

NOTICE OF MEETING

MEETING	PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE:	TUESDAY 22 MARCH 2011
TIME:	1.30 pm
VENUE:	BOURGES/VIERSEN ROOMS - TOWN HALL
CONTACT:	Gemma George, Senior Governance Officer Telephone: 01733 452268 e-mail address: gemma.george@peterborough.gov.uk
<i>Despatch date:</i>	<i>14 March 2011</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 Meetings held on:**
 - 4.1 **8 February 2011** **1 - 30**
 - 4.2 **22 February 2011** **31 - 44**
5. **Development Control and Enforcement Matters**
 - 5.1 **10/01705/FUL - 90 Vere Road, Peterborough** **45 - 52**
 - 5.2 **11/00138/WCPP - McDonalds, Lincoln Road, Glington, Peterborough.** **53 - 60**
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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, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

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 8 February 2011

Members Present:

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

Officers Present:

Simon Machen, Head of Planning, Transport and Engineering Services
Nick Harding, Group Manager, Development Management
Jez Tuttle, Senior Engineer (Development)
Ruth Lea, Lawyer – Growth Team
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Burton, Thacker and Lane.

Councillor Winslade attended as substitute and Councillor Swift wished for it to be noted that he was unable to attend as substitute.

2. Declarations of Interest

There were no declarations of interest.

3. Members' Declaration of intention to make representation as Ward Councillor

Councillor Hiller declared that he would be making representation as Ward Councillor in respect of item 5.6 on the agenda, 45 High Street, Maxey.

4. Minutes of the Meeting held on 11 January 2011

The minutes of the meeting held on 11 January 2011 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 10/01598/FUL – Installation of external downlighting to tennis courts 3 and 4 at Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough, PE3 6LU

The application sought planning permission for the installation of flood lighting to existing tennis courts at Longthorpe Tennis Club. The installation was comprised of nine 6.7 metre high lighting columns around the courts. It was proposed that three of the columns that were to be sited between the pitches would have double luminaires with the remaining six having single luminaires. Each lamp was proposed to be angled at the horizontal and fitted with side and rear baffle plates in order to reduce the level of light spillage and glare as far as was practicable. The applicant proposed the lights to be in use until 20.30 Monday to Saturday with a maximum of two evenings per week until 21.30 and up to 18.00 on Sundays and Bank Holidays.

The application courts were situated within the Longthorpe Memorial Hall grounds, which was comprised of a community centre, car park, four tennis courts, a bowls green, play area and playing fields. This complex was situated at the heart of the urban village of Longthorpe, a predominantly residential area of varied character and form. The properties surrounding the site were predominantly large detached 2 storey dwellings with rear gardens facing on to the site, albeit there were terraced properties facing on to Thorpe Road. The shortest distance from the edge of the tennis courts to the back wall of the residential properties was highlighted as being 33 metres in relation to number 4 Longthorpe Green and in the case of number 6, it was highlighted as being 41 metres, therefore the distance of separation was substantial. This had been an important factor with regards to the lighting impact assessment of the scheme. The site was located within the identified Longthorpe Conservation Area.

Parking was provided to the front of the site, in an area of car park accessed from Thorpe Road, adjacent to the Post Office. This was a shared facility between the Tennis Club, the Memorial Hall and bowls green. A public footpath ran to the south of the site.

Planning permission had recently been granted for the installation of all weather surfacing on Courts 1 and 2 (retrospectively) and Courts 3 and 4 to allow usage of the courts throughout the year. Members were advised that none of the courts were currently floodlit.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issue for consideration was whether the light spill from the floodlights would be to the detriment of the nearby residents. Members were further advised that an ecological assessment had been undertaken and it was highlighted that the scheme would not be detrimental to bats in the area and also the proposal would not be detrimental to the trees on the site.

Two photograph slides were presented to the Committee showing a similar location with its floodlights in action. These photographs highlighted to Members the extent of the lighting on the courts, the amount of light spill and its effect on neighbouring properties. Members were informed that the light emanating from the floodlights was concentrated as much as possible within the courts.

The Committee was further presented with a copy of the light spill diagram in relation to the proposal. This diagram provided an overview of the amount of light which would fall on the ground outside of the tennis courts and to what level. The gardens to the residential properties would be subjected to a spill of 0.3 lux, which was extremely low. The scheme was therefore considered to be very well contained. The recommendation was therefore one of approval.

Members' attention was drawn to additional information contained within the update report. There had been one further letter of support received in relation to the application and there had also been one further letter of objection received. This letter queried a discrepancy in the interpretation of light spillage information with regards to the light intrusion through the windows of surrounding properties. It queried the conclusion by Officers that the level of light spillage would have a minimal impact upon the amenity of surrounding residents and that the level of light intrusion would be within the levels recommended by the Institute of Lighting Engineers guidance.

Members were informed that further information had been provided to Officers detailing the amount of light that would be entering the windows of the nearest

property. The maximum light level would be 0.9 lux. This figure would be well within the requirements of the Institute of Lighting Engineers guidance.

The tennis club had indicated that it wished to operate the courts on Sundays until 18.00, weekdays and on Saturdays until 20.30, and on any two days in the week up until 21.30. Officers were happy with the proposed operating hours, however, it was felt that the 21.30 nights should be limited to only one night per week, and that night should be a nominated night. Surrounding residents would therefore be aware of which day was the nominated late night.

Councillor Samantha Dalton, Ward Councillor, addressed the Committee on behalf of Longthorpe Tennis Club and responded to questions from Members. In summary the issues highlighted to the Committee included:

- There had been all weather courts recently added at the club and members played for as long as there were daylight hours
- Matches could be played into the summer evenings and the club wanted to enjoy the same throughout the winter months
- The club was conscious of the lighting affecting surrounding local residents, therefore there were to be shields (baffle plates) placed around the lights to minimise any impact on the local residents
- The closest property to the courts was 30 metres away
- The request to be able to play tennis all year round in the evenings was considered to be acceptable
- In terms of light pollution, assuming that street lighting was between 10 and 15 lux, then the light impact on local residents would be minimal
- The Memorial Hall, opposite the tennis courts, already had a brightly lit car park
- In terms of additional traffic, there were roughly 150 members of the tennis club, 100 of which were local. There was a bike rack installed and the Memorial Hall had a small car park which could be utilised. Councillor Dalton stated that she would also be encouraging the tennis club to approach the Travel Choice Team in order to undertake travel planning
- In terms of noise it was not believed that there would be any more of an impact than what occurred during the summer months. Therefore this was not perceived to be an issue

Mr Graham Walker, a trustee of Longthorpe Village Hall and an independent member of the Community Association Management Committee and Mr Kenneth Wappat, the Project Manager for the tennis club and a representative of the Community Association Management Committee, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Following the completion of the new village hall, all of the community groups were provided with much needed improved facilities. There had been much benefit to those using the hall and the grounds
- The tennis club had previously lost one of its grass courts when the new hall was built and it was decided that new all weather courts would be built. Courts 1 and 2 being adjacent to the hall and courts 3 and 4 being more isolated to the south of the hall grounds
- The new courts could be extensively used in the summer months but they were restricted throughout the winter months because of the shorter daylight hours
- The use of artificial light would allow the courts to be used throughout the year for both young people after school and older members after work

- The application had been subject to a long design process which had included consideration and rejection by the village hall of the lighting of courts 1 and 2 because of the proximity to neighbours
- A lighting scheme that was environmentally friendly and aesthetically acceptable has been provided
- The scheme had been discussed with the Community Association from the outset and neighbours had been informed of progress at meetings and there had been a pre-application submission to the Planning Officers to ensure that all matters requiring consideration had been looked into
- All of the light would be concentrated on the courts
- The tennis club had sourced a specialist company to design the installation and lighting, and the diagrams which had been provided showed the level of light within the court and the surrounding area
- There was a booking system for use of the courts and the lights would be operated by a token system
- One late night a week, until 21.30, was requested. This night would be used for the club to compete in matches in a league. The application had previously been for two later nights, however, the Officers recommendation was for one night only
- It was anticipated that there would be an average of six cars parked in the car park at any one time during hours of operation. There were no changing facilities on site and it was anticipated that patrons would have left the site by no later than 15 minutes after the conclusion of their game
- One of the closest neighbours, Mr Michael Taylor, the Chair of the Community Association, was in full support of the proposal
- There were 150 members of the club and even throughout the summer there was not continued use of the courts. The courts could also not be used in extremely cold weather or when it was raining
- The club had financed the development of the four all weather courts and would do so for the current proposal
- The development would encourage the use of the tennis courts by both youngsters and older members
- The services of a coach could be obtained if the application was successful
- The lighting proposed was not typical of the city

Following debate, a motion was put forward and seconded to approve the application, with the times of operation to be Sundays until 18.00, weekdays including Saturdays until 20.30 and one specified night, to be determined by the applicant, until 21.30. The motion was carried unanimously.

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

1. The conditions numbered C1 to C3 as detailed in the committee report
2. The informative number 1, in relation to the operating times, as detailed in the committee report

Reasons for decision:

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

- The proposed floodlighting would give rise to no detrimental impact on the amenities of occupants of neighbouring residential properties

- There would be no unacceptable impact on the character or appearance of the area or the Longthorpe Conservation Area
- There would be no unacceptable impact upon the highway network or highway safety
- There would be no detrimental impact upon the local bat population

The proposed development was therefore in keeping with Policies T1, DA1, DA2, DA12, CBE3, LNE9 and LNE19 of the Peterborough Local Plan (First Replacement) 2005.

5.2 10/001267/FUL – Construction of 294 residential units, A1 food store, and associated infrastructure at Carbon Challenge Site, Glebe Works, Glebe Court, Fletton, Peterborough

Full planning permission was sought for 294 residential units, an A1 foodstore (278 square metres / 3000 square feet) together with access, open space, car parking and landscaping. The 294 residential units consisted of 220 residential houses (64 x 2 bed, 82 x 3 bed, and 74 x 4 bed) and 74 apartments (all 2 bed).

The apartments were all located within a single 7 storey high apartment block at the entrance to the site fronting on to London Road. This block contained undercroft parking, cycle parking, and the A1 retail foodstore at ground floor level, the 74 apartments and roof gardens. If looking down London Road towards the city centre, the apartment block would obscure a very small amount of the views to the cathedral, however it was largely protected. It was therefore the Planning Officer's opinion that the views of the cathedral would not be compromised by the development.

All of the units in the apartment block were to be two bedroom units. The residential houses were a mixture of detached, semi-detached and terrace properties, and were 2, 2 1/2 and 3 storeys high.

40% of the residential units, the total being 120, would be affordable, 48 apartments and 72 houses. This was an additional 10% provision above the normal 30% policy standard.

All of the dwellings were to be designed to meet Code Level 6, of the Code for Sustainable Homes. This was the highest possible design standard available, and this was to ensure that the houses located on the site were thermally efficient.

The site would be accessed from London Road, via Cripple Sidings Lane and a new access from Glebe Road. The layout of the site had been specifically designed to allow continued access into the Peterborough United football ground and future provision for pedestrian and cycle links into the adjoining residential area had also be provided.

A green wall was to be erected to reduce the impact of noise from the railway on the houses proposed adjacent the height of the green wall would vary between 2 ½ and 3 ½ metres in height in order to provide a sufficient noise barrier. Space was being provided for the future provision of a pedestrian/ cycle bridge over the railway.

The site covered an area of approximately 6.9 hectares (17 acres). It was located to the south of the River Nene and city centre, and fell within the city centre boundary and South Bank opportunity area.

The site was bounded to the north by the Birmingham to Norwich railway line, and to the south by the Peterborough United football ground and residential housing.

The Frank Perkins Parkway was located to the east of the site and London Road to the west. The residential housing that bounded the site was a mixture of 2 storey housing and 3 storey residential apartments.

The site had been cleared of the former factory buildings on site. The site was currently vacant and was a mixture of hardstanding, car parking and rough scrubland.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the proposed design and layout, the impact on neighbouring sites, the highways impacts and car parking, drainage, the impact of the development on trees and the S106 planning obligation. The recommendation was one of approval.

