were proposed to be incorporated into Thurston House. The portion of Thurston House which was highlighted for demolition was a relatively new addition on to the building and the front of the building would in no way be affected.

The Committee was advised that the first two reasons for Full Council rejecting the scheme, those being that the proposal did not enhance or preserve the appearance of the Conservation Area and that the loss of Thurston House was not justified due to the poor quality of the new development proposed, had now been addressed by the retention of Thurston House. The third reason for refusal, that being the lack of amenities for residents of the development, would be extremely difficult to defend in an appeal situation due to the proximity of the development to the town centre and schooling facilities.

With regards to open space provision, the applicant had agreed to sign up to an off site contribution. Open space would not usually be provided on a site of this size.

Members' attention was drawn to additional information contained within the update report and it was highlighted that Highways had no objections to the proposal subject to the implementation of several conditions as highlighted in the update report.

After debate, Members sought clarification as to whether concerns highlighted by English Heritage and the Civic Society, and outlined in the committee report, had been addressed. The Planning Officer stated that all of the concerns highlighted by English Heritage had now been addressed and with regards to the comments received by the Civic Society Members were advised that there would undoubtedly be change, however the Planning Officers felt that the scheme showed excellent compromise.

After further debate, and questions to the Planning Officer regarding retention of specific trees on the site and the implementation of a fire hydrant scheme, Members commented that the proposal was an excellent compromise and a motion was put forward and seconded to approve the full application on the site for the partial demolition of Thurston House and conversion of the existing main building to form 4 dwellings, and the demolition of the existing outbuildings and construction of 21 dwellings, and the proposed Highways conditions as detailed in the update report. The motion was carried unanimously.

**10/01345/FUL – RESOLVED:** (Unanimously) to approve the full 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 (as amended)
2. The conditions numbered C1 to C14 as detailed in the committee report
3. The first five (due to condition number six being a repetition of condition number one) additional Highways conditions as detailed in the update report with a revision to condition 4 to read:  
 'Prior to occupation of development hereby permitted the vehicle to pedestrian visibility splays shown on the plan no. 945/P/210 Rev A of the following dimensions 2.m x 2.m on both sides of the access shall be provided and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the back of the highway boundary.  
 Reason: In the interests of Highway safety, in accordance with Policy T1 and of the Adopted Peterborough Local Plan (First Replacement).
4. 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

A motion was put forward and seconded to approve the Conservation Area consent to partially demolish the buildings on the site in order to allow the full application to be erected. The motion was carried unanimously.

**10/01346/CON – RESOLVED:** (Unanimously) to approve the conservation area consent, as per officer recommendation subject to:

1. The conditions numbered C1 and C2 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 weighing against relevant policies of the development plan.

The retention and conversion of the main part of Thurston House had addressed previous reasons for refusal of permissions on this site. The density of development had been reduced, as had the massing and height of development by the deletion of Block B. The principal conflict remaining was the relationship of Block A with the adjacent trees and the shading and pressure for pruning that could result. This had to be weighed against the need for the development and the benefits that it would bring to the city.

Specifically:

- The provision of affordable housing which was required to help house the very large number of people on the housing waiting list in Peterborough which was over 9000.
- A high quality designed scheme that took into account the attributes of the Conservation Area including Thurston House, the trees and surrounding architectural style.

Planning Officers concluded that the balance tipped in favour of the grant of permission, for both applications.

**5.4 10/00493/REM – Application for approval of access, appearance, landscaping, layout and scale of construction of 150 dwellings at land south of Atherstone Avenue and Portman Close, west of Grange Road and north of Mayor’s Walk (part of Mayor’s Walk Allotments), Peterborough**

Outline planning approval for up to 173 residential units on the site, had been granted under planning reference 07/01946/OUT.

This current application was the associated reserved matters application, for the consideration of all of the reserved matters, which included access, appearance, layout, scale and landscaping. The application was originally submitted to provide 156 dwellings, however due to amendments to the proposed layout, this had been reduced to 150 dwellings.

45 of the dwellings on site would provide the 30% on site affordable housing provision. 16 would be built to lifetime’s homes standards, which was one more than the 10% required by planning policy.

A local area of play/green space was to be provided on the eastern boundary of the site.

The majority of the properties proposed on the site (125) were to be two storeys in height. 25 of the properties proposed were to be 2.5 and 3 storeys, this would account for 17% of the total properties on site.

The access to the site would be from the existing Atherstone Avenue roundabout. A tree lined avenue type spine road would provide the main access across the site to the new residential units, but would also provide access to the adjacent sports pitches (the existing vehicular access to the pitches was to be stopped upon provision of the new access).

The site would cover an area of 4.41 hectares.

The site was located within an established residential area that comprised a mix of post war and modern residential dwellings. The character of the area was predominantly two storey dwellings with some small groups of single storey and three storey dwellings/flats within the immediate and surrounding area. The site itself was bound to the north west by bungalows some of which had accommodation in the roof space (Portman Close) and to the north east by a petrol filling station accessed off Atherstone Avenue, to the west by sports pitches (managed by Netherton Football Association and owned by PCC), to the south by Allotments and to the east by existing residential dwellings on Grange Road and Orme Road.

The loss of allotments had been considered at the time of the outline planning application when they were deemed to be surplus to requirements and planning permission was granted. The loss of allotments was not therefore an issue that could be re-considered at the reserved matters application stage.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the proposed design and layout, the impact on neighbouring sites, the impact of the development on trees, drainage and highways impacts within the site and car parking.

Members were reminded that the application was a reserved matters application and the principle of residential development had already been established and was not up for debate, the application in front of the Committee was to determine what the houses would look like and their relationship within the site.

The Planning Officer outlined the proposed development and stated that the higher 2.5 and 3 storey houses had, as much as possible, been located away from the boundary edges and the 2 storey properties, where they abutted the existing properties in Portman Close, met the required separation distances between their rear elevations and the rear of the existing properties. At its shortest distance the back to back window distance was 25 metres and this more than fulfilled the required standard, therefore Planning Officers were happy with the location of the proposed dwellings in relation to the existing dwellings.

Members' attention was drawn to additional information contained within the update report and it was highlighted that a letter had been received from Netherton Residents' Association expressing concerns regarding the changes which had been implemented to the scheme. It was felt that these changes had been implemented in order to drive down the building costs of the development because of the slump in the property market. It was further highlighted that the Environment Agency had no objection to the application subject to works proceeding in accordance with the approved Flood Risk Assessment. The Fire Service had not been consulted but Planning Officers believed that fire hydrants should be provided on the scheme and the roads had been designed to be of adoptable road standard and they were of appropriate width.

Councillor Samantha Dalton, Ward Councillor, addressed the Committee on behalf of local residents in Portman Close and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The planning application had caused a lot of unrest and anger in the local community
- The land was located in an area consisting of heavy clay, and when it rained, standing water was left on the land. Therefore drainage was of major concern
- Regarding the soakaway tests which had been undertaken, it had been stated that "infiltration techniques for the disposal of surface water from the development should be viable". Would these techniques be adequate? Local residents were concerned that flooding may occur to their homes in the future
- A letter, previously received by a local resident, had stated that soakaway under the car park was not viable. Why, therefore, was it viable now?
- Plots 38 and 18 were proposed dwellings that would be sideways on to the residents of Portman Close, this would mean that the residents of Portman Close, three properties in particular, would be looking out of the rear of their properties onto a blank wall. Could something be done about these two particular properties?
- There were a number of bungalows located along Portman Close, with living quarters situated in the rear. The residents of these bungalows were concerned that they would be overlooked by the proposed dwellings. Could this be looked at?
- Assurance was sought with regards to adopting the right trees in the right place. A condition was sought stating that some trees were to be native, slow growing and evergreen. This would mean that in future, trees on the development site would not grow to such proportions as to cause issues to residents
- Atherstone Avenue was a very busy road, particularly during rush hour. A further 150 dwellings would create a lot more traffic in the area and this was of major concern to the local residents
- A pedestrian crossing was being looked into as part of the S106 agreement, would it also be possible to look at implementing a cycle path?