Members were advised that the roads within the development had been designed to keep traffic speeds low and hence a key feature of the development was the incorporation of shared surfaces. This meant that not all of the roads had a footpath associated with them. With regards to the main road running through the site, there was a footway on one side of the highway and on the smaller roads there were only small sections of footpath, meaning the road surface would be shared between cyclists, pedestrians and vehicles. Adequate space had been allocated along the highways for all users, and this included space for bus use along the main route.

Two areas of open space had been provided on the site, one of which comprised a water feature which would form part of the surface water scheme for the site. There was also a proposed landscaping scheme which incorporated the retention of a number of trees on the site. This would help to help to avoid excessive levels of overlooking and loss of privacy in terms of the new development in relation to the existing dwellings off site.

The development had originally included a community building, but this had now been deleted from the scheme. This had been done with a view to the proposed redeveloped Peterborough United Football Ground stand having a community use proposed within it also.

Members' attention was drawn to additional information contained within the update report. It was highlighted that the Tree Officer had no objections to the proposal however a standard landscape condition, standard landscape maintenance scheme condition and a tree protection scheme condition had been suggested. Highways had identified that there was an error in condition 23 of the committee report that should read "a 2.4 metre by 27 metre visibility splay" and not a 24 metre visibility splay. Pollution Control had suggested additional conditions in relation to a landfill gas assessment and also vibration mitigation measures and this was in relation to the structures in closest proximity to the railway line. Officers had also identified the need for additional conditions relating to the exact design of the green wall noise barrier and also surface water details to include long term maintenance arrangements. With regards to this issue, the Environment Agency had indicated that long term maintenance issues should be incorporated into the legal agreement, however the Officer view was that this would give no greater enforcement control than a planning condition requiring a maintenance regime to be established.

Mr Peter Lee, an objector from the Civic Society, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The scheme was long awaited and it had been fraught with difficulties, therefore the Civic Society did not wish to hinder the application any further

- There was one objection however, and this was in relation to the height of the apartment block
- The block had originally been submitted as a 9 storey block and despite mention being made in the Design and Access Statement, submitted with the application, of the important views of the cathedral from the site there was no mention of the impact of the block on the views of the cathedral from elsewhere
- A series of photograph montages showing the building in relation to the cathedral from a number of agreed public viewpoints, should have been submitted
- It was the conclusion of the Civic Society that the Design and Access Statement probably pre-dated the decision to include an apartment block, and therefore could be of doubtful legal validity
- The Officers report was also highlighted as being deficient as it listed the cathedral view Policy CC7, however, there was no attempt at assessment to show that the policy was being complied with or whether it was being breached
- The Civic Society believed that from at least one position, the views of the cathedral would be blocked by the apartments to an unacceptable degree
- The block of apartments should be no higher than 5 storeys
- The application should be deferred to the next meeting to allow a proper assessment of the impact of the views to the cathedral and submitted as an amendment to the Design and Access Statement and for amended plans to be submitted
- A tall buildings policy should be provided as part of the forthcoming Planning Policies DPD or the City Centre Action Plan. The Civic Society felt strongly that with the level of growth in the city it would be important for Officers to have a clear idea of where tall buildings were going to be acceptable and where they were not
- The Design Review Panel should also be reconvened to consider major proposals such as this one at the pre-application stage

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

- The application in front of Members was the culmination of six years worth of work with numerous stakeholders, including Peterborough City Council
- A number of public consultations had been undertaken over the last six years
- Morris Homes had utilised its knowledge and experience of Peterborough and its community gained from the three developments on Hampton Vale and the development about to commence at Atherstone Avenue
- On all the developments the high density approach had been resisted and numbers had been reduced in favour of much needed family detached and semi detached houses
- The architecture and technology for the carbon challenge site had been tested by almost completing a zero carbon prototype for the dwellings for this application on Hampton Vale
- It had been learnt that the mono-pitch roof pitches made the houses appear 3 storey and overbearing and the cost was also akin to that of a 3 storey house
- There had been an excellent working partnership with Peterborough City Council Planning Officers
- The number of dwellings had been reduced from 344 to 295 by removing many of the apartments

- More useable open space had been incorporated onto the site which included new play areas
- The scale, height and design of the apartments fronting onto London Road had been changed radically
- The response of the Civic Society had been considered and it was conceded that the apartment block was overbearing at 9 storeys, so 3 storeys had been removed. It was not conceded however that the apartments obscured the views of the cathedral
- A road hierarchy had been incorporated, and whilst remaining innovative in terms of design, was acceptable to the Highways Officers
- Some of the highlights of the scheme were, a dedicated biomass district heating centre in the new stand of the football club producing both heat and power for the development and also the club itself, or a combination of solar panels and individual biomass boilers within each dwelling
- The house structures would consist of pre-fabricated airtight timber frames, with triple glazing and super levels of insulation, plus whole house ventilation systems
- Water use would be restricted and supplemented by rainwater harvesting systems
- Each dwelling would be provided with secure cycle storage and waste segregation within the dwellings themselves for the purposes of recycling. There would also be charging points available for electric vehicles
- A sustainable drainage system and soakaway, balancing ponds, ditches and roadside channels which would all combine to restrict flows into the existing system would be incorporated onto the site
- Onsite contamination would be capped rather than taken off site to landfill, this would double up as flood protection by raising levels to protect against the 1 in 100 year storm event affecting Fletton Springs
- An ecology dyke would be provided along the entire length of the northern boundary
- The balancing ponds and ditches would add to the ecology value and work would be undertaken with local schools to provide bat and bird boxes
- A green roof was to be added to the London Road apartments and planted living green walls had been added to the elevations of both the apartments and the houses. These would remain green throughout the year being planted with evergreens
- Half a million pounds would be provided towards education in the city
- 40% of the dwellings would be provided as rented and shared ownership with a registered social landlord
- The vehicle and pedestrian links to the football club, and wider area, would be greatly improved
- The proposals met and exceeded both the aspirations originally set out for the site and for the city of Peterborough

Following questions to Mr Goodwin, Members expressed concern at the implementation of the shared surfaces, particularly in relation to one part of the proposal. The Planning Officer addressed the Committee and stated that even though there were to be shared surfaces, there would also be a section of footpath close to every dwelling. The particular area of concern highlighted by Members within the proposal consisted of 20 dwellings, all with their own individual footpaths. The shared surface area was to be a minimum of 6 ½ metres wide, this would allow for two cars to pass by and pedestrians to walk alongside.

Members highlighted that there may be issues with some of the dwellings not having access to their rear gardens as this would exacerbate issues with regards to bin storage. The Planning Officer advised that there were very few properties on the

site with no rear access and there would be large bin stores available at the front of these specific properties.

Members commented that development on the site was badly needed, however there was likely to be issues with parking going forward. The re-development of the Peterborough United Football Ground incorporated a reduction in parking spaces, this would therefore lead to parking issues on the site on match days. The Planning Officer advised Members that there were three new access points which had been agreed, one of these being a pedestrian access point linking straight in to the railway bridge. There would of course, undoubtedly be some conflicts on match days but there would be police control in the area.

The Head of Planning, Transport and Engineering Services addressed the Committee and stated that the scheme had been a challenging one, however there was the opportunity for Peterborough to be put on the map as the forerunner for sustainable design and construction. The development was needed along London Road and the site was capable of coping with the scale of the development. There had been limited objections from local residents and the scheme was commendable in terms of design.

Members commented that no construction vehicles should be allowed to access the site via the Glebe Road access. The Planning Officer advised that this could be achieved by the addition of an informative on any planning permission issued.

Following further debate, Members continued to express concern at the shared surfaces and also the reduced S106 contribution from the developer. Could assurance be given that with the reduced contribution, the Council would not end up having to make up the shortfall? The Planning Officer stated that the shared surfaces were only located in a very small portion of the site. Members concerns were understandable however, it had previously been highlighted through other similar schemes in the city that shared surfaces actually encouraged traffic to slow down as it increased a mutual respect for the roads. With regards to the S106 provision, normally a development of this size would provide in the region of £3 million. The application had been subject to a standardised process and there was evidence to support that the proposal would be unviable given the scale of contributions sought, it was therefore felt that given the scale and nature of the development and the overall benefits that it would bring to the city, it was right to provide a discount.

In further response to this query, the Head of Planning, Transport and Engineering Services addressed the Committee and stated that the project was a national pilot ahead of its time and if a code 6 development was sought then the S106 could not be had as well. There may be some future burden to bear by the Council, but that would be outweighed by the benefits the proposal would bring to the city of Peterborough.

Members queried how long, after completion of construction, was it likely to be before the roads on the site were adopted. The Highways Officer addressed the Committee in response to the query and advised that providing the contractors building the roads adhered to the Council's standards and construction specification the process of adoption would be a quick one. The phasing of the construction would also have a bearing on the adoption process, as roads were not tended to be adopted whilst still being used by heavy duty construction vehicles.

After further debate, and clarification provided by the Planning Officer that the proposal would be anticipated to take four years to build, Members commented that it was important to take into consideration the lack of objections received against the

application from local residents. A lot of work gone had gone in to the development over the years and ultimately the land needed to be developed as it was currently wasteland. The concerns raised around shared surfaces would be difficult to appease, but there was no evidence to say that this would not work in Peterborough. Overall the development came across as a well thought out and well planned development.

There would undoubtedly be more traffic generated and although not a planning consideration, the reduction in parking at the football ground may possibly cause future issues if not policed properly. The design aspects were very impressive, particularly the green wall apartment block which could, in the future, become a landmark building.

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

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

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the community needs of the area
2. The resolution of flood risk, contamination and noise issues with the Environment Agency and Pollution Control
3. The conditions numbered C1 to C28 as detailed in the committee report
4. An amendment to condition C23 requiring the visibility splays to be 2.4 metres by 27 metres rather than 24 metres by 27 metres
5. The additional conditions including those proposed by the Landscape Officer and Pollution Control as detailed in the update report
6. The informatives 1 to 6 as detailed in the update report
7. If the S106 has not been completed within 6 months of the date of this resolution without good cause the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

Reasons for decision:

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

- The 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 is 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, it was not considered unacceptable. It was therefore considered the development was in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005
- 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
- Subject to the agreement of additional information to support the Flood Risk Assessment by the Environment Agency, the scheme would accord with the requirements of PPS25 'Development and Flood Risk'

- Subject to the agreement of additional information to support the contamination report by the Environment Agency, the scheme would accord with Policy U9 of the Peterborough Local Plan (First Replacement) 2005
- The detailed layout could be designed around the existing trees on the edge of the site in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement)
- The impact of the proposed development upon the ecology of the site was considered to be acceptable. It, therefore, was in accordance with policy LNE19 of the Peterborough Local Plan (First Replacement)
- The community needs arising from the development would be met by the planning obligation in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement)

The meeting was adjourned for ten minutes.

**5.3 10/01345/FUL – Partial demolition and conversion of existing main building to form 4 dwellings (2x1 bed and 2x2 bed flats), full demolition of existing out buildings and construction of 21 dwellings (6x2 bed houses, 2x3 bed houses, 1x4 bed house and 12x2 bed 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**

The Planning Committee, at its meeting on 23 November 2010, resolved to approve the two applications subject to the signing of a Section 106 Legal Agreement in order to secure a contribution (of £213,550) to assist in covering the social and physical infrastructure impact of the development. At that time, the proposal was for a mix of private and affordable housing, with 30% of the units being affordable.

Since November 2010, the applicant had been busy securing the funding for the development and had been fortunate enough to be able to secure enough funding to enable all of the units to be affordable rather than just 30%. Whilst this was good news in respect of helping to meet the unmet demand for affordable housing, the consequence was that the scale of the contribution towards meeting the social and physical infrastructure impact of the development was much reduced. The applicant had put forward an economic appraisal of the revised scheme and the Council's Development Implementation Manager had evaluated it and confirmed that a reduced Section 106 contribution of £21,000 was acceptable. It was typically the case that 100% affordable schemes were unable to meet the normal Section 106 requirements and the Council had previously been content to accept contributions in or around the £1000 per dwelling mark given the pressing need for affordable housing and the finance restrictions of such developments.

These two changes to the scheme had been the subject of public consultation. The consultation period closed on 21 January 2011.

The Planning Officer addressed the Committee and gave an overview of the proposal including the background to the previously refused schemes. Members were advised that when the application was first submitted to the Council it included a health facility, this application was turned down by the Committee on design grounds. The scheme had subsequently been reworked and the medical element had been removed, and at the time was for 100% affordable housing and involved the loss of Thurston House as part of the scheme. The Planning Committee resolved to approve the scheme, however, the decision was challenged and called in to be considered by the Full Council. Full Council overturned the Planning Committee decision and the application was refused on two grounds, those being 'the loss of

Thurston House' and secondly it was felt that the proposal was too remote from key social infrastructure. The applicant had re-looked at the scheme and resubmitted proposals, this time for a development incorporating the main part of Thurston House. This proposal was for 30% affordable housing and the remainder being private. The Planning Committee resolved to approve the development, however, the planning permission was not issued at the time owing to the involvement of the drawing up of the S106 legal agreement which had to be completed prior to the issue of planning permission. The HCA had subsequently approached the applicant with the offer of additional funding. The applicant had contacted the Planning Department and sought advice on how to progress the matter. It was highlighted that because the scheme had been previously considered by the Planning Committee with 30% affordable housing and not 100% and also with a higher S106 contribution, it was felt that a re-consultation exercise to those people consulted on the application previously should be undertaken, and once the consultation had been completed, to bring the application back for consideration by the Planning Committee.

The recommendation was one of approval for both of the applications and Members were advised that since the previously approved scheme there had only been one material change to the planning recommendations and that was the implementation of a condition stating that the scheme must be 100% affordable.

The Planning Officer advised Members that a further objection to the application had been submitted by a representative of local residents. The objection expressed the view that the development would worsen the already poor crime and disorder situation in the area.

Councillor John Peach, an objector and Park Ward Councillor, addressed the Committee. In summary the concerns highlighted to the Committee included:

- After the rejection of the application at Full Council, Accent Nene had produced a revised application and it had taken on board many of the ideas presented at Full Council and was only 30% affordable housing
- Accent Nene had subsequently changed the plans again without proper consultation
- The proposed development fell within the Park Ward Conservation Area and Councillor Peach had not been consulted on the revisions
- Policy IPM1 would be breached if the reduced S106 contribution was to be accepted. This would also set a dangerous precedent for future planning applications by not funding important infrastructure that will be of detriment to the local community
- By refusing the application, the applicant would need to readdress the proposals and come back with something more suitable and with an increased S106
- Planning Officers had previously stated that the whole site was unviable without the total demolition of Thurston House, this had been proven not to be so

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

- Mrs Randall had submitted a letter of objection, she queried why had that not been acknowledged?
- None of the local residents had had any notification of this application at all
- The only notice that Mrs Randall had been aware of was the article in the Evening Telegraph by Mr Stewart Jackson MP

- The area was a conservation area within the city centre with beautiful Victorian houses
- Nineteen years ago the St Theresa's Centre had been placed in the vicinity without any prior consultation with local residents. This had brought drugs and prostitution to the area
- Bringing social housing to the area would ruin the area for the people living in the vicinity
- Many of the local residents owned their own properties and there were no other issues in the area
- The houses along Lincoln Road were suffering with rubbish being dumped in their back gardens
- You only needed one or two families with unruly children to increase the problems
- The scheme had been dealt with in a very underhanded way

The Chairman addressed the Committee and stated that in the interest of fairness the meeting would be adjourned for five minutes, whilst Mrs Randall's letter was photocopied by the Senior Governance Officer and distributed to Members to read.

Members read through the letter and the meeting was reconvened.

The Chairman further addressed the Committee and stated that there was a paragraph contained in an email from Councillor Swift, addressed to Councillor Peach, in relation to 80 Lincoln Road. For the sake of transparency, this paragraph would be read verbatim by the Legal Officer.

The Legal Officer stated that Councillor Swift's email related to many planning matters and 80 Lincoln Road and the current application were briefly mentioned as follows;

"The implications of the variation to affordable housing on that planning application in respect of Lincoln Road to avoid paying the S106's will have repercussions on many other developers in the city particularly in the North and Central Ward Neighbourhoods which are being promised that redevelopment for amenities and so on, with in their respective area, will be paid for out of 106 agreements".

Mr Adrian Redmond, the Director of Development at Accent Nene and Mr John Walton from Accent Nene, addressed the Committee jointly. In summary the issues highlighted to the Committee included:

- Accent Nene was a Peterborough based housing association with a proud track record of managing high quality mixed tenure housing
- Over 600 affordable homes had been delivered in the city centre in the last 5 years
- Significant resources had been invested in developing a scheme that retained Thurston House
- There were over 9,000 people on the housing waiting list
- The head office for Accent Nene was directly opposite the proposal site
- The proposal would provide 16 affordable rented and 9 shared ownership homes for local people and would be built to Code 4 of the Code for Sustainable Homes. This would mean a high level of green technology and high levels of efficiencies within the homes. Innovative subterranean bin storage would also be provided for the flats
- The development would enhance the city centre and satisfy aspirations for home ownership in Peterborough
- There were over 330 people on the register for shared ownership homes

- The original application had not been specific about the housing mix, it met with the minimum 30% affordable homes in compliance with Peterborough City Council policies and this was included to secure the planning consent
- The first application for grant funding in September 2010 had been turned down and Accent Nene were not in a position to apply for an all affordable scheme at the time without a grant
- None of the previous objections received had been in relation to affordable housing
- In December 2010, the Homes and Communities Agency had approached Accent Nene about the possibility of investing in the project
- With the full support of the Housing Strategy Team at Peterborough City Council, Accent Nene had agreed to a grant to the value of £948,000 as an investment for the city. This was to deliver the affordable housing
- Once the funding had been agreed, the S106 Officer had been approached and the contribution agreed
- With an all affordable housing mix, the project was unable to support the contributions agreed under the previous planning application. This had been demonstrated by using the agreed Peterborough City Council viability tool which came from the Homes and Community Agency itself
- The scheme made no profit and would not pay back for a substantial period
- The provision of affordable housing, in itself, was regarded as a housing benefit
- Over 50% of the residents living in Accent Nene's social schemes were employed with less than half dependent upon housing benefit
- There was an anti social behaviour policy which had to be adhered to by tenants and there was also a specialist in-house Anti Social Behaviour Officer specialising in the liaison with different stakeholders in the management and dealing with anti social behaviour. Anti social behaviour was regularly dealt with
- The scheme had the full support of Peterborough City Council's Planning Officers

Following questions to the speakers, Members expressed concern at the reduction in the S106 agreement. In response to this concern, the Head of Planning, Transport and Engineering addressed the Committee and stated that the Council's policy on developer contributions was set out in the Planning Obligations and Implementations Strategy supplementary planning document, which formed part of the Local Development Framework (LDF). Once the financial viability appraisal process had been undertaken, if the developer could demonstrate that the scheme was not deliverable by adding a large amount of money back to the community, then it was still possible to achieve planning consent with a reduced amount of money.

Affordable housing almost always involved a lower S106 contribution and with the major development schemes that were coming forward in the city, the amount of affordable housing and the amount of developer contributions were, in many cases, less than the POIS target. However, development land and property were worth less than they had been previously and there were less people building than before. Therefore, if development was still to be undertaken, reduced contributions had to be accepted.

In response to the concerns raised by speakers and Members regarding the lack of re-consultation undertaken, the Planning Officer addressed the Committee and advised that prior to the previous application in July 2010, site notices had been put up, an advertisement in the newspaper had been submitted and those residents who abutted the site were consulted. With the application before the Committee today, letters had only been sent to those residents abutting the site again. There had been

no further advertisements or site notices. The reason for this was that there had been very little interest in the previous application and very few objections had been submitted. The proposal had also recently received press coverage and there had, once again, been very few objections received in response.

For clarification on the application, the Legal Officer addressed the Committee and advised Members that the design of the scheme had in no way changed from the previously considered application. The only differences were the level of S106 contributions because the scheme was to be 100% affordable social housing.

Members commented that a large number of the private residential houses in the area were being turned into House in Multiple Occupation (HMOs), if more private houses were built on the site then maybe this would happen there also. However, with good quality rental and co-ownership houses that would not be the situation.

Members further commented that Peterborough City Council had an excellent track record of supporting and enabling the delivery of affordable housing in the city. The provision of affordable housing should not be perceived as a 'dumbing down' of the city and affordable housing did not automatically mean 'shoddy'. It was proper housing for people who were disadvantaged in some way who wished to bring up their families in safe and secure communities.

After further debate, a motion was put forward and seconded to approve the partial demolition and conversion of the existing main building and the full demolition of the existing out buildings. The motion was carried unanimously.

10/01346/CON - RESOLVED: (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions C1 to C2 as detailed in the committee report

A motion was put forward and seconded to approve the application for 25 dwellings on the site together with access, car parking and landscaping. The motion was carried by 7 votes, with 1 voting against.

10/01346/FUL - RESOLVED: (7 for, 1 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990
2. The conditions numbered C1 to C19 as detailed in the committee report
3. If the S106 has not been completed within 3 months of the date of this resolution without good cause the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

Reasons for the decision:

Subject to the imposition of the conditions, the proposed changes were acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically;

- The increase in the provision of affordable housing was supported as it assisted in housing the very large number of people on the housing waiting list in Peterborough which was over 9000.
- Although the Section 106 contribution was much reduced, a economic appraisal had been submitted by the applicant and this had demonstrated that the scale of

the contribution that could now be afforded was limited to just £21,000. This had been assessed by the appropriate officer and confirmed.

Councillor Harrington left the meeting.

5.4 10/01704/FUL – Construction of six two bed and two three bed dwellings at land between 45 and 55 North Street, Stanground, Peterborough

This was a revised application for a residential development of 8 dwellings following the refusal of the previous application (10/00738/FUL) for 8 dwellings on the site. The scheme had been submitted following the refusal of the previous scheme which consisted of 12 dwellings on the site. The refused application had included three 3 storey units on the back part of the site and this had been a key area of concern for the Planning Committee with regards to overlooking, and also the height of the building in relation to the development which surrounded it. There had been two other reasons for refusals by the Committee and these were the lack of a Phase 1 contamination report having been completed and that no S106 legal agreement had been entered into at that time.

The revised application was proposed as an entirely 2 storey development of one 2 storey terrace comprising three two bedroom properties and one 2 storey pair of three bedroom properties fronting onto North Street. A 2 storey terrace of three, two bedroom properties was proposed to the rear of the frontage development. The block was orientated so that the frontage faced east and overlooked the communal car parking court. All six units were proposed as affordable housing.

The proposed vehicular access was off North Street. A private shared driveway was situated between the frontage blocks, and provided access through to the rear houses, and shared car parking court. It was proposed that a pair of manually operated access gates was provided to the access in order to create a defensible space.

The site was currently owned by the City Council.

The application site was comprised of 0.214 hectare of unallocated brownfield land. To the north the site abutted the 'Back River', with the Nene Washes located beyond. The Washes, including the Back River, were designated as the Nene Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsay site. The character of the area was predominantly residential with dwellings located to the east, south and west of the site, although it was noted that there was an active boat yard to the north-west of the site.

The area was characterised by frontage developments situated within long thin plots. Many of the properties had outbuildings/boat storage located within the rear curtilage. The street scene comprised a varied design, scale and age of properties.

Historically the site was used as a boat builder's yard, but it had been vacant for a significant period of time and was primarily comprised of overgrown scrub land. There were a number of mature trees located within the site, however their individual form was poor and it was proposed that the majority of these were removed and replacement planting secured. However, a sycamore tree on the site was to be retained. The site levels sloped significantly (approximately 1.6m) from the highway down to the northern boundary with the Back River.

Approximately 70% of the application site was located within Flood Zone 1. The northern part of the site was located within Flood Zones 2 and 3.

An ecological assessment had been undertaken and submitted by the applicant. No features or species of value had been identified.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the design and impact on the character of the area, the impact on the residential amenities of neighbouring properties, the highways impact, the landscape implications, flood risk and drainage, contamination given the sites previous use, ecology and the issue of the S106 obligation. The recommendation was one of approval.