- The schools in the area were extremely oversubscribed, would any of the S106 money be going towards schooling?
- Development upon the site was certain, but it was important that it was sympathetic to existing residents

Mrs Brinkman, an objector and local resident, addressed the Committee on behalf of the residents of Portman Close and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The issues with regards to drainage
- The issues surrounding privacy, as most of the dwellings along Portman Close would be overlooked by the new properties
- Mrs Brinkman lived in a bungalow and an imposing 3 to 4 bedroom house would be located to the rear of her property. This would lead to the family feeling like they lived in a goldfish bowl
- The height and definition of border fencing had not been provided
- There would be possible root damage and overshadowing if the trees implemented were to grow substantially
- The traffic in the area would increase, and this would be on top of the traffic generated by the new hospital
- The schools in the area would not be able to cope with an influx of more children
- The close proximity of proposed dwellings to the existing dwellings
- MP Stuart Jackson was in full support of the local residents
- The feelings of existing residents did not seem to have been taken into consideration

Mr Gary Goodwin, the Group Planning and Design Director for Morris Homes Ltd, addressed the Committee in support of the application and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The application in front of the Committee represented two years of working in partnership with City Council Estates, Planning, Highways, Urban Design and Tree Officers alongside such bodies as the Drainage Authority and the Environment Agency
- It was believed that the proposal achieved the aspirations of all those involved
- The committee report was full and accurate in describing the principles already approved by the Committee, however it was difficult for the report to fully highlight the quality strived for by the developers
- The planning brief and site layout which accompanied the proposal indicated a high density scheme of 173 dwellings, mainly consisting of large blocks of apartments and terraces, however it was believed that lower density, higher quality family homes were required and this is what the proposal set out to achieve
- Town houses and terraces would be concentrated on very small groups of houses and the total was only 9 three story dwellings within the scheme
- Issues highlighted by local residents had been taken on board and it was felt that all of these issues had now been fully addressed, such as only placing 2 storey dwellings next to existing dwellings and the new gardens would be used as a buffer to achieve separation between properties with distances that far exceeded minimum distance requirements
- The traffic had been properly assessed by an independent assessment and was supported by the Council's Highways Officers
- Additional safety features on the cycle way had been incorporated into the scheme and also a pedestrian refuge

- The drainage strategy produced reduced the potential for flooding by implementing a positive drainage scheme
- The development would benefit and enhance the area

Mr Gareth Dawkins, the Capital Projects Manager for Peterborough City Council's Growth Team, addressed the Committee in support of the application and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Mr Dawkins was responsible for delivering improvements to sports facilities at The Grange
- The Council had been working for a number of years with partners both local and national for the improvements of the sports facilities at The Grange most particularly with the Football Association and with Netherton United who were based at The Grange
- It had been the vision of the Football Association to see the development of a third generation artificial grass pitch in Peterborough and The Grange had been identified as a suitable location
- The pitch would be run by Netherton United and demand for use of the pitch would be high
- There would be a new road leading directly to the pitch
- The new access road and low level lighting in the area will have benefit with regards to security
- The Council were required to apply for a grant by April 2011 and if there were any delays then the scheme would have to be abandoned

The Planning Officer addressed the Committee and once again reminded Members that the application was for reserved matters. The principle of development had already been established and matters of off site enhancements for education and suchlike had been addressed in unilateral agreement at outline stage, which the Council had agreed to, therefore additional provisions could not be added to the S106 agreement.

Following questions from Members with regards to the amount of traffic along Atherstone Avenue and the problems which could be encountered with pedestrians trying to cross the road, the Highways Officer addressed the Committee and advised that the impact of the traffic would have been looked at during outline stage therefore this could not be given further consideration. The need for the implementation of an additional crossing would need to be assessed in the future.

After debate, and positive comments by Members on the design layout, the avenue treatment planned for the entrance, the drainage and the lack of flats, 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 conditions numbered C1 to C7 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 light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The amendments to the layout and design of the development had enhanced the visual appearance of the scheme and provided a better quality public realm and environment for residents. This was in accordance with Policies DA1 and DA2 of the Peterborough Local Plan (First Replacement) 2005.
- Whilst there would be an impact on the current privacy and amenity enjoyed by neighbouring sites, on balance it was not considered to be so harmful as to warrant refusal of the planning application. It was therefore considered the development was in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005
- The development would result in the loss of one high quality category A tree. This loss had to be balanced against the need to provide housing and affordable housing. Therefore subject to suitable replacement planting, to compensate for its loss, it was considered in this instance to be acceptable
- It had been demonstrated that surface water drainage could be provided using modern/innovative infiltration techniques
- A safe and convenient vehicle access to the site would be provided and the highway network could accommodate the traffic generated by the development without any adverse impact on highway capacity or road safety. This was in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005

The meeting was adjourned for five minutes.

#### **5.5 10/01028/FUL – Construction of four bed dwelling and detached garage on land adjacent to 1 Pudding Bag Lane, Pilsgate, Stamford, Peterborough**

The proposal was for the construction of a four bedroom house with three bedrooms on the first floor and one bedroom in the attic, and a tandem double garage at the bottom of the garden. The house was a skewed L shape, with frontages to both Pudding Bag Lane and the access track that served a number of nearby houses.

The application site was an irregular shaped parcel of land at the end of a terraced row of simple and undistinguished two storey houses. To the side and rear was an access to other houses and fields, which also provided access to the proposed garage. At the front of the site was a walnut tree. There was a stone front boundary wall which linked the site with the adjacent housing.

The site adjoined the Pilsgate conservation area and formed one side of an informal 'square' in the centre of the hamlet of Pilsgate. The 'square' was a field paddock with boundary treatments approx 1.5m high to the north, east and south. Chapel Orchard formed the western boundary. The eastern side of the square was currently open, being constrained only by the gable of 1 Pudding Bag Lane and the walnut tree on the application site.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the amenity with regards to overlooking and overshadowing of the adjacent property, the impact of the proposal on the character of the area, the design and scale of the proposal and the loss of trees.

Members were advised that the application was a revised application and had been submitted following refusal of a previous scheme. Since the refusal of the previous scheme there had been a number of changes to the proposal, these included a simplification of the front elevation with gable detail being removed, a simpler roof line, a reduced chimney stack and revisions to the boundary treatment. Members were further advised that Planning Officers were happy with the revised scheme. It was felt that the property would now fit in much better with the street scene, would



be much more in proportion with the adjacent property and would not be over dominant.

Members' attention was drawn to additional information contained within the update report and it was highlighted that Councillor David Over, Ward Councillor, had submitted a written representation against the proposal.

Mrs June Woollard, an objector and a Barnack Parish Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The Parish Council were strongly opposed to the planning application and had submitted numerous written representations against the proposal
- The Parish Council were not opposed to development, but were opposed to unsuitable development
- The plans before the Committee had hardly been changed since the previous refusal
- Pudding Bag Lane was a narrow village cul de sac that already had substantial parking problems. If further vehicles were to park down the lane, access for emergency vehicles would be in jeopardy
- The proposed house was far too large for the width of the plot and its height and design would dominate the centre of Pilsgate which was on the edge of the Conservation Area
- The proposal would not fit in comfortably with its surroundings and would not be consistent with any of the neighbouring properties in the area
- There were no other 2.5 storey houses in the area
- The proposal was contrary to Local Plan Policies DA1 and DA2
- The proposal was contrary to the Village Design Statement Principle 4
- The proposal had a very narrow frontage and the house would be too large for the plot. This would lead to obstruction of light from the neighbouring property and sunlight from numbers 1 and 2, Pudding Bag Lane, it would also prevent the maintenance of the outside wall of number 1 and would not even leave sufficient gap for a ladder to be used to clean the upstairs window
- There would be no room for scaffolding to be constructed at the side of the property without completely blocking the access to the next door property
- The proposed house was shown to be built right up to the boundary where there was a private farm track owned by Burghley Estates. This track could not be blocked at any time and had to be kept clear for access to the fields, the back of Burghley properties and the garages of the existing houses of 1-6 Pudding Bag Lane
- The proposed house had no access to this track either for transportation or storage of building materials or for access to the back of the plot. Scaffolding would have to be erected on the track and would block access for the duration of construction
- The proposed house did not comply with number 5 of the Design Village Statement Principles
- The design of this large house was not a cottage as described and did not match the style of its surroundings
- Pilsgate did not need more large houses, a small starter home would have been more suitable
- The piece of land in question was owned by Peterborough City Council and an architect had been employed to design the property by Peterborough City Council, the potential buyer was a Peterborough City Council employee and the plans had been recommended by Peterborough City Council Planning Officers despite the strong objections from Barnack Parish Council and the residents of Pilsgate

Mr N Whiles and Mr C Clark, objectors and local residents, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The artist's impression of the proposal, particularly in relation to the south elevation of Pudding Bag Lane, was misleading. A photograph had been commissioned by the residents which showed the extent of the impact of the proposal
- The proposal was contrary to Local Plan Policies DA1, DA2 and CBE3
- The piece of land was believed to be the rightful garden of 1 Pudding Bag Lane. Twenty years ago the original garden of number 1 had been sold to number 2 and then this parcel of land had been offered for sale to the tenant of number 1
- This was not infill land, as a garden, no householder would be allowed to develop it
- The villagers felt that the land should be kept in treasury for sale as a garden to 1 Pudding Bag Lane, now or in the future
- With the addition of the garden, 1 Pudding Bag Lane would make an attractive home for a family
- The family of the elderly resident living at 1 Pudding Bag Lane, Mr Garrett, were very concerned about the development as were the majority of the villagers
- The house would only be a few feet from 1 Pudding Bag Lane and would take away the majority of Mr Garrett's natural light
- Mr Garrett would be left with a strip of garden only 1 metre wide
- Surely Mr Garrett was entitled to "squatters rights" of some description as he had lived in the property for such a long time and had used the land as a garden
- Burghley Trust stated that they were in possession of paperwork which stated that the land had been conveyed to them in the 1970s

The Chairman addressed the Committee and stated that if the Committee was minded to agree, then the photographs commissioned by the local residents highlighting the extent of the impact of the proposal on the surrounding area, could be passed around. The Committee agreed and the photographs were submitted.

In response to a query from Members with regards to who owned the piece of land, the Legal Officer addressed the Committee and stated that the claim that Mr Garratt had an adverse possession claim against the land was not a consideration for the Committee it was a matter of property law and not a matter of planning law. This point could therefore not be taken into consideration.

For clarification, the Planning Officer addressed the Committee and stated that the piece of land was identified in the Land Registry Plan as being owned by Peterborough City Council.

Mr Gareth Dawkins, the Capital Projects Officer for Peterborough City Council's Growth Team, addressed the Committee in support of the application and responded to questions from Members. In summary the issues highlighted to the Committee included:

- As a Council, a lot of work had been undertaken in order to ensure that the design of the proposal met the needs of the site and was reflective of the site
- It had been recognised from the previous design that there had been issues
- In terms of height, he did not believe that the property was overbearing

- The houses next to the proposal were not reflective of the properties in the village
- With regards to the access road, the boundary treatment had been amended and it was felt that all the issues had been addressed
- The house was under offer to an employee of Peterborough City Council. Bids for the property had been made over the open market.

The Planning Officer addressed the Committee and responded to queries raised by the speakers and the Committee with regards to the width and height of the proposal. Members were advised that the proposal was larger than the neighbouring properties however, it was of similar plot width and would look in proportion from the road. It was in keeping with the street scene, which was comprised of various different properties. The height difference of 600mm would also not be overtly visible.

After debate, Members expressed concern regarding the height, mass and proximity of the proposal to the adjacent property. 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 occupied a corner site adjacent to a row of relatively modern terraced properties and both were sites adjacent to the Pilsgate Conservation Area. The height and resultant mass of the proposal resulted in a visually uneasy relationship with the more modest properties adjacent, to the extent that the new dwelling would appear out of context with the street scene and when viewed from within the Conservation Area. The height and mass of the proposed new dwelling would also result in a loss of residential amenity to the immediately adjacent dwelling given its proximity. The proposal was therefore contrary to Adopted Local Plan Policies CBE3, DA1 and DA2 of the Peterborough Local Plan, (First Replacement) 2005.

**5.6 10/01065/FUL – Use of land for one extended gypsy family comprising two residential caravans and one family room caravan to include the erection of a noise barrier at land opposite 3 Hurn Road, Werrington, Peterborough**

The proposal sought planning permission for the erection of two static caravans for residential occupation. The application details stated that the lengths of the caravans would be between 6.42 metres and 7.95 metres (depending upon the exact model chosen) and widths of 2.29 metres. A third caravan within the same length options and width was to be used as a shared family room facility. All three caravans were to be used by one extended family. A foul water treatment plant was also proposed with the surface of the site being of permeable materials. The site area was approximately 0.07 hectares and was 'L' shaped in plan form. The vehicular access was proposed directly opposite no.3 Hurn Road and was shown with a width of 8 metres. Entrance gates were to be set approximately 6 metres from the edge of Hurn Road. The two 'living' caravans were to be located approximately 27 metres from Hurn Road to the rear of a grass field. They were to be positioned at right angles to each other and immediately adjacent to each other. The family room caravan was to be located at the very rear of the site approximately 50 metres from Hurn Road. An underground water treatment plant was to be located towards the south east corner of the site. The surface water drainage of the site was to be via a soakaway. Parking provision was shown for 4 vehicles and a 6 metre diameter turning circle had been identified within the access road. The 'living' caravans were proposed at a distance of approximately 44 metres from the nearest line of the

London to Edinburgh mainline railway and the family room would be approximately 36metres away from the same nearest mainline railway track.

The agent had provided evidence to demonstrate that the intended occupiers met the definition of Gypsies and Travellers.

The original application for the development ref:- 10/00412/FUL had been withdrawn by the applicant as a result of a refusal recommendation to Committee by the Head of Planning, Transport and Engineering Services. It was considered that the occupation of the site, in very close proximity to the mainline London to Edinburgh railway, would not provide for a satisfactory living environment for occupiers of the site given the exposure to high noise levels from the passing trains. No measures had been proposed in that application to mitigate against the noise from the trains.

The proposal had been revised since its submission to include three possible noise mitigation barrier options to be located between the proposed caravans and the mainline railway.

A plan had been submitted that showed how the landscaping of the site could evolve over time to soften the appearance / mask the acoustic fence and bund. However, it was noted that this had not been based on any detailed landscaping plan that had been submitted to the Council.

The sole vehicular approach to the site was via Hurn Road which was of a single carriageway width. The road had a mature hedge along its northern side whereas to the south there were clear views into the open countryside. The application site was located within a triangular shaped area of land. This land was generally overgrown with various vegetation including scrub type, shrubs, hedging and small trees. Immediately to the north of the application site was a row of 6 modest sized terrace houses the frontages of which were set back 9 metres from the vehicle carriageway. A detached dwelling was located very close to the railway line to the west of the terraced row. To the east/south east of the site was arable farmland. The nearest line of the East Coast mainline railway was approximately 35 metres from the western boundary of the application site. In total there were three mainline tracks with two further railway lines to the west that connected Peterborough with Leicester via Stamford. The Peterborough Green Wheel Footpath/Cycleway passed by the site along Hurn Road connecting Marholm to Werrington.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the principle of the proposed development on the site, the impact on the landscape, Highways issues, drainage issues, archaeology issues, noise affecting the amenity of the residents, the residential amenities of the occupiers of close by existing residential properties and access to local services.

Members were advised that in order to impact against the noise from the adjacent east coast mainline an earth bund with a fence on top would have to be constructed in order to mitigate the noise. With regard to the bund and fence proposals, a series of alternative arrangements, as detailed in the committee report, were highlighted to Members. Any of these arrangements would facilitate the relevant noise protection for the occupiers of the caravans. Members were further advised that Planning Officers recommended refusal for the application, and this refusal centred on the visual impact of the bunds with the fences.

Concerns had been conveyed to the applicant with regards to the bunds and fences and in response the applicant had produced drawings which demonstrated how, over time, landscaping would develop and ultimately mask their appearance.

However, it was of the Planning Officers opinion that it would take some time for any planting to be established and to reach a stage of maturity sufficient enough to mask the appearance of the bunds or the fence.

Members' attention was drawn to additional information contained within the update report. There had been a number of photographs submitted by a neighbour indicating the level of car parking on the street and the views on to the site from the neighbour's property. A further comment had also been received from a different neighbour stating that there was an agricultural water pipe that ran across the front of the application site, Members were informed that this was an issue of construction detail and was not a matter for Committee's consideration.

Councillor Darren Fower, Ward Councillor, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal was against Peterborough Local Plan Policies H16 and DA2
- The relationship with the immediate area would be significantly altered by the proposed noise barriers and fencing
- The proposal was against Policy DA13, with regards to noise. It was not desirable or sensible to locate residential caravans so close to mainline railways
- There were plans, both official and unofficial, to increase trains for passengers and haulage over the coming years
- The residents of Dukesmead caravans did have problems with noise. Councillor Fower had dealt with many complaints over the years
- The proposal was against Policy LNE19, the protection of species. The decision not to undertake a wildlife assessment in the area was disappointing. Local residents had reported seeing newts which were possible protected species.

Mr Alan Smith, a Member of Werrington Neighbourhood Council, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposed noise barriers would be detrimental to local resident amenity and would have an unacceptable visual impact
- The amenities of the residents of the site needed to be taken into consideration
- Once approval had been given for the principle of the site, the possible future use of the site needed to be taken into consideration
- The proposal was contrary to the Core Strategy, Policy 7 in paragraph E. This stated, amongst other things, that "the site should enable development and subsequent use which would not have an unacceptable adverse impact on the amenities of the occupiers of nearby properties"

Councillor John Fox, Councillor Judy Fox and Mr Len Carter, objectors, Werrington North Councillors and a local resident, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The noise on the site would be detrimental to the amenities of the occupiers of the site, as the trains that passed by travelled in excess of 100mph
- The caravans had little insulation against such noise levels
- The proposed site was too close to the railway line and did not conform with the Core Strategy Plan with regards to health and safety

- The survey which had been conducted had not taken into account the maintenance work which was undertaken on a regular basis
- There was no fence proposed for the west side of the site
- The availability of sewage disposal was inadequate and the treatment package plant proposed would be situated near to a watercourse. This would pose the danger of pollution should overflow occur
- Had a surface discharge licence been applied for in order to allow surface water to flow into the nearby watercourse?
- The proximity of the site to nearby residents was of concern as there was only a gap of about 30 feet from the boundary of the cottages to the caravan site
- The proposal was contrary to Core Strategy Policy Section CS7, criteria A
- The location of the site did not meet Government guidelines for gypsy and traveller sites
- The site was not within easy reach of schools, medical facilities or other amenities
- The proposed five metre barrier would be out of keeping with the surrounding area
- The local residents had had views of the fields for many years, putting a fence up would restrict these views
- Noise from generators would be a problem for local residents in the summertime