Members were advised that a Phase 1 Contaminated Land Report had been provided and that had been proven to be satisfactory. Negotiations were also in progress with regards to the S106 contribution. It was therefore felt that as previous Committee concerns had been addressed, including the reduction of the height of the building from 3 storey to 2 storey, the proposal was acceptable.

Members' attention was drawn to additional information contained within the update report. There had been additional comments received from a neighbour objecting to the application, a copy of the objection had been provided in full to the Committee as was the original letter of objection from the neighbour. In summary the additional concerns were highlighted as being that the Committee report was wrong in saying that the 2 storey building close to the river was appropriate given that most of the buildings in the location were either 1 or 1 ½ storey in height, the height of the 2 storey building would be accentuated by the building up of the ground due to the site levels sloping, the raising of levels would worsen the overlooking of number 57, having the parking area adjacent to the site boundary would be a source of noise and disturbance to the adjacent garden, the strip of land between the parking area and the river was an inadequate ecological buffer, the occupiers of the dwellings fronting onto North Street would park in North Street, and if the Committee was minded to approve the application the discharge of the planning conditions should not be left for Officers to undertake it should be for the Planning Committee to undertake or it should be the subject of public consultation.

Contained within the update report were a number of additional conditions and informatives which were suggested to be appended to the recommendation, these were in relation to vehicle to vehicle visibility splays, street numbering and naming and vehicular crossings site access works. There was also a suggested amendment to condition C7 to refer to turning areas as well as parking areas.

Councillor Brian Rush, 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 current application was little more than a watered down version of the previous application refused by the Committee
- North Street was situated in the older part of Stanground Village close to the Church Street Conservation Area, where people had lived for generations
- The existing properties along the north side of North Street consisted of 1 or 2 storey dwellings
- One of the primary characteristics of these dwellings was that they had a double frontage on both the front and rear, with rear gardens sloping down towards the river. These properties were of brick and tile slate construction
- The proposed construction 2 storey half timbered dwellings was not in keeping with the established building materials and was out of character with the existing dwellings

- There was a pride in the upkeep of the properties situated along North Street, especially with the rear of the properties. There was a regard for the river and residents were conscious that people using the river regarded the rear of their properties as people using the roads would regard the front of their properties
- The rear terrace would be more than 2 metres above true ground level due to it being built up
- The first floor windows would overlook, and have an overbearing impact, on adjoining properties
- The proposed development would not fit in, and would be out of character, with the surrounding properties. The current dwellings were situated away from the rivers edge
- Boat users and people arriving in the city by train would not be impressed with the view of a car park which was to be situated at the rear of the development
- The proposal incorporated a gated entrance onto North Street. Was it really believed that the occupiers of the properties fronting onto North Street would get out of their cars to open these gates? They would end up parking on the road instead, next to their houses
- At night time, the headlights from cars coming in through the gates would disturb the occupiers of the dwellings opposite
- Was it correct for a speed check to have been undertaken by the developer? Was this not a conflict of interest
- The speed check was also conducted when the corner of South Street and Church Street was blocked to through traffic, thus restricting the normal flow
- The application was contrary to Policy DA1, as the development was not compatible with, and did not improve, its surroundings
- The application would not fit in with its surroundings and would result in highways issues and nuisance to neighbours, it would cause irreparable harm to the character of North Street, Stanground backwater and the Nene Washes
- The Planning Department should consider whether developments fitted in with the surrounding area and should ensure the developments would enhance the area. This development would not

Following questions to Councillor Rush, a query was raised regarding the difference in height from the original 3 storey top window to the proposed second storey window. The Planning Officer advised that he would look into this query and return with an answer after the next speaker.

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

- Mrs Harrison had developed a 1 storey garage in the exact spot and that stood at a height of 4 foot
- The Committee report was based on flawed reasoning
- There was no argument with the social housing aspect
- The development was contrary to the Council's published policies
- The development was high density, inappropriate for the area being backland development and would adversely impact on the character of the area and landscape, was poor layout and design and would have detrimental impact on residential amenity
- The area was characterised by low density development
- The dwellings in the area had, mostly, gardens down to the river

- Where there was backland development in the area, it was limited to domestic outbuildings none of which exceeded 1 ½ storeys high
- The proposal was for high density, backland development
- The high density development was incompatible with the area and would destroy the general character of the area, which was houses backing onto the river
- The backland development of 2 storey housing was on land built up by 1.2 metres, this meant that it would be far more than 2 storeys above ground level
- The half timbered construction was out of character with brick and stone buildings and would be a blot on the landscape as they would end up looking like slums in no time due to the strong winds across The Wash
- The raised height of these buildings would mean they would still overlook the adjacent gardens, having an adverse impact on neighbour amenity. This was contrary to Policies DA1, DA2 and a number of others
- Because of the decrease in the number of bedrooms, the level of parking provided would be contrary to Policy T10, in that there would be an over provision of parking
- The over provision of parking would still not stop people parking in North Street. They would park next to their homes
- The siting of the parking area was totally inappropriate
- This development would have a detrimental impact on the views from back river, Stanground Wash, the railway and neighbouring properties
- The parking area was also located immediately adjacent to the boundary fence, meaning that noise and fumes will have an adverse impact on neighbour amenity
- The narrow strips of land on which the proposal had highlighted for landscaping was nothing but derisory screening. It would be wholly inadequate for the purpose of landscape bunding in accordance with Policy LNE6
- The parking area contravened Policies DA1, DA2, T10, LNE6 and others
- Planning Policy Statement 1 required local councils to develop a shared vision with their local communities, what shared vision was there here?
- There had been discussions with the Chief Executive of Cross Keys who had stated that houses with gardens to the river and car parking adjacent, had been the preferable choice of development. The current application was Officer led

The Planning Officer addressed the Committee in response to the earlier query raised regarding the difference in height of the 2 storey proposal. Members were advised that it was 10 metres to the ridge and 4 metres to the bottom of the first floor window which was on a par with the previous development. Members were requested to note that the previous proposal had been of concern because it was 3 storeys. In terms of separation distances between the proposal and existing dwellings, the distances would be acceptable in every case on any other proposal consisting of a 2 storey development abutting a 2 storey development. In terms of the development being backland development, there were numerous other similar developments in the area.

Members commented that it was appreciated that the application caused emotive feelings amongst residents, however, all of the previous issues had been addressed. The application was a significant improvement and cut down the opportunity for overlooking. There was however still minor concerns highlighted regarding the parking situation and the manual gates. The Highways Officer addressed the Committee in response to these concerns and stated that it was true that there were some gated courtyards located on developments in Peterborough that weren't used

very often, there being many reasons for this. However, with this proposal, if the residents of the properties fronting onto North Street did wish to park in front of these houses, there was adequate space for them to do so. Previous site visits to the area had also highlighted that people tended not to double-park along the road.

Members further commented that automated gates would be a better prospect for the development and would encourage people to use the parking courtyard. Although the Committee had been happy with the gates previously, it was felt that in order to give the residents of North Street the very best proposal, these gates should be incorporated.

Following further debate, a motion was put forward and seconded to approve the application with the addition of automated gates, the additional conditions and informatives and the amendment to Condition C7. The motion was carried by 5 votes, with 2 voting against.

RESOLVED: (5 for, 2 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the needs of the area and a Phase 1 Desk Top Study to assess the extent of contamination of the site and inform any remedial work required
2. The conditions numbered C1 to C22 as detailed in the committee report
3. The amendment to condition C7 to reflect turning areas as well as parking areas
4. The informatives numbered 1 to 11 as detailed in the committee report
5. The additional Highways condition referring to visibility splays as detailed in the update report
6. The additional informatives as detailed in the update report
7. If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

Reasons for the decision:

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

- The principle of residential location was acceptable in this location
- The proposal by reason of its design, scale and height would not result in a detrimental impact on the amenity of the occupiers of neighbouring dwellings
- The scale and form of the development was consistent with the character of the area and would provide adequate living conditions for residents
- The proposal would not result in an unacceptable impact on the biodiversity of the site. Suitable soft landscaping could be achieved by means of the imposition of the recommended condition
- The applicant had demonstrated that the level of flood risk arising from the development was acceptable
- Vehicular access, turning area and on site parking to serve the development could be provided
- The applicant had made provision for the infrastructure requirements arising from the development

The proposal was therefore in accordance with Policies DA1, DA2, DA6, H7, H16, LNE9, LNE 6, LNE10 and T10 of the Peterborough Local Plan (First Replacement) 2005.

5.5 10/01594/FUL – Construction of a barn for rabbit breeding and construction of a polytunnel for trees, shrubs and plants to the land to the west of Uffington Road, Barnack, Stamford

The proposal was to erect one polytunnel, for horticultural use, and one barn for the raising of meat rabbits and for the hydroponic production (growing of plants without the use of soil) of their feed. The site would also be used for the raising of plants.

The polytunnel would be almost 27 metres long and 8 metres wide, set about 27 metres back from the roadway. The barn would be 27 metres long and almost 9 metres wide, about 6 metres to the eaves and 8 metres to the ridge, and set back from the roadway by about 10 metres.

It was also proposed to alter/widen the existing access points, and add a third access point, from Uffington Road into the field.

An area of hardstanding would be created adjacent to the barn for the parking and turning of vehicles.

The site was comprised of a field with a width of about 100 metres and depth of 350 metres. The field was set at the beginning of a rise in the landscape, with the lowest part of the field along Uffington Road. Currently there were two small access points through the hedged boundary to the road.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were whether the use of the site was acceptable in the open countryside and the visual impact of the proposal on the area of best landscape. The recommendation was one of approval.

Members were advised that the application originally submitted had three access points, two of which were established agricultural access points not requiring consent and the third potentially requiring consent. This point had been highlighted to the applicant, particularly in relation to the access point being located on a bend in the road, which would mean that the necessary visibility splays would be difficult to achieve. The applicant had therefore agreed to remove this particular access from the proposal leaving just the two existing farm accesses. The Committee was advised that if it was minded to approve the application, an additional condition would need to be added to delete the third access point.

The Planning Officer highlighted that there were very few standalone agricultural buildings located in the urban countryside area.

Members' attention was drawn to additional information contained within the update report. Councillor David Over, Ward Councillor, had submitted additional comments in relation to the application stating that the development was not essential for the needs of agriculture, it would result in the loss of agricultural land and that it would have a detrimental impact on the area of best landscape. There had also been an additional neighbour objection submitted highlighting concerns that a dwelling to support the operation might come forward in the future, that the applicant had undertaken similar developments in other parts of the country, the small scale of the business proposal made it unviable and if the scheme was allowed it may set a precedent.

Mrs June Wollard, a Barnack Parish Councillor speaking on behalf of the Parish Council and local residents, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Barnack Parish Council supported appropriate development in the village of Barnack wherever possible
- On this occasion the Parish Council objected most strongly to the planning application
- The land in question was marked on the Local Plan as an area of best landscape and was in open countryside
- The field was entirely surrounded by agricultural land and was outside of the village planning envelope
- A barn, 8 metres high, with a metal roof and a polytunnel would be entirely inappropriate for the particular situation and would be extremely obtrusive
- The development would be visible from the west and north entrances to the conservation area of Barnack
- The planning application also included a septic tank. This would be entirely inappropriate and would not be necessary for breeding rabbits
- A septic tank required water to operate, there was no water on site or anywhere within the vicinity and there were no connections to a main water supply
- There were no main services of any description to the site as it was located in open farmland
- Chemical toilets could be used for workers and would be far more appropriate
- The area was overrun with wild rabbits, was it therefore viable to breed them?
- If rabbits were bred on the site, manure would be produced. Would this produce an environmental hazard?
- An application for stables and hard surfacing had previously been submitted for on the same field. One of the conditions placed on the permission had been that there should only be one entrance into the site. If a new entrance was to be established, the original one was to be blocked up. The stables and hard surfacing had not been built and this condition was totally ignored, with two entrances to the site being established
- Both this and the previous application had been submitted with the intention of gradually developing the field for housing
- A similar situation had occurred in Helpston when permission had been granted for stables outside the village envelope. The Parish Council did not therefore wish for this mistake to be repeated in Barnack
- The field in question ran along the Uffington Road, which was a narrow country lane
- The site was situated just before the approach to a blind bend making access to and from the site difficult and dangerous
- The Parish Council were disturbed to learn that trees may be felled. Trees in Barnack were very important
- The proposed development was way outside of the village envelope and it was hoped that all of the conditions from the previous development would be put in place were Committee minded to approve the application

The Planning Officer addressed the Committee in response to points raised by the speaker. Members were advised that in terms of the previous stables permission which had been granted for the site, no evidence that this had ever commenced could be found, therefore enforcement of non compliance of the conditions could not be implemented. In terms of the water supply, it would be up to the applicant to arrange servicing arrangements, it was not a material planning consideration in this particular instance. The applicant had mistakenly referred to a septic tank and discussions had been held regarding this matter. In terms of a rabbit breeding, at the end of the breeding cycle the building would need to be washed down prior to new

stock therefore any water, which could be potentially contaminated, had to be collected into a holding tank to be subsequently collected at a later date.

With regards to the animal waste created on a day to day basis, this would have to be dealt with within DEFRA guidance and it was not for Planning Officers to duplicate that guidance. If there were any outbreaks of pollution or pests then this would be dealt with via Pollution Control.

There were no trees were proposed to be felled as part of the proposal and Members were reminded that future speculation of what may happen on the site could not be taken into consideration.

Members commented that the application was against Policies LNE1, LNE3 and LNE5. There was no evidence to suggest that the application was essential to the effective operation of local agriculture or horticultural forestry. There had been no precedent set in the area and the extremely large barn would be an eyesore on a very attractive field outside of the village envelope. The development would result in the loss of agricultural land and it would have a significant effect on the area of best landscape.

Following further debate, a motion was put forward and seconded to refuse the application due to it being directly against LNE1, LNE3 and LNE5. The motion was carried unanimously.

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

Reasons for decision:

1. The applicant had provided insufficient information to demonstrate that the proposal was essential to the effective operation of local agriculture and therefore the proposal was contrary to Policy LNE1 of the Peterborough Local Plan (First Replacement) – Adopted 2005.
2. The proposal would result in the loss of Grade 2 and 3 agricultural land and therefore the proposal was contrary to the provisions of Policy LNE3 of the Peterborough Local Plan (First Replacement) – Adopted 2005, which sought to protect such categories of agricultural land from development.
3. The proposal (located in the Area of Best Landscape defined in Peterborough Local Plan (First Replacement) – Adopted 2005), involved the construction of buildings in an open landscape setting, characterised by long and wide views, isolated from any other buildings that would normally be associated with an agricultural / livestock / horticultural operation. In the case of the rabbit breeding barn, the structure was of substantial dimensions. The proposal was therefore contrary to Policy LNE5 as it failed to:
 - a) respect local building forms
 - b) reflect the distinctive landscape features
 - c) safeguard important views
 - d) be sympathetic to the local topography

The meeting was adjourned for five minutes.

Councillor Hiller left the meeting.

5.6 10/01648/FUL – Construction of 2 semi-detached houses and 1 link detached house (1 x 3 bed and 2 x 4 bed) with parking at 45 High Street, Maxey, Peterborough

The proposal was to erect 3 dwellings; two 4 bed and one 3 bed dwellings. Each dwelling had 2 off street parking spaces. Each of the dwellings had its own dedicated rear amenity spaces.

Vehicular access to the rear of Plots 1 & 2 had an oversail/bridge unit above it which formed part of the upstairs accommodation to Plot 1.

The application originally submitted had a shared driveway and parking for Plots 1 & 2 which fronted onto and were accessed from the High Street. Plot 3 was accessed separately from Woodgate Lane. Highways had raised objections to the shared driveway for Plots 1 & 2 on the grounds of highway safety and inadequate access dimensions, not meeting National Highway standards. Revised plans had been submitted to address this issue, the revised plans showed Plot 1 as having its own dedicated driveway from High Street, and Plots 2 and 3 would utilise tandem parking off Woodgate Lane.

The site had been subject to several applications for residential redevelopment over the past 5 years. In 2006 the site was host to a 1960's bungalow, now demolished. Planning permission had previously been granted for a 2 dwelling scheme on the site and permission had lapsed. Footings had been constructed on site, however these were not in accordance with a previous approved scheme and work had since stopped. The site was cordoned off by security fencing and was effectively rough ground.

The site was within Maxey's conservation area and was a key feature in the village street scene. The surrounding land uses were residential with a bus depot/workshop (Shaws of Maxey) to the West.

The Barn on Woodgate Lane and 26 & 28 High Street situated to the immediate North and East were Grade 2 listed buildings.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the policy context and principle of the development, its impact on the amenity of adjoining properties, its impact on the historic environment given its location and the highways implications. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report. Comments had been received from Highways Officers stating that they were broadly happy with the application as it stood and an additional condition was requested in relation to a topographical survey. There had also been a representation received from Councillor Peter Hiller, this representation included images highlighting what the proposal would look when built.

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

- Development on the site was not objected to in principle. A sensible one or two house development that was designed to be sympathetic with the plot and with its position. It would have to have adequate off road parking facilities for its residents and visitors
- Residents often requested Ward Councillors to protect their Wards from potential developments that were not only unwelcome, but also on occasion, completely unsuitable for their plots in terms of size, density, style, vehicle provision and neighbour amenity

- The Planning Officers did not always get it right, especially when dealing with rural applications
- The rural villages were an integral part of the make-up of the authority's area, but they often required a more considered approach to their development
- The Rural Housing Strategy Planning Document presented the way in which villages should be looked at in regards to their future growth
- The photographic representations included in Councillor Hiller's objection were an accurate representation of what could happen on the site if the application was passed
- About four years ago, the plot consisted of one small three bedroomed character bungalow and a modest garden plot in the heart of the protected conservation village
- The proposal in front of the Committee was to replace the previous modest single storey property with an overbearing eleven bedroomed development of three 2 storey town houses with extremely small amenity areas, an out of place 'drive under' arrangement, tandem car parking areas, no provision for visitor's cars, no provision for additional family cars and a driveway that would not even allow for two cars to pass each other, let alone consideration for pedestrian safety
- This arrangement was considered unacceptable in the most prominent position in the heart of a protected conservation area in a small rural village surrounded by listed and thatched cottages
- The application had no support whatsoever in Maxey Village and it flew in the face of all that had previously been expected of the Planning Officers
- The application was poorly researched and had been proposed by an out of the area, speculative building firm that either did not know, or did not understand the local area or had no reservations about what could be put onto the plot
- The application before the Committee was a hastily put together plan. The original plan had been thrown out by the Highways Officer
- The site of the original bungalow had permission for two houses. The then builder had started to build them in the wrong places, arguing that the plots should be bigger than they actually were
- The current applicant, Seagate Homes, had also tried to justify the overdevelopment by stating that "the housing market had suffered significantly over the last two and a half years. It was considered that a similar development would not be commercially viable at the moment". This was in relation to the original planned 2 dwellings
- The dining room window of number 47 window would be so blocked of light that every meal would feel like a midnight supper
- Woodgate Gate Lane was a single track lane used by farmers with big agricultural vehicles. Seagate Homes had reasoned that because Woodgate Lane was too narrow to park outside and their presumption that the new owners would not be able to park on the High Street, this would alleviate any cars littering the street scene
- There were only six car parking spaces, four of them being tandem. There were no garages, no visitors parking and no turning space. People would park on the High Street
- The proposal was against Policies DA1, reasons A, B and C. DA2, reasons A, B and C. DA6, reasons A, B, C and D. Policy CBE3 and Policy CBE7
- A revised proposal needed to be better than what Seagate Homes had come up with already. They should go away and rethink the proposal and come up with something acceptable and agreeable to the people affected by the proposal. All the builder was concerned with at that time, was profit, not people

Mr Peter Hardy, Mr Alan Middleton and Mrs Lisa Boughton, objectors and local residents, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The previous bungalow located on the site had been habitable at its time of demolition
- The village was in support of the previous scheme
- The previous scheme dwellings had been designed based on a suggestion from the Conservation Officer as to how they should look. They were in the style of the local area
- The development had since fallen through and the plot had changed hands
- The new development was not appropriate for the site, which was located in the middle of the village Conservation Area where surrounding plots contained single dwellings
- This will become the landmark building in the oldest, most important part of the town
- It would not be possible to deliver this scale of development without negatively impacting on the conservation area or creating significant safety issues
- Six parking spaces was unlikely to be sufficient for an eleven bedroom development and consequently visitors cars were likely to be left on a dangerous corner in the main village
- There was a problem with vehicles speeding through the village and a speed watch had been set up to try and keep the village safe. Speeding on this particular spot was a problem
- This area of the High Street had a problem with parked cars already
- The proposed vehicle access archway was unnecessary, out of place and a safety risk. Cars would enter the road on a blind corner and this would be worse when vehicles were parked on the High Street
- Pedestrians would also suffer due to the cars being parked partly on the paths
- The plot was surrounded by eight, grade II listed properties. As designed, it would be the largest and tallest development in the area detracting from the historic scene
- Each of the nearby buildings were set in a good sized plot with full off street car parking. The density of the proposal would not allow for all residents to have off street parking
- The proposal would be one metre taller than The Barn and would be even taller than one metre against number 47
- In summary refusal of the application should be given due to the density, parking issues, safety, the scale and dominance in the oldest part of the village

The Highways Officer addressed the Committee in order to clarify the queries with regards to the current parking situation along the High Street. Members were advised that there was an existing problem with parking due to people wishing to access Woodgate Lane. With regards to the parking offered on the development site, this was in accordance with planning policy. Further parking could not be requested and the proposal could not be refused by Highways because of it.

Mr Lewis Smith, a Chartered Town Planner and the agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Prior to the formal submission of the scheme, extensive consultations had been undertaken with the Council due to the location of the site within the Maxey Conservation Area
- Consultation had not been directly undertaken with the Parish Council
- The Design and Access Statement submitted with the application described the evolution of the scheme, which had been guided by the assistance of the Conservation Officer and the Development Management Officer
- The proposal before the Committee represented the culmination of much hard work between Officers and the applicant that would result in a form of development that would not only meet the minimum test of preserving the character of the Conservation Area, but would also enhance it
- The design incorporated a variety of roof heights and was set at an angle to the street
- The footprint and scale of the proposal were very similar to that originally approved in 2007
- Notwithstanding the pre application consultations, further changes to the scheme had been requested, these consisted of changing the shared driveway onto the High Street into a single point of access for Plot 1 only, with Woodgate Lane now providing access for Plots 2 and 3
- Woodgate Lane had been used to access the two plots on the original 2007 scheme
- It was understood that there were concerns expressed by local residents that on street parking would be increased due to the development
- The parking spaces provided were well related to their respective dwellings and people would use them rather than parking on the road
- Highway visibility from both Woodgate Lane and from the access to Plot 1 onto High Street was well in excess of the required standard and there was now no objection from Highways subject to suitable conditions
- The further amendments requested by the Conservation Officer were reflected in the amended plans before the Committee
- The photo montages presented to the Committee could not be classed as accurate for a number of reasons

Following questions to the speaker with regards to the tandem parking spaces Members expressed further concern at the situation with regards to parking on site. The Planning Officer informed Members that the parking provision met the required standard and there had been no objections from the Highways Officer.

Members were further advised that the Conservation Officer was happy with the development as he had been involved throughout the process, therefore from a Conservation Area perspective there were no issues. If there was further car parking located to the front of the site, it was felt by Planning Officers that this would be detrimental to the street scene.

In terms of visibility at junctions, there were no parking restrictions along High Street. It was up to the individual to park responsibly. Clearly this did not happen in every case but this could not be legislated against in terms of the design of the development. The Highways Officer addressed the Committee and advised Members that in terms of vehicle to vehicle and vehicle to pedestrian visibility splays, it had been demonstrated that adequate splays were achievable and conditioned in the committee report.