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

- Option 2 for the provision of bunds and fences, was the preferred option of the agent
- The application was for a privately owned site for a gypsy family
- The site was currently redundant and had not previously been kept very well by the previous owner who used it for grazing land
- Finding such sites for gypsy families throughout the city was hard. There was a need locally for such sites
- The site was located near to commercial use, as well as residential housing
- The design conformed to the same design criteria and practice as for that of housing, both private and social
- There were previous examples of sites, both poor in design and implementation, to that which was proposed
- The site would screen the nearby units from the mainline and hence should reduce noise to the adjacent properties
- The bunding and fencing would emulate a small woodland copse, common to the area
- The Planning Department had not entered into any dialogue with regards to what type of fencing or screening they would prefer
- Prior to occupation, the Planning Department would usually condition that screens were done adequately and satisfactorily before occupation was allowed
- There was satisfactory parking in the area
- The client proposed to use a direct supply of electricity therefore there would be no generators used on the site. Water would also be provided to the site
- The site conformed to the vast majority of the conditions, which had also been proven by a previous appeal case *Smith v Peterborough City Council* which was a site built in the open countryside development area

Following a query from the Committee with regards to whether condition LNE1, 'development in open countryside', was appropriate for use as a reason for refusal,

the Planning Officer addressed the Committee and stated that this particular policy would not apply to this case, as the establishment of a gypsy use was classed as an acceptable use in the open countryside.

The Planning Officer further addressed the Committee and stated that the agent had taken photographs of other noise barrier constructions in the city to show their impact. The photographs had not been provided to the Committee as the information contained within the Committee report was a condensed version of all of the information provided to the Planning Department. The Committee, as a matter of course, did not receive all information submitted to the Planning Department in relation to every application that came before it for determination. The photographs provided showed barriers situated along Werrington parkway and existing travellers sites with close boarded fences around them and also an existing traveller site adjacent to the branch line travelling through Werrington. There were also aerial photographs of existing caravan storage facilities in the open countryside.

Following debate, concerns were highlighted regarding the size of any barrier that would need to be erected, the loss of amenities to the neighbouring properties and the incongruous nature of the development in open countryside. A motion was put forward and seconded to refuse the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to refuse the application, as per 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 proposed acoustic noise barriers, due to their height, length and siting, would stand out as incongruous, dominant and alien features within the immediate rural setting to the detriment of the character and appearance of the countryside. Therefore the proposal would be contrary to policy DA2 of the Peterborough Local Plan (First Replacement) which stated:-

DA2 Planning permission would only be granted for development if, by virtue of its density, layout, massing and height, it:

- a) could be satisfactorily accommodated on the site itself
- b) would not adversely affect the character of the area; and
- c) would have no adverse impact on the amenities of the occupiers of nearby properties.

Councillor Swift left the meeting.

The meeting was adjourned for five minutes.

**5.7 10/01202/LBC & 10/01202/FUL – Conversion of barn to 3 bed dwelling with separate garden area at Elms Farm, Great North Road, Wittering**

The Committee was reminded that the item had been withdrawn from the agenda and would be considered at a future meeting.

## **5.8 10/01241/FUL – Construction of pitched roof outbuilding in rear garden, 880 Church Street, Werrington, Peterborough**

The application was for a rear outbuilding, which was to have a square footprint with each side measuring 3.65 metres. It was to have a very shallow 15 degree pitched roof with a ridge height of 2.92 metres. The ridge was to be orientated in a near north-south alignment. The eastern and southern elevations were to be set in by 1 metre from the southern and eastern property boundaries. The west facing elevation was to be 2.35 metres from the western boundary of the garden. The north elevation was to be 6.5 metres from the rear elevation of the existing dwelling. The outbuilding was to be set 0.3 metres lower than the existing ground level of the rear garden area of the property. There were door and window openings in the north elevation and two rooflights were proposed in each of the two roof slopes. The elevations of the outbuilding were to be of a reclaimed red brick with the roof to be of an orange clay tile.

The property was located on the southern side of Church Street in the heart of Werrington Village. The property was grade II listed and located within the Werrington Conservation Area. The building dated from the 18<sup>th</sup> Century. It was a very small cottage, possibly the smallest dwelling in the village. It was based on a narrow plan of approximately 6 metres in depth, painted stone rubble with a steeply pitched pantile roof, and low eaves. The building had an unattractive single storey flat roofed rear extension, providing bathroom and kitchen facilities. The principle building had a single room at ground floor and a landing and small eaves bedroom at first floor. The building was very much in keeping with traditional buildings in the village and a rare surviving example of a simple vernacular cottage.

The rear garden of the property had a depth of 11 metres with a general width of 7 metres. There was a mature apple tree located in the south west corner of the garden, the trunk of which was located 2 metres from the rear boundary and approximately 0.6 metres from the western boundary. A narrower spreading more upright apple tree was located centrally in the rear garden. The boundaries to the rear garden of the property were varied in height and form. The boundary with the dwelling to the east of the property (no.90 Church Street) comprised a 1.8 metre tall close boarded fence closest to the rear elevation of that dwelling and thereafter a short length of a brick wall to 1.8 metre height, followed by a 2.2 metre high stone wall that was, up until relatively recently, the rear wall of a former outbuilding. There was then, to just short of the southern boundary wall, a 1.35 metre high stone wall with vertical glazing on top that formed a part of the neighbour's greenhouse. The rear garden of no.90 was at a lower level than the applicant's rear garden. The remaining 1.7 metre of the boundary comprised a red brick wall to a height of 1.6 metres. The rear boundary was entirely of red brick and was staggered in height with the majority, when measured from the applicant's side being 1.8 metres in height and the remainder towards the western boundary having a height of 2.1 metres. The western boundary comprised a low brick wall with trellis above to an overall height of approximately 1.3 metres for the first 4 metres of the boundary with principally fencing to a height of 2.1 metres leading to the southern boundary.

To the rear of no.88 was a relatively new dwelling i.e. no.8a Amberley Slope, which had its rear elevation sited approximately 6.5 metres behind the shared boundary wall. Most of the rear garden of no.8a was set lower than that of the application property although immediately abutting the shared rear boundary wall it had a raised patio that reduced the height of the boundary wall to approximately 1.6 metres on the side of no.8a such that standing within the patio would permit easy overlooking into the rear garden of no.88.



The Planning Officer addressed the Committee and gave an overview of the proposal. The main issues were also highlighted and included the impact of the outbuilding upon the amenities of the occupier of the adjoining residential properties and the impact of the outbuilding upon the setting of the listed building and the character and appearance of the Werrington Conservation Area.

Councillor Darren Fower, Ward Councillor, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The neighbours adjacent from the property had stated that whilst they had no objection to the proposal in principle, the planned positioning of the outbuilding would have a negative visual impact from their rear garden
- The dwelling should be located on the site of the former outbuilding at the rear of the property
- The measurements of the roof pitch and the building height were different in the committee report and on the Peterborough City Council website. Which measurements were correct?
- An almost identical application had previously been refused and other options were available for consideration

Mr and Mrs Lunn, local residents, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal was within the Conservation Area. The Conservation Area Appraisal stated that original materials were to be re-used and salvaged materials were to be incorporated in any new buildings
- Infill development was almost eroding the character of the village and the proposal had no regard for this
- The proposal would have a negative impact on the view from 8a Amberley Slope
- The properties currently, with old style pantile roof and chimney, could be seen. This would be replaced by a modern brick wall building. The view of the conservation cottages would be lost
- The current proposal was identical to the one rejected. The original application was refused due to the mass, height and siting having an overbearing impact on the neighbouring property. Everything was the same apart from the siting, the proposal was now situated 1 metre from the boundary wall. This would have no positive effect on the neighbouring property
- The new outbuilding should be located on the original footprint, the ridge height should be turned to an angle of 90 degrees in order to make the ridge parallel to the garden wall of the adjacent property, the building should have a pent roof, as the previous demolished building had, and also the roof should be constructed from pantiles

Mr and Mrs Lunn had brought a photograph with them highlighting how the new building would look in relation to their garden. The Chairman addressed the Committee and stated that if the Committee was minded to agree, then the photograph could be passed around. The Committee agreed and the photograph was submitted.

The Planning Officer addressed the Committee and responded to the query raised by Councillor Fower with regards to the measurement of the roof pitch and the height of the building. The Committee was advised that the height of the building

was 2,92 metres high with a 15 degree roof pitch. The building was also to be set down in the ground by 300mm.

Following a further query from Members regarding the differences between the proposal outlined and the previous proposal which had been refused, Members were advised that the previous proposal had not been set into the ground at all, therefore would have been more clearly visible. The current proposal would only show a portion of the eaves and the shallow pitch roof. The previous refused application had also been located right up against the wall, instead of 1 metre away as now proposed.

After debate, a motion was put forward and seconded to approve the application. The motion was carried by 7 votes for and 2 voting against.

**RESOLVED:** (7 for, 2 against) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C3 as detailed in the committee report

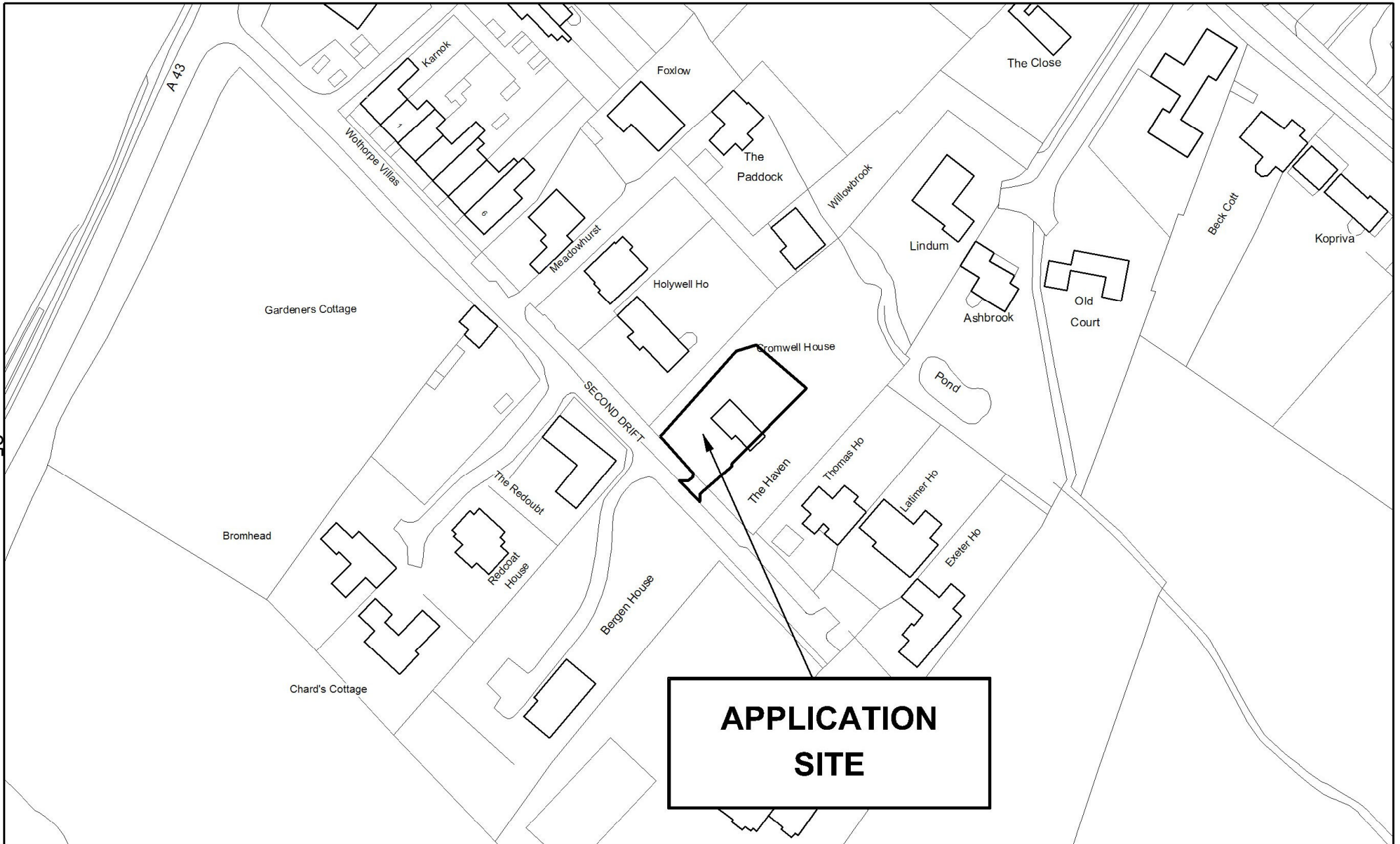
**Reasons for the decision:**

The outbuilding was of a scale and location that would not be detrimental to the amenities of the occupiers of the immediately adjacent residential properties.

The outbuilding was to be of a satisfactory design and general appearance such that it would not adversely impact upon the general character and appearance of the Werrington Village Conservation Area.

The outbuilding was to be of a simple modest scale, design and general traditional appearance such that it would not be detrimental to the setting of the existing dwelling which was a grade II listed building.

13.30 – 18.46  
Chairman



25

**LOCATION PLAN 10/01503/FUL**

The Haven, Second Drift, Wothorpe

**Scale 1:1250 Date 15/12/2010 Name MKB Department Planning Services**

PCC GIS



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

VALID: 3 NOVEMBER 2010

APPLICANT: HEReward HOMES LTD

AGENT: IPLAN

REFERRED BY: CLLR OVER

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

DEPARTURE: NO

CASE OFFICER: LOUISE LEWIS

TELEPHONE: 01733 454412

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

## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

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

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

## 2 PLANNING POLICY

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

### Development Plan Policies

Key policies highlighted below.

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

**Planning Policy Statement 3 – Housing.** This requires Local Planning Authorities to make best use of land for new residential development and to ensure that it is well integrated with and complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

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

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

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

### 3 DESCRIPTION OF PROPOSAL

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

### 4 DESCRIPTION OF SITE AND SURROUNDINGS

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

### 5 PLANNING HISTORY

Application Number	Description	Date	Decision
01/00575/OUT	Erection of four dwellings	26.07.2001	WDN
01/01295/OUT	Erection of dwelling (Revised access)	12.03.2002	PER
02/00842/OUT	Residential development comprising one house and garage	24.09.2002	PER
03/00360/OUT	Residential development comprising two dwellings and garaging	14.05.2003	WDN
04/02018/WC PP	Variation of Condition 1 of planning permission 01/01295/OUT to allow a further three years for the submission of reserved matter	08.02.2005	PER
05/00477/WC PP	Variation of condition 1 of planning permission 02/00842/OUT (erection of house and garage) to allow a further three years for the submission of reserved matters	22.09.2005	PER
08/01203/REM	Reserved matters for the siting, design, external appearance of buildings, means of access and landscaping for a four-bed dwelling as consented under 02/00842/OUT	08.04.2009	PER
10/00204/FUL	Construction of five-bed dwelling with detached garage	19.07.2010	PER

10/00688/FUL	Demolition of existing dwelling and construction of 1 x four-bed dwelling and 1 x five bed dwelling with detached double garage (on the front part of the Haven site)	09.07.2010	REF
10/00872/FUL	Erection of dwelling with detached garage and studio above	23.09.2010	REF
10/00975/FUL	Demolition of existing dwelling and construction of three-bed dwelling with detached garage	22.10.2010	PER

## **6 CONSULTATIONS/REPRESENTATIONS**

### **INTERNAL**

#### **Local Highway Authority**

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

#### **Archaeology Services**

The proposed development site contains no known archaeological remains.

### **EXTERNAL**

#### **Parish Council –**

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

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

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

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

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

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

### **NEIGHBOURS**

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

- Overdevelopment
- Lack of privacy for neighbours
- Size and scale in conjunction with the new dwelling being built
- Loss of trees with mass block paving
- Demolition of perfectly good dwelling to make way for new dwelling of the same size
- Development would dwarf surrounding houses
- Will dominate and overlook Cromwell House and the new house at the rear
- Unacceptable mass running along Cromwell House's [boundary]
- Will overlook Cromwell House' garden, patio and conservatory
- Due to height there could be a third storey in the attic
- Additional traffic on single track road with limited passing places
- Impact on highway safety
- Lorries have to turn round at the top of the road, damaging driveways
- Utilities are already over-stretched
- Contravenes H7e, DA2 and DA6a and b of the Local Plan
- Breaches recommendations from Peterborough Settlement Hierarchy Studies

- Interesting and wide range of styles of housing
- Overdevelopment may turn the Drift into a new housing estate
- Development is not materially different to refused proposal [for two houses at the front]
- Reasons for refusal [of recent appeal] apply
- Garage is now detached,
- Development on The Haven should be looked at as a whole
- Change in Government policy re garden development
- Impact on property values

## **COUNCILLORS**

Cllr Over has made the following comments:

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

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

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

No realistic Section 106 Agreement seems to have been reached

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

## **7 REASONING**

### **a) Introduction**

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

### **b) Policy issues**

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

Comments have been made regarding the Settlement Hierarchy document. However Members should note that the document has not been approved or adopted by the Council and is not Council Policy. Although Wothorpe is a small village and without convenient access to Peterborough City Council schools and facilities, setting aside administrative boundaries it is very close to a wide range of services and facilities available in Stamford, which is less than one mile away. This distance is easily walkable or cyclable along the existing footway and the location is not therefore unsustainable in this respect.

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



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

c) **Recent appeal decision**

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

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

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

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

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

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

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

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

d) **Character of the area**

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

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

There is a mixture of building styles along the Drift.