Following further questions to the Planning Officer regarding the design of the scheme, particularly the bridge unit. The Planning Officer advised that, granted, this was not an established design feature in the village, but in terms of the remainder of the development the design was in keeping with the Conservation Area.

Members expressed concern at the single access and the inability of two cars to be able to pass each other. The Highways Officer stated that the probability of two cars meeting each other was very slim and with the low speeds there would be no issue.

Following further debate, Members commented that the proposal was overdevelopment of the site and in particular did not comply with Policy DA1, as it would have an adverse impact and would not enforce a sense of place. It was also contrary to Policy CBE3, in that it was development that affected the Conservation Area and did not enhance or preserve its character, in fact it would have a detrimental impact on the character of the Conservation Area. The development was also contrary to Policy DA2 in that it was overdevelopment of that part of the Conservation Area. The proposal was also contrary to Policies PPS1 and PPS5. A motion was put forward and seconded to refuse the application. The motion was carried unanimously.

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

Reasons for decision:

1. The proposal was considered to represent over-development of the site which was located within the Maxey Conservation Area. The nature of the traditional built form in the conservation area was typically, wide frontage properties being set in relatively spacious plots whereas the proposed development resulted in narrow frontages set in small plots. The proposal was therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:

DA1 – as it was not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.

DA2 – as it had an adverse impact on the character of the area

CBE3 – as the development failed to preserve or enhance the appearance of the Conservation Area.

And contrary to:

PPS 1 – as it did not provide for a high quality development that protected and enhanced the historic environment and character of the area to the benefit of peoples' quality of life

PPS 5 – as it failed to meet the objectives set for the redevelopment of gap sites in conservation areas i.e. high quality design that enhanced the area

2. The design of the dwellings themselves (the archway, scale and form in particular), did not reflect the character and appearance of traditional buildings within the Maxey Conservation Area. The proposal was therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:

DA1 – as it was not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.

DA2 – as it had an adverse impact on the character of the area

CBE3 – as the development failed to preserve or enhance the appearance of the Conservation Area.

And contrary to:

PPS 1 – as it did not provide for a high quality development that protected and enhanced the historic environment and character of the area to the benefit of peoples' quality of life.

PPS 5 – as it failed to meet the objectives set for the redevelopment of gap sites in conservation areas i.e. high quality design that enhanced the area

13.30 – 19.07
Chairman

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Minutes of a Meeting of the Planning and Environmental Protection Committee
held at the Town Hall, Peterborough on 22 February 2011

Members Present:

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

Councillor Winslade and Councillor Swift attended as substitutes.

2. Declarations of Interest

There were no declarations of interest.

3. Members' Declaration of intention to make representation as Ward Councillor

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

4. Minutes of the Meeting held on 25 January 2011

The minutes of the meeting held on 25 January 2011 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 10/01622/WCPP – Removal of condition C13 (provision of play area) of planning permission 10/00208/FUL – Construction of 49 dwellings at land off Thorney Road, Eye, Peterborough; and 10/01644/WCPP – Removal of condition C20 (play area / open space) of planning permission 04/01978/FL – residential development comprising 35 dwellings at land off Thorney Road, Eye, Peterborough

The committee report covered two planning applications to remove condition 13 attached to 10/00208/FUL (49 dwellings) and condition 20 attached to 04/01978/FUL (35 dwellings) which both required a Local Area for Play (LAPS) to be provided on the site. The land which was to be occupied by the LAPS would be conveyed to the nearest residential properties and instead of providing these LAPS on site, the developer had entered into a unilateral undertaking which would oblige him to pay a

contribution of £43,500 to be used on open space/leisure/sports provision within Eye Parish.

The sites which were subject to these applications form part of the overall “Larkfleet” residential development site off Thorney Road, Eye. The development was currently under construction. The site was granted permission in various “parcels” and there had been several amendments to the original schemes most notably permission in the centre of the site for an Extra Care Home (09/01025/FUL) and a re-plan of the “right hand” part of the site (when viewed from Thorney Road) under 10/00208/FUL. The site was situated in the north east corner of the village and was bordered by the A47 and Easby Rise to the north, an open field to the east, residential development off Thorney Road to the south and Crowland Road (residential development and cemetery) to the East. The site was an allocated housing site in the Peterborough Local Plan.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were whether or not the development was acceptable without the approved LAPS being provided for on site and whether the alternative proposal of funding of off-site leisure/sports provision in Eye was acceptable. The recommendation was one of approval.

Members were advised that the areas highlighted for play were too small for useful purpose and no provision had been made by the developer or the Council for the long term upkeep of those areas through the legal agreement that was set up when planning permission was granted.

Members were further advised that the areas were proposed to be transferred over to the householders abutting the site, with a recommended condition that removed permitted development rights so that the areas remained open green space and free from development. The applicant was proposing to make the sum of £43,500 available to the Council and this money would be held and subsequently spent on the improvement of existing sport and leisure facilities in the village of Eye. That process would be undertaken in consultation with the Parish Council. This would ensure a more adequate and useful provision of recreational facilities in the village.

Mr Duncan Smith, Investment Director at Larkfleet Homes and Mr Richard Edwards, Planning Director at Larkfleet Homes, addressed the Committee jointly and stated that they were present to refer Members to the Officers report, which they believed was balanced in terms of its outcomes and if Members had questions they were happy to respond. In summary the responses given to Members included:

- Some houses in the vicinity were occupied and some weren't
- The nearest play area was located in Fountains Place, directly opposite, and there was a large multi use games area in High Street, Eye
- The land would be conveyed to the individual purchasers of surrounding dwellings and they would be responsible for the up-keep of this land
- Fencing could be provided to prevent residents using the spaces for parking

Members expressed concern at the prospect of local residents using the areas for parking and other uses, therefore it was suggested that a condition be added stating that a low fence be implemented to prevent this and to keep the area as a green open space. Members were advised by the Planning Officer that a condition could be implemented requiring a low fence, however it was not possible to condition what the residents used their allocated pieces of land for, this would be down to the

developer to enforce and it was believed that the concerns highlighted by Members would be listened to and taken forward by the developers.

The Highways Officer addressed the Committee in response to the possible imposition of low rails and stated that details of the rails would need to be provided to the Highways Department and the rails would need to be set back at least half a metre from the edge of the carriageway.

Following debate and questions to the Planning Officer relating to the provision of LAPS in the area and the provision of the contribution by the developer, a motion was put forward and seconded to approve application 10/01644/WCPP subject to the imposition of an additional condition requiring a knee high fence around the area, to be implemented in consultation with Highways. The motion was carried by 6 votes, with 2 voting against.

RESOLVED: (6 for, 2 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the open space/sport/leisure needs of the area
2. The conditions numbered C1 to C14 as detailed in the committee report
3. An additional condition requiring the implementation of knee high fencing around the area. To be implemented in consultation with Highways

A further motion was put forward and seconded to approve application 10/01622/WCPP subject to the imposition of an additional condition requiring a knee high fence around the area, to be implemented in consultation with Highways. The motion was carried by 6 votes, with 2 voting against.

RESOLVED: (6 for, 2 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the open space/sport/leisure needs of the area
2. The conditions numbered C1 to C10 as detailed in the committee report
3. An additional condition requiring the implementation of knee high fencing around the area. To be implemented in consultation with Highways

Reasons for decision:

Whilst there were some drawbacks regarding not having the LAPS, the developer was offering the monetary equivalent of providing the LAPS. This money would be spent in Eye and therefore there was the potential for it to benefit a wider range of residents. The alternative was to insist on the developer providing the LAPS with no means of requiring the developer to undertake or pay for the maintenance. This would only provide future problems for the local residents and a possible liability for the Council.

Therefore subject to the re-imposition of relevant conditions, and the developer entering into a planning obligation to pay a contribution of £43,500 towards open space/sport or leisure provision within Eye, the proposals were acceptable.

The Chairman addressed the Committee and advised Members that there were a number of people in attendance who were registered to speak against item 5.3, it was therefore proposed to vary the order of the agenda to consider item 5.3 next. In

addition to this, there had also been a request to allow an extension of the speaking time to allow two and a half minutes each for the objectors with a total equal amount of time being offered to the supporters. Members agreed to vary the order of the agenda and to extend the speaking time for item 5.3.

5.3 10/01518/FUL – New vehicular access to serve a future proposal for the 32 dwellings, on adjoining land, on land to the rear of nos. 68 to 72 (even) Thorpe Lea Road, Peterborough

The proposal involved the construction of a two-way carriageway from Thorpe Lea Road to the western extremity of a public footpath that flanked onto the western boundary of the Railworld site. The road was to extend from between residential properties at numbers.66 to 68 Thorpe Lea Road in a southerly direction for the depth of these two properties and thereafter in a south easterly direction towards the Railworld site. The road width was to be 5 metres initially from Thorpe Lea Road and thereafter 6 metres as the road had been designed with a curved middle stretch. Both sides of the road were to have 2 metre wide pavements. The road had been designed with a turning head to its north side, close to the eastern extent of the road. The overall length of the road was to be approximately 116 metres. A parking area was to be provided for grounds maintenance vehicles off the southern side of the road just past the mid way point. Knee high rail fencing alongside both sides of the carriageway was to be provided other than where existing vegetation was to be retained. From its junction with Thorpe Lea Road, the proposed carriageway would have a width of 5 metres, for the first 21 metres, and it would be 5.5 metres away from boundary of number.66 Thorpe Lea Road and 5.2 metres from the boundary of number 68 Thorpe Lea Road. Thereafter, the road would widen slightly such that at the very rear of the curtilages of these two properties the carriageway would be within 5 metres of their flank boundaries.

To construct the road it would be necessary to remove part of an established area of vegetation to the rear of the open space between numbers 66 and 68 and a further area of vegetation with approximate dimensions 16 metres deep by 10 metres wide immediately to the south. A triangular area of vegetation immediately to the rear of number 68 was to be principally retained between the boundary fence of the property and the road i.e. a maximum depth of 14 metres. The alignment of the road was such that two poplar trees close to the footpath would have to be removed. The road was proposed to drain into a stretch of water to the south. The road was to be lit by 4 lamp columns along its length. An existing lamp column would have to be repositioned to the back of the footway to accommodate the junction of the road to Thorpe Lea Road.

As the road would pass through an area of public open space the proposal would provide for a compensatory provision. This was shown to be located to the south east of the site and contained a number of mature trees, vegetation and part of the southern extent of the existing Railworld site. It should be noted that the area of the land was to be at least equal to the space taken by the proposed road and footpaths.

The proposal did not seek planning permission for the residential development of the Railworld site that had been referred to in the description. This was included in order to help explain the reasoning behind the application for the road.

Whilst the proposal showed details of the road crossing over the footpath close to the western boundary of the Railworld site the footpath lay outside of the application site area and the acceptability, or otherwise was not for consideration.

The application site initially was initially comprised of an open grassed rectangular area, with an area of vegetation to the rear, located between numbers 66 and 68

Thorpe Lea Road (both bungalows). This area measured a depth of 31 metres and a width of 16 metres. Both numbers 66 and 68 have flank boundary fencing to a height of 1.8 metres. Number 68 had a side extension to the bungalow the flank wall of which formed a part of its western flank boundary. The majority of the site was essentially flat other than for an initial shallow down slope of the land from Thorpe Lea Road. A dense wide area of vegetation which was comprised of trees and bushes extended in a southerly direction along the western boundary of the site. The rear boundary fences of the residential properties at numbers 68 to 72 (even) Thorpe Lea Road formed the northern boundary of the site with a length of vegetation to the front of the fencing. Mature shrubs and bushes were present along the rear boundaries of numbers 68 to 72. The eastern boundary of the site was delineated by an established footpath that flanked close to the western boundary of the principally 3 metre high walled western boundary of the Railworld site which was comprised of land that was significantly higher than the application site. Five mature, evenly spaced, poplar trees were sited in a line along the eastern boundary of the site close to the footpath with 3 other poplars scattered along the same alignment to the north. The southern boundary of the site was essentially open although further to the south was a row of trees that flanked either side of an established footpath/cycleway that connected the city centre to Ferry Meadows via the rowing lake. Beyond the western boundary of the site was a large area of open space including playing fields. The immediate area of Thorpe Lea Road was dominated by bungalows.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of development, the impact of the use of the road and additional traffic generation upon the amenities of the residents of Thorpe Lea Road, the impact of the use of the road on highway safety, the impact of the road and its use upon fauna and flora, the impact of the road upon public open space provision and the flood risk implications. The recommendation was one of approval.