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

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

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

Members should be aware that there is potential for accommodation to be added into the roofspace of the proposed dwelling, and neighbours have commented on this. Some neighbours have pointed out that Officers raised concerns about the initially proposed two-and-a-half storey development, which is correct. Two storey development is proposed under this application, although it would be open to the applicant to apply at a later date to convert the roofspace into accommodation. A condition is recommended removing Permitted Development rights for this work, to ensure that the Planning Authority retains control.

Part of the character of Wothorpe is large plots/gardens. Although the garden to the proposed dwelling would be smaller than many in the area it would be over 260 sq m, which is more than

adequate for a family dwelling. It is the space between dwellings which often supports a perception of large plots, and the proposal in Officer's views respects this.

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

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

A garage is proposed in front of the dwelling, to mirror that permitted on Plot A. Garaging to the front is to be discouraged as a general rule, however a garage to the front is already in evidence at Thomas House, to the immediate south-east, and in 2003 permission was granted for a garage to the front of Cromwell House, although this was not built. The proposed garage has a shallow roof pitch and a low profile so that the house would be the dominant feature of views towards the site. Overall it is considered that subject to a good landscaping scheme the impact of the garage and the similarity in design and materials can be incorporated into the overall streetscene satisfactorily, and that the character of the area would not be unacceptably affected.

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

e) **Impact on neighbour amenity**

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

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

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

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

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

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

f) **S106**

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

g) **Highways/parking**

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

There are no Highway objections to the proposal.

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

h) **Other matters**

The following comments have also been made:

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

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

**Loss of trees with mass block paving**

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

**Utilities are over-stretched**

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

**Change in Government policy re garden development**

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

**Impact on property values**

This is not a material planning consideration.

## **8 CONCLUSIONS**

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

- the site is within the settlement boundary
- a dwelling can be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- a suitable level of amenity can be provided for residents, including access and parking
- the proposed dwelling would not affect the character of the area to an unacceptable degree
- the applicant has made provision to meet the infrastructure needs arising from the development
- the proposal is therefore in accordance with Policies H16, T1, DA2, DA6 and IMP1 of the Peterborough Local Plan 2005 (First Replacement).

## **9 RECOMMENDATION**

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

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 Materials to be used in the construction of the approved development shall be as described in approved plan 2009/51-17, unless agreed otherwise in writing by the Local Planning Authority.**  
Reason: In the interests of the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no garage, carport or domestic enlargement to the dwelling or the garage shall be constructed other than as those expressly authorised by this permission.**  
Reason: In the interests of visual and residential amenity, in accordance with Policy DA2 of the Adopted Peterborough Local Plan (First replacement).
- C4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into any elevation or roof slope at second floor level, or to the south-east or north-west elevations at first floor level.**  
Reason: In order to ensure that the Local Planning Authority can protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C5 The dwelling and garage shall be constructed at the level shown on plan 2009/51-201 C, unless otherwise agreed in writing with the LPA.**  
Reason: In the interests of visual and residential amenity, in accordance with policy DA2 of the Adopted Peterborough Local Plan (First replacement).
- C6 Surface water disposal shall be by means of soakaway unless percolation tests prove negative in which case an alternative means of disposal shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The soakaway or alternative approved means of disposal shall be implemented prior to the first occupation of the dwelling.**  
Reason: To prevent surface water flooding in accordance with the aims of PPS25.
- C7 Before the development hereby permitted is first occupied, the proposed first floor windows on the north-west elevation, and the bathroom windows on the rear elevation, shall be obscure glazed and apart from any top hung fan lights shall be incapable of being opened and shall subsequently be maintained as such.**  
Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C8 Prior to the commencement of development and notwithstanding submitted plans, a landscape planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the existing landscape features within the site that are to be retained; the enhancement and creation of natural features within the site; the retention, enhancement and creation of wildlife corridors and the use of native species in planting.**  
**The landscape planting scheme shall be implemented in the first planting season following completion or first occupation of the dwelling, whichever is sooner.**  
Reason: In order to enhance the visual amenities of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

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

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

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

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

Copy to Councillor D Over

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# Appeal Decision

Site visit made on 10 November 2010

**by Malcolm Rivett BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 22 November 2010**

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**Appeal Ref: APP/J0540/A/10/2134532**

**The Haven, Second Drift, Wothorpe, Stamford, Lincolnshire, PE9 3JH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr J Gibbison (Hereward Homes Ltd) against the decision of Peterborough City Council.
  - The application Ref 10/00688/FUL, dated 13 May 2010, was refused by notice dated 12 July 2010.
  - The development proposed is demolition of existing dwelling and erection of two dwellings (one with detached garage).
- 

## Decision

1. I dismiss the appeal.

## Main issue

2. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

## Reasons

3. South-east of its attractive terrace of houses, the higher part of Second Drift is characterised by large, detached properties. Most of the older of these are set in large gardens whilst the more recently constructed dwellings (including those to the south-east of the appeal site and to the rear of The Redoubt) are generally of higher density. In contrast with a number of other houses in the vicinity, The Haven occupies less than half of the width of its plot and is separated from its neighbours (Cromwell House and Thomas House) by gaps which are wider than the dwelling itself. Despite the changes which have taken place in the area over the years and the recent, higher density development, these gaps and The Haven's ratio of building width to plot width give the area an attractive and spacious, semi-rural, character.
4. Although it would not project forward of the existing building line, the proposal's layout would substantially fill, with built development, the width of The Haven's plot, and the gaps between the proposed dwellings and their neighbours would be less than now, particularly in the case of Thomas House. The minimal space between the two new dwellings themselves, and the presence of the large detached garage to the front of the southern dwelling, would be much more akin to the nearby higher density housing than to the current spacious feel of the appeal site. Moreover, whilst I appreciate that the proposed dwellings are of a more traditional design than The Haven, and despite the presence of the new rear access road, I envisage that the

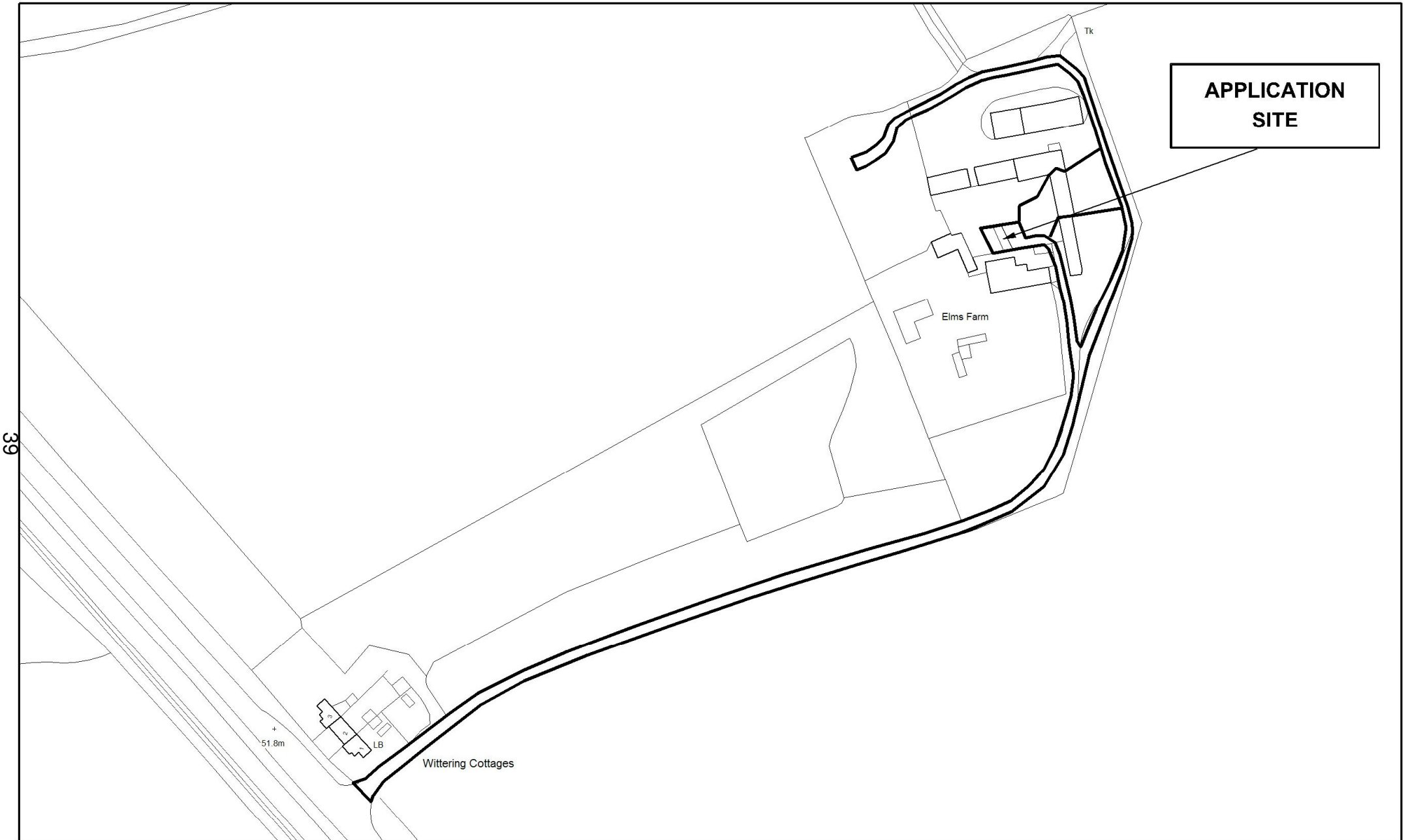
development would create the appearance of a continuous 'run' of houses on the east side of Second Drift of suburban, rather than semi-rural, character. I therefore conclude that the proposal would harm the character and appearance of the area. Of the policies referred to I consider policy DA2 of the adopted *Peterborough Local Plan (First Replacement)* to be most relevant to this proposal and I find that the scheme conflicts with its requirement that, having regard to its layout, development does not adversely affect the character of the area.

5. The Council also raises concern about the depth of the proposed dwellings' plots. However, whilst I recognise that these plots would be amongst the smallest in the area, their lack of depth, although seen from some neighbouring dwellings, would not be readily apparent from the public realm and as such would be unlikely to cause any significant harm to the area's character or appearance. Similarly, I am not persuaded that any harm would be likely to result from the dwellings being 'cut' into the slope of the site. I appreciate that permission has been granted for a single dwelling on the site in a similar position to that of the southern house now proposed. However, although close to Thomas House there would be a very wide gap between this dwelling and Cromwell House and, thus, I do not consider this scheme to be comparable with the proposal before me. I understand that the Council has indicated that two houses on the appeal site could be acceptable. That may or may not be so although, in the absence of an approved scheme along such lines against which I could compare the proposal before me, this has not carried any significant weight in my decision.
6. In addition to its other concerns about the development the Council indicates that contributions towards improvements to local infrastructure/services are necessary to make the proposal acceptable. This is not challenged by the appellant and he has submitted a completed s106 undertaking which would provide for such contributions in connection with the implementation of the appeal scheme. Reference is made to the Council's *Planning Obligations Implementation Scheme Supplementary Planning Document*. However, as I have not been provided with a copy of this document, I am unable to ascertain whether or not the undertaking complies with the tests set out in *Circular 05/2005 - Planning Obligations* and the requirements of the *Community Infrastructure Levy Regulations 2010, S1 2010 No 948*. Nonetheless, even if the undertaking accords with these regulations and tests, it does not justify the proposal given the harm I have found the scheme would cause.
7. For the above reasons, and having regard to all other matter raised, including the cited sustainability of the site and the views of neighbouring residents, I conclude that the appeal should be dismissed.

*Malcolm Rivett*

INSPECTOR





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**APPLICATION  
SITE**

**LOCATION PLAN 10/01202/LBC AND 10/01258/FUL**

Freestanding Barn, Elms Farm, Great North Road, Wittering

**Scale 1:1750    Date 20/12/2010    Name MKB    Department Planning Services**

PCC GIS



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10/01202/LBC  
& 10/01258/FUL

CONVERSION OF BARN TO 3 BED DWELLING WITH SEPARATE GARDEN  
AREA AT ELMS FARM, GREAT NORTH ROAD, WITTERING

VALID: 27/09/2010

APPLICANT: MR SIAMAK FARIDI

AGENT: MRS AZAR WOODS

REFERRED BY: HEAD OF PLANNING TRANSPORT AND ENGINEERING SERVICES

REASON: TO ENSURE FAIR AND TRANSPARENT DECISION PROCESS GIVEN  
COMPLAINTS BY THE AGENT

DEPARTURE: NO

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## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Impact on the amenities of occupiers of neighbouring dwellings
- Impact upon the character of the application site and the listed building
- The poor amenity offered to the occupants of the proposed development
- The vehicular access to the development
- Proposal of development outside of supplied red line
- Level of amenity space provided
- Parking provision
- Insufficient separation distance between dwellings

The Head of Planning Transport and Engineering Services recommends that both the applications are REFUSED.

## 2 PLANNING POLICY

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

### Development Plan Policies

Key policies highlighted below.

DA1	Development shall be compatible with its surroundings create or reinforce a sense of place and not create an adverse visual impact.
DA2	<b>Development shall be satisfactorily accommodated on the site, not have an adverse affect on the character of the area and have no adverse impact on the amenities of occupiers of nearby properties.</b>
CBE7	Development affecting the setting of a listed building
H16	<b>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.</b>
H19	Conversion of agricultural buildings to residential use in the open countryside
T1	<b>New development should provide safe and convenient access for all user groups and not unacceptably impact on the transportation network.</b>
T10	Car parking provision to be in accordance with maximum car parking standard

**Planning Policy Statement 3: Housing.** This requires Local Planning Authorities to make best use of land for new residential development and to ensure that it is well integrated with and complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

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

ODPM Circular 05/2005 “Planning Obligations”. Amongst other factors, the Secretary of State’s policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;
- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development)
- iv) fairly and reasonably related in scale and kind to the proposed development;
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

### **3 DESCRIPTION OF PROPOSAL**

The proposal is to create a self contained three bedroom property from the conversion of a listed barn / outbuilding. This requires the insertion of a first floor and balcony, removal of part of the internal dividing wall, insertion of internal room partitions, re-location of the metal animal drinking bowl and two roof lights to the east and west roof elevations.

### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The site is an isolated former farmstead accessed from the south bound A1. The site includes the listed building Elms Farm and a number of barns in various states of repair. The barn subject to the application is curtilage listed.

The application site is a cart barn, slightly rectangular in plan, of symmetrical appearance with a hipped pantile roof. It is an open cart barn/byre (east and west elevations) with a central dividing wall providing internal shelter of just over 3m. The southern side wall is jointly the common boundary wall of Elms Farmhouse. The northern side wall has an opening which has a three way metal animal drinking trough making this also accessible from the crewyard. The cart barn has typical supporting cast iron posts under large timber lintels (east and west elevations). The building is in a very poor condition having had partial roof collapse and is showing signs of other structural failure. In summary, this is a simple and subservient agricultural outbuilding in the former crew yard flanked by principle farm barns and implement buildings.

The wider area is characterised by the presence of the principal barns set around a crew yard in a 'C' shaped configuration, with an additional barn (F) to the west of the application site effectively creating a closed circle of barns, with the application site lying in the centre, ancillary to the larger barns.

## 5 PLANNING HISTORY

Application Number	Description	Date	Decision
05/01479/FUL	Conversion of stone barn to a five-bedroom dwelling with use of freestanding barn as car port	Withdrawn	20.09.2005
05/01481/LBC	Conversion of barn to a five-bedroom dwelling with use of freestanding barn as car port	Withdrawn	20.09.2005
06/00266/LBC	Conversion of barn to 5 bedroom dwelling and use of freestanding barn for ancillary accommodation	Refused	16.02.2006
06/00268/FUL	Conversion of barn to 5 bedroom dwelling	Refused	16.02.2006
06/01454/FUL	Conversion to dwelling and freestanding barn for use as an ancillary building	Approved	15.09.2006
06/01455/LBC	Conversion to dwelling and freestanding barn for use as an ancillary building	Approved	15.09.2006
10/00676/NONMAT	Non-material amendment to planning permission 06/01455/LBC - Conversion to dwelling and freestanding barn for use as an ancillary building	Approved	19.05.2010

## 6 CONSULTATIONS/REPRESENTATIONS

### INTERNAL

**Highways** – Objects. A visitors' parking space outside Barn A has been referred to, but this has been excluded from the plans and the application site.

**Conservation Officer** – Objects. The proposed changes will significantly harm the essential character and appearance of this simple building. If this proposal had formed part of original scheme then it is most likely that a refusal would have followed. Limiting the amount of alteration to the building to the approved scheme is in accordance with national guidance contained in Planning Policy Statement 5 and policy CBE6 of the adopted Peterborough Local Plan. This building should remain subservient in appearance and use to the adjacent principle barns. The approved scheme should represent the limit of change to the building fabric that can be supported by the local planning authority. The approved scheme would retain and largely preserve the buildings architectural and historic character – the proposed works and use will significantly harm that character.

**Refuse** - No objection subject to upgrading of the access road and provision of refuse vehicle turning area. A bin collection point will need to be identified for this barn too as above with adequate space and turning head for the refuse collection vehicle. Alternatively the collection point can remain as at present.

**Rights Of Way officer** - No objections

**Archaeology** – No objection. Given the historic interest of the building and associated curtilage any permission should have a condition to ensure that any proposed groundwork is monitored by an appointed archaeologist.

**Natural England** – No objection. The site proposed for development is located within approximately 700m of a Site of Special Scientific Interest (SSSI) at West Abbot's and Lound Woods which is designated for its woodland flora. It also falls within 2km of 3 further SSSIs: Southorpe Roughs, Southorpe Meadow and Southorpe Paddock which are designated for the unusual meadow plants they support. Whilst these sites are of national conservation importance, we believe it is highly unlikely that the proposed development will have any adverse impact on their interest features.