Members were advised that in relation to public open space, these areas were usually protected from development however, there were exceptions to the rule as in this case. It was felt that the loss of open space was acceptable due to the provision of adequate compensatory open space elsewhere by the application, secondly the development would not detract from the use and enjoyment of the remaining open space as it was not used extensively due to its condition. Finally the development would not result in a shortfall of open space in this area.

In terms of the access, a development of this scale would not usually require the submission of a traffic assessment but the applicant had chosen to submit some. The views of Highways Officers was that the design, width and alignment of the proposed road itself met with the Council's Design Standards and in terms of the design, width and alignment of the road to which it connects, e.g. Thorpe Lea Road, the junctions and road widths were all capable of accommodating the additional traffic safely that would arise.

The junctions would become marginally busier but it was not felt that they would become unsafe and would not go over capacity.

In terms of flora and fauna, there were potentially greater crested newts at the Railworld site but Natural England had indicated that the colony would not be adversely impacted by this proposal. However, there were suggested conditions relating to mitigation in the construction process. There would be the loss of two poplar trees, however the Tree Officer had not objected to the loss of these trees.

With regards to flood risk, there had been no objection to the application raised by the Environment Agency which had considered the Flood Risk Assessment which had been submitted by the applicant. Planning Officers had tested the proposal in terms of flood risk and it was highlighted that the application passed the necessary exceptions test because the road would not result in any additional flood risk for existing development and the development that the road was designed to serve was not situated at flood risk and also pedestrian and cycle dry access would be provided via River Lane.

Members' attention was drawn to additional information contained within the update report. A correction to the recommendation on page 40 of the committee report was highlighted. A S106 was not required as the provision of compensatory open space could be secured by condition as stated in Condition 11.

One further letter of objection had been received from a local resident outlining numerous planning issues and an additional letter had been received from the residents of 68 Thorpe Lea Road, this letter was attached to the update report. Councillor Samantha Dalton had also submitted a written objection to the proposal and this was contained in full in the update report.

Councillor Nick Arculus, Ward Councillor, addressed the Committee. In summary the concerns highlighted to the Committee included:

- Why was an application for an infrastructure project being submitted in isolation to any substantive planning development?
- There was reference to a deed of a grant of a right of way of 1990 referred to in the committee report which was, in itself an immaterial planning consideration
- In the deed, the Council had granted a right of access across the land in favour of the development. This deed expired at the end of July 2011 and that was the reason for the isolated application
- The deed required that a roadway be completed by the end of July 2011
- The reason that the application was being submitted, was to make it more difficult to refuse any application subsequently submitted for the Railworld site
- The application should be considered on its own merits
- With regards to flood risk assessment and contents of the report highlighted that the roadway did pose a flood risk because it would affect the drainage on the piece of land. The reply in the summary highlighted that the test had been passed as the advantages were that it would open up a brownfield site. That was a complete irrelevance as no future proposals should be considered
- Were the risks posed by the road outweighed by the advantages with regards to flood risk
- With regards to public open space, the land replacing the lost open space was already used as public open space, therefore there was no gain to local residents
- The removal of this piece of land would mean a reduction in open space land in the area. This was contrary to Policies LNE06 and LNE08
- This land was located in the area of best landscape within the Nene Valley. Development should not be built on it which would adversely impact on that area of designation unless there were substantial merits in the application
- The application considered in isolation from any other application was without merit as it was just for a roadway which led nowhere, serves no properties and was of no benefit to the local community or the city at large

- With regards to the impact on flora and fauna, there was no advantage to losing any in the area. There was no advantage in building a road across an area of best landscape
- With regards to road safety, there could be no comment made on possible traffic generation as the road went nowhere and therefore would generate no traffic
- If the application was approved and the road built, if there was no subsequent application submitted, there would simply be a road left leading nowhere, serving nobody, which had impacted on public space and impacted on the flora and fauna in the area
- It would have been preferable for an application for development to have been submitted at the same time as the infrastructure serving it
- There was no reason why an application for infrastructure could not be deferred until an application for development was submitted
- It would be impossible to assess whether the road would be adequate, or what impact it would have on the traffic flow in the area, prior to knowing how many houses the road was going to serve
- If infrastructure was approved then it would be difficult to object to any application on infrastructure grounds

Mr Phillip Pumphrey, an objector and local resident, addressed the Committee. In summary the concerns highlighted to the Committee included:

- The application should not be granted without details being provided of what was to be built at the end of it
- If built at ground level, it would do nothing to improve the flood protection of the existing homes. It could be built above flood risk level and offer considerable improvement for flood protection
- The proposal contravened several Planning Policies
- It was to be built on land which was mown by the city contractor
- What would the traffic impact be? It was not known how many homes were to be built on the site

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

- The scheme should not be considered without the further consideration of what may be proposed on the site at a later date
- The proposal was contrary to Policies DA2, LNE5, LNE8, CS19 and CS20
- The report presented by the Planning Officers seemed to be in favour of the applicant

Mr Stephen Lee, an objector and representative of the Thorpe Gate Residents Association, addressed the Committee. In summary the concerns highlighted to the Committee included:

- The whole development was preferred to be seen rather than it being fragmented
- There was no traffic on a road that led to nowhere. Therefore, this was a major flaw in the proposals as how could this be a planning issue?
- The access road led into the playing fields and there was concern that there may be encampments of vagrants appearing on the public fields on either side of the roadway. A form of fencing to prevent this occurring would be required
- The area was coming under pressure from a number of developments

Mr Simon Smith, a Chartered Planner representing Railworld, addressed the Committee. In summary the issues highlighted to the Committee included:

- Railworld and its development partner had been working with the Council for a number of years to bring forward the development of the former power station yard at River Lane
- A scheme had been prepared for a high density development to be served by River Lane, this scheme comprised 288 flats in 5 blocks together with 20 houses. The scheme had been opposed
- Following advice from the Planning Officers, a small revised scheme consisting of executive homes, not yet subject to a planning application, had been devised. This was to be served by a new access by Thorpe Lea Road and a care scheme for the elderly to be served by River Lane
- A review of alternative accesses had subsequently been undertaken
- Subsequently an application for an access road had been submitted
- Because of the issues with the first scheme, the developer had been reluctant to commit more monies towards a comprehensive planning application where there might be a risk of the new guidance being withdrawn
- It was a material planning consideration for a scheme to be deliverable, therefore it made sense to implement a road before the developer committed more funding
- Subject to the Committee's decision it would be known whether the project would be deliverable. A planning application would be prepared for the new scheme and which, if approved, would enable the development of derelict land in a location where residents would not be dependent on cars. A development had been sought for this area for some time, therefore it would not make sense for the development to not go ahead. A significant regeneration of the south site of Railworld was also sought going forward

Members expressed concern at the road being built prior to any development. The Planning Officer addressed the Committee in response to these queries and further concerns raised by the speakers and stated that it was understandably difficult for the road to be considered separately from any housing development, however, the situation was not unusual and did happen. The issue of the deed of access was not a material planning consideration that could be taken into account and therefore could not be used to determine the application. With regards to the concerns around the road being granted planning permission, being built and then left for many years, Members were advised that similarly if a single application was received for the road and the housing, there would be nothing to stop the developer doing a similar thing by building the road and then not finishing the housing development.

The previous scheme had been extremely dense and had been proposed to be solely served by the access on River Lane, the scope of highways changes and the impact this would have had on the surrounding area would have been vast and therefore the development was not viable. However, there was a significant amount of brownfield land that needed to be put to good use and therefore the split in the development had been proposed to be served by two accesses. The development sought was a high value, but low traffic generating scheme. This scheme would be in line with the Council's own initiative to increase the number of executive homes provided. The location was perceived to be ideal being close to the centre of the city, close to amenities and close to the mainline railway station. Railworld had shown commitment to the scheme, a lot of work had been undertaken on the previous scheme and Railworld had taken on board the suggestions for the changes to the scheme in order to make the development viable.

Members were advised that if they were solely concerned at the prospect of the road being built and then left, a condition could be imposed to say that if the road was not utilised within 5 years the road should be removed and the land reinstated to its previous use. The cost of this reinstatement would fall to the developer.

Members expressed concern at the loss of the green public space in the area. The Planning Officer addressed the Committee and stated that the land was brownfield land and was not in a particular good state. The land needed to come into some beneficial use. There would be some detrimental impact to the open space, but this open space was more beneficial for its visual impact rather than for sport and recreation use. The developer had stated that they would provide further open space in return for developing this site.

Members expressed further concern at what the road may be used for prior to any further application being submitted, for example travellers. The Planning Officer responded and stated that a gate could be provided along the road's entrance point and addition when the road was open for use it had been proposed that it would be fenced either side to prevent vehicular access to the land either side.

The Planning Officer further advised the Committee that if it was minded to refuse the application, thought had to be given as to the reasons for refusal and whether future development on the site would be prejudiced by this decision. If the road was to be approved and the Committee did not like the proposal, then planning consent could be refused. The building of a road did not automatically mean that planning consent would have to be given for any development.

Following debate and further questions to the Planning Officer a motion was put forward and seconded to refuse the application as it was contrary to Policies LNE8, LNE11 and CS19 with respect to open space. In the absence of the residential application coming forward with regards to the current application the loss of public open space would be detrimental to the area at this stage, however, if an application was to come forward for both it would be considered afresh. The motion was carried by 6 votes, with 2 voting against.

RESOLVED: (6 for, 2 against) to refuse the application, against officer recommendation.

Reasons for decision:

In the absence of sufficient information relating to the proposals for the adjacent land that would be served by the road, there was insufficient justification for the need for the road to pass through the area of public open space which also formed part of the Nene Valley and Area of Best Landscape designations in the adopted development plan. As such the proposed road was contrary to Policies LNE 5 & 8 of the Adopted Peterborough Local Plan (First Replacement) 2005 and Policy CS19 of the Core Strategy all of which sought to protect the designated areas from inappropriate development.

The meeting was adjourned for ten minutes.

The Chairman addressed the Committee and advised Members that there was a speaker in attendance registered to speak against item 5.4. As there were no speakers registered against item 5.2, it was proposed to vary the order of the agenda to consider 5.4 item next. Members agreed to vary the order of the agenda.

5.4 10/01735/R3FUL – New classroom block and plant room, new entrance canopy, extension to classroom and the demolition of two classrooms at Longthorpe Primary School, Bradwell Road, Netherton, Peterborough

Permission was sought for the erection of a new 6 classroom block and plant room, a new entrance canopy, an extension to an existing classroom, construction of a corridor extension and the demolition of two existing classrooms.

The site was situated within Longthorpe, an area 1.5 miles to the east of the city centre. The school itself occupied a site of 2.95 hectares and was surrounded on all sides by residential development. Currently the school was enclosed by 1.8 metre weld mesh fencing and the schools field was unenclosed and available for public use. There was also an area of public open space to the east of the school site.

The school was comprised of predominantly 1970's buildings of utilitarian design. The majority of the buildings were constructed from red brick with brown concrete roof tiles. The school had a dedicated car park with 21 standard spaces and 1 disabled space.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the impact of the proposal on occupiers of the nearby dwellings, the impact of the design on the character of the area and the impact on the transportation network. The recommendation was one of approval.

The Committee was advised that when the application was originally received, it included the fencing off of part of dual use open space area. This part of the proposal had subsequently been dropped from the application.

There were patio doors proposed as part of the extension. These had been provided as the designers received bonus points from the Department for Education for allowing children to move straight from the classroom into the outdoors environment. However, given the close proximity of the elevation to the back fences of residents, that being 10 metres, Planning Officers proposed the deletion of the patio doors from the scheme and the implementation of a single door. This had been suggested due to concerns regarding noise affecting local residents during the summer months, when the doors would be open. The Planning Officer advised the Committee that if it did not agree with that condition, it could be removed as part of its decision on the application.

The Committee was advised that Officers were recommending approval as the design of the development was considered to be acceptable, the large classroom block proposed to be constructed would not cause any unacceptable overshadowing or be overbearing to the adjacent dwellings on Bradwell Road and the siting of the new play area adjacent to the classroom block was not materially different to the existing arrangement. In terms of traffic, there would be no increase in pupil numbers over what was there already and therefore there were no reasonable grounds for the suggested inclusion of additional car parking etc.

Members' attention was drawn to additional information contained within the update report. There had been a comment received from Councillor Samantha Dalton stating that she acknowledged the removal of the fencing part of the application, but a condition was sought highlighting that any future application for fencing should go through the planning process for review and discussion. The Planning Officer advised that it was not possible to apply the suggested condition retrospectively to existing use as they could only relate to the proposed development. In the event of a

future application for fencing off the dual use playing field, the application would be brought to the Committee for determination.

Mr David Worth, an objector and local resident, addressed the Committee and stated that his previous reasons for wishing to address the Committee had been in relation to the fencing which had subsequently been deleted from the application. Mr Worth had no further comments at that time.

The Highways Officer addressed the Committee and expressed concern at the lack of a condition regarding a Construction Management Plan. There had been complaints recently received about school sites that were being expanded and the construction traffic association with those expansions.

Following debate, a motion was put forward and seconded to approve the application with the additional highways condition requiring a Construction Management Plan. The motion was carried unanimously.

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

1. The conditions numbered C1 to C5 as detailed in the committee report
2. An additional Highways condition requiring a the completion of a Construction Management Plan

Reasons for the decision:

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

- The design of the 6 classroom block was of a type that was common within schools throughout the city and would not significantly harm the character of the area and wider views and the impact of the extensions could be mitigated by the use of appropriate materials
- The 6 classroom block would not cause unacceptable overshadowing or be overbearing to the adjacent dwellings on Bradwell Road
- The siting of a new playground area between the proposed 6 classroom block and the properties of Bradwell Road was not materially different to the existing situation and was unlikely to result in unacceptable levels of additional noise or antisocial behaviour
- There would be no increase in pupil numbers and therefore there would be no additional demand for parking and no negative impact on any element of the transportation network
- The proposal would not harm the protected tree to the front of the school and the loss of a small section of hedge could be mitigated for a replanting condition

The proposals were therefore considered compliant with PPS1 and Policies DA2 and T1 of the Peterborough Local Plan (First Replacement).

5.2 10/00966/FUL – Replacement shop canopy at 98 Dogsthorpe Road, Peterborough

The proposal was for the erection of a canopy to the front of a retail shop. It was to replace an existing unauthorised smaller canvas style canopy that had been refused planning permission.

The proposed canopy was to the front towards Dogsthorpe Road. It was proposed to cover the majority of the area of hardstanding to the front of the shop to a width of 6.1 metres and a forward projection from the shop front of 3.4 metres. The roof was proposed to be of a shallow 22 degree sloping mono-pitch design with the highest end being 3.6 metres, fixed to the building, and the lower end 2.3 metres. The frontage of the canopy would be set back approximately 1 metre from the back edge of the pavement.

The canopy was to have a glazed roof to be supported by a dark green painted metal framework comprising of 8 metal columns. The canopy would be open on three sides. The character and features of the building would remain unaffected by the canopy addition.

The existing unauthorised canopy was used for the display and sale of fruit and vegetables to the front of the shop.

The established retail unit was a 2 storey Victorian end of terrace with a distinctive and ornate Dutch gable. The property was located within a predominately residential area comprising terraced, semi-detached and detached properties with strong building lines to the north and south. The application property was located at the crossroads junction of Dogsthorpe Road and St Martins Street. There were commercial units on three of the corners of the junction with a residential property at the north east corner. The building had a strong character and appearance. A travel shop adjoined the application property. There was an existing unauthorised lightweight canvas top canopy currently erected to the front of the shop front measuring 5.8 metres wide with a projection of 2.5 metres. This was used to display fruit and vegetables.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the impact of the proposed canopy upon the character and appearance of the area and the building itself, the impact of the proposed canopy upon residential amenity and the impact of the proposed canopy upon highway safety. The recommendation was one of approval.

Members were advised that a similar scheme had been refused by the Planning Committee, contrary to Officer recommendation. The applicant had subsequently appealed against the refusal and the Local Authority had been successful in the appeal. The scheme before Members today was almost identical to the previously refused scheme, however, the design which had been submitted was almost the same as one detailed in the design guide for canopies. This design guide had previously been approved by the Planning Committee. Members were advised that they were perfectly entitled to still go against the recommendation of approval, as they had done on the previous scheme, even though the scheme fitted in with the design guide.

The refused scheme was outlined to Members in comparison to the current scheme. Members were advised that the only change was that the roof pitch had changed by 2 degrees.

The Chairman addressed the Committee and stated that question was not whether the canopy design was acceptable, as it clearly was, it was whether the canopy was right for that particular shop in that particular area.

Members requested input from the Highways Officer with regards to visibility. The Highways Officer addressed the Committee and stated that the canopy was at a height which would not affect visibility.

Following debate and questions to the Planning Officer in relation to another premises in close proximity with a similar canopy, a motion was put forward and seconded to approve the application. The motion was carried by 6 votes, with 2 voting against.

RESOLVED: (6 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
2. The informatives numbered 1 and 2 as detailed in the committee report

Reasons for the decision:

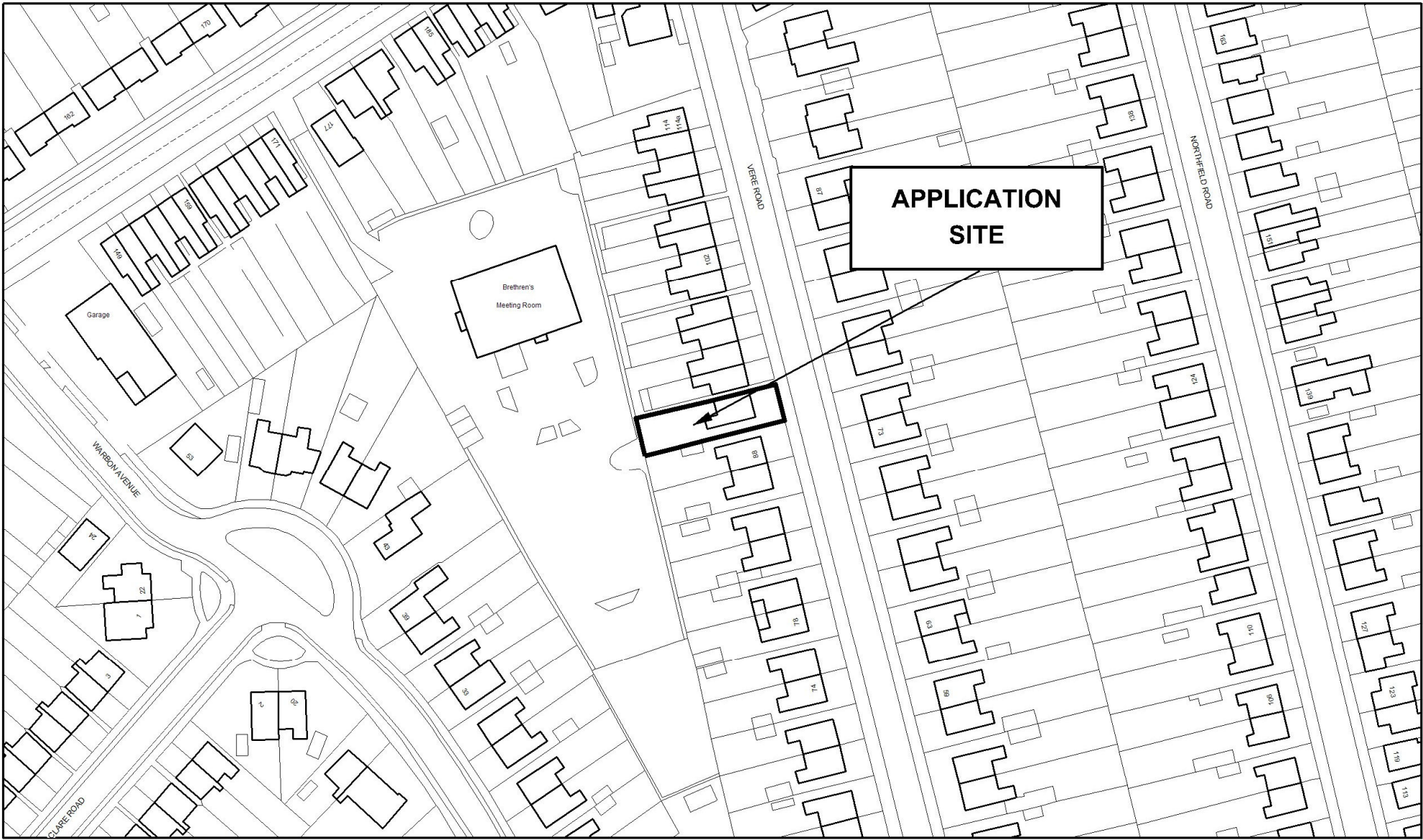
Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The design of the canopy with the use of quality materials would complement the existing shop front and it was considered that the proposal would not harm the character and appearance of the area, the amenities of the occupiers of the nearby residential properties or highway safety

The proposal was therefore considered to comply with Policies DA1, DA2, DA21 and T1 of the Peterborough Local Plan (First Replacement), including the Peterborough City Council Canopy Design Guide (2009).

13.30 – 16.10
Chairman

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LOCATION PLAN 10/01705/FUL

90 Vere Road, Peterborough

Scale 1:1250 Date 25/2/2011 Name MKB Department Planning Services

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10/01705/FUL PROPOSED TWO STOREY SIDE EXTENSION AND GROUND FLOOR REAR EXTENSION AT 90 VERE ROAD, PETERBOROUGH (PART RETROSPECTIVE)
VALID: 22/12/2010
APPLICANT: MISS S BIBBI
AGENT: MR N P BRANSTON
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: THE IMPACT CAUSED BY THE PROPOSAL ON THE AMENITY OF THE APPLICANT'S PROPERTY AND THAT OF NEIGHBOURING DWELLINGS AND UPON THE CHARACTER OF THE AREA
DEPARTURE: NO
CASE OFFICER: MR C J EDWARDS
TELEPHONE: 01733 454443
E-MAIL: chris.edwards@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Size and scale of proposed rear single storey extension
- Loss of amenity space to host dwelling
- Impact on amenity on neighbouring dwelling
- Impact of proposal on character of the area

The Head of Planning, Transportation & Engineering Services recommends that the application is **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

Relevant policies are listed below with the key policies highlighted.

Peterborough Core Strategy Development Plan CS16 Urban Design and the Public Realm

High quality and inclusive design will be required for all new developments as part of a strategy to achieve an attractive, safe, healthy, accessible and sustainable environment throughout Peterborough. Design solutions should take the following principles into account:

- New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

3 DESCRIPTION OF PROPOSAL

This application has arisen as a result of unauthorised works being reported to the Planning Compliance (enforcement) team. Work has already started to construct the rear extension without obtaining either Planning Permission or Building Regulations approval.

Permission is hereby sought to construct two extensions to the property at 90 Vere Road, Peterborough.

Two storey side extension – This application seeks permission to erect a two storey extension to the side of the dwelling. This will result in the width of the dwelling being extended by approximately 2m and bring the end wall up to the boundary with the adjacent property. The purpose of this is to extend the third bedroom and create an additional room for use as a study on the first floor. The ground floor is to be left open to create a covered passageway to the rear.

Single storey rear extension – The application also seeks permission to erect a single storey extension to the rear of the dwelling. This proposed extension measures approximately 9m from the rear wall of the original dwelling and is to cover the entirety of its width. The purpose of this extension as stated on the plans is to create an enlarged kitchen measuring 23.5 sq metres and a new lounge with ensuite WC measuring a total of 31.9 sq metres. The proposal will also create an additional WC in place of the area currently occupied by the kitchen.

Subsequent communication with the applicant has revealed that the purpose of the rear extension is to be an annex for the applicant's disabled