**Section 106 Officer** - A S106 contribution of £6000 + £120 monitoring fee applies.

## **EXTERNAL**

**Parish Council** – No reply received

**Highways Agency** – No objection subject to condition in relation to a S278 agreement for the upgrading of the access from the A1 (this is in place for the extant permission for the wider conversion of the wider barn complex).

## **NEIGHBOURS**

The following comments were received in respect of the proposal: -

- No pedestrian or motorised access
- Public services, transport, footpaths
- According to the deeds held by our client, the owner of Barn B can legally only use Barn B and its ancillary land buildings etc. as ONE domestic dwelling. And amongst other covenants, cannot park or block with vehicles any land approaching/and including the inner courtyard, namely that area around the barns (Committee should be aware that any covenants contained within premises deeds are a matter of property law and not planning law as such are not considered a material planning consideration).

## **COUNCILLORS**

- No comments received.

## **7 REASONING**

### a) **Introduction**

The application is part of a Listed Barn complex that has permission for conversion in to 4 residential units. Under that permission, the structure subject to the current application formed part of one of the residential units (barn B) as an outbuilding in the garden which could be used as ancillary accommodation to barn B. The current application seeks to separate the two buildings resulting in the barn as a stand alone unit, separate from barn B. The application site barn is completely enclosed by land outside of the applicants' ownership and is effectively land locked. There is no vehicular access to the proposed dwelling and it is unclear whether pedestrian access to the dwelling exists.

### b) **Character of the area**

The insertion of a mezzanine floor and balcony, removal of much of the central internal wall and re-location of the metal drinking trough would significantly change the simple character and appearance of this building. The level of change proposed to the small ancillary building is contrary to national guidance, including English Heritage guidance on the conversion of former agricultural buildings and Peterborough Local Plan H19 of the Peterborough Local Plan (First Replacement) 2005.

There is little justification to accept the changes proposed to the outbuilding and create a separate residential use. The proposed separate residential use and the amount of alteration to the building will harm neighbouring residential amenity and adversely change the character of the building and its contribution to the character of the courtyard. In planning and conservation terms the building should remain ancillary and subservient to the main courtyard buildings.

As a small cart barn in the former crew yard it is appropriate that the building retains its subservience in scale and character to the surrounding principle farm buildings. The approved scheme for the outbuilding as an ancillary building has much merit, in that minimal alterations to the existing fabric are supported to achieve a beneficial use and this is consistent with good conservation practice for the re-use of former agricultural buildings.

The construction of the two walls necessary to create the enclosed amenity space proposed would fundamentally alter the open nature of the crew yard and is considered harmful to the character of the area and to the setting of the adjacent listed building.

c) **Impact on neighbour amenity**

The proposal would result in two separate dwellings whose front elevation window to window distances would be approximately 11 metres apart. Given the otherwise spacious nature of the development and its open countryside location this is considered inadequate and would result in unacceptable levels of overlooking and a lack of privacy for both the occupiers of Barn A and any occupiers of the application site barn.

Barn A would also appear completely overbearing to the occupiers of the dwelling proposed under this application. The amenity space would be unacceptably overlooked by the occupants of barns A, B, C and D and it is considered that the proposal does not provide adequate amenity space with an acceptable level of privacy, a key element of local plan policy H16 of the Peterborough Local Plan (First Replacement) 2005.

d) **Section 106**

A section 106 obligation is required for this development in accordance with the Council's Planning Obligations Implementation Scheme SPD which at the time of writing has not yet been completed.

e) **Highways/parking**

As stated in section (a) the property has no access for vehicles and is land locked, making it unacceptable as a standalone dwelling. The application documents make no mention of how this issue is to be overcome other than showing the route for emergency vehicles to enter the crew yard across the curtilage of Barn A, which is outside the ownership of the applicant and is unlikely to be a suitably surfaced access, given that is for emergency vehicle use only.

The garage shown on the revised plans shows provision for three covered parking spaces. This is an acceptable level of provision given the isolated location of the development and the likely need of occupants to have vehicular transport. However the revised red line does not show access to the application site across the front of barn F, therefore the only possible route of pedestrian access would appear to be across the front of barn A, a distance of approximately 200 metres. The Local Planning Authority consider this distance to be too inconvenient, with the likelihood that the garages would not be used and residents would park as close to the freestanding barn as possible, potentially causing an obstruction to other residents by parking on the access road.

f) **Other matters**

The applicant proposes that the bins will be collected by the City Council and would be stored in a covered area. Currently the local council refuse vehicles collect the waste from Wittering Cottages and Elm Farm from the end of the track in the lay-by near the A1, they do not drive up the access road as it is not satisfactorily surfaced and would not be willing to collect from the application site unless it was upgraded to a hard surface.

There are no turning heads for the refuse vehicle on site and bin collection points would need to be identified as the crews would not walk up to the houses. Some of the unloading areas may be suitable if turning heads are in place, however given the land locked nature of the application site it would not be possible to get the bins from the barn to any possible collection point.

No information has been provided relating to the improvement of the access road or the location of the bin store and as such the proposals must be considered unacceptable.

## **8 CONCLUSIONS**

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

- The proposal will significantly harm the character and appearance of the simple barn building and the building should remain subservient in appearance and use to the adjacent principal barns.
- The proposal does not provide a convenient area of amenity space with reasonable privacy.
- The dwelling would harm the amenity of the occupiers of the neighbouring dwellings and it would suffer from unacceptable levels of overlooking and overbearing.
- The parking area proposed is too far from the proposed dwelling and is not likely to be used for the purposes of parking.

## 9 **RECOMMENDATION**

### A) **10/01202/LBC**

The Head of Planning, Transport & Engineering Services recommends that this application is **REFUSED**.

- R1 The proposal by way of the scale and appearance of the alterations proposed will significantly harm the character and appearance of the simple barn building which should remain subservient in appearance and use to the adjacent principal barns. This is contrary to policy CBE6 of the Peterborough Local Plan (First Replacement) 2005 which states:**

CBE6 The City Council will not grant consent/permission for the alteration, extension or carrying out of other works to a listed building or building which is within its curtilage where it would:

- (a) be unsympathetic to the character of the original building or its setting in scale, form, materials or situation; or
- (b) be detrimental to the long-term stability of the fabric of that building; or
- (c) result in the removal of internal or external features of a listed building, or features within its curtilage, which contribute to its architectural or historic interest.

### B) **10/01258/FUL**

The Head of Planning, Transport & Engineering Services recommends that this application is **REFUSED**

- R1 The proposal by way of the scale and appearance of the alterations proposed will significantly harm the character and appearance of the simple barn building which should remain subservient in appearance and use to the adjacent principal barns. This is contrary to policy CBE6 of the Peterborough Local Plan (First Replacement) 2005 which states:**

CBE6 The City Council will not grant consent/permission for the alteration, extension or carrying out of other works to a listed building or building which is within its curtilage where it would:

- (a) be unsympathetic to the character of the original building or its setting in scale, form, materials or situation; or
- (b) be detrimental to the long-term stability of the fabric of that building; or
- (c) result in the removal of internal or external features of a listed building, or features

- R2 The submitted plans do not include a safe and convenient access to the development. This is contrary to policy T1 of the Peterborough Local Plan (First Replacement) 2005 which states:**

T1 Planning permission will only be granted for development if:



- (a) appropriate provision has been made for safe and convenient access to, from and within the site by all user groups taking account of the priorities set out in the Transport User Hierarchy of the Local Transport Plan; and
- (b) it will not result in unacceptable impact on any element of the transportation network.

**R3 The dwelling by way of its close proximity to neighbouring dwellings would harm the amenity of the occupiers of the neighbouring dwellings. The application site would suffer from unacceptable levels of overlooking and overbearing and does not provide a convenient area of amenity space with reasonable privacy. This is contrary to policies DA1, DA2 and H16 of the Peterborough Local Plan (First Replacement) 2005 which state:**

DA1 Planning permission will only be granted for development if it:

- (a) is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- (b) creates or reinforces a sense of place; and
- (c) does not create an adverse visual impact.

DA2 Planning permission will only be granted for development if, by virtue of its density, layout, massing and height, it:

- (a) can be satisfactorily accommodated on the site itself; and
- (b) would not adversely affect the character of the area; and
- (c) would have no adverse impact on the amenities of occupiers of nearby properties.

H16 Planning permission will only be granted for residential development (including changes of use) if the following amenities are provided to a satisfactory standard:

- (a) daylight and natural sunlight; and
- (b) privacy in habitable rooms; and
- (c) noise attenuation; and
- (d) a convenient area of private garden or outdoor amenity space with reasonable privacy.

**R4 The parking area shown is too far from the proposed dwelling to be used conveniently, this may result in parking on the access road close to the proposed dwelling obstructing the vehicular access to the other barns. This is contrary to policies T1 and T10 of the Peterborough Local Plan (First Replacement) 2005 which state:**

T1 Planning permission will only be granted for development if:

- (a) appropriate provision has been made for safe and convenient access to, from and within the site by all user groups taking account of the priorities set out in the Transport User Hierarchy of the Local Transport Plan; and
- (b) it will not result in unacceptable impact on any element of the transportation network.

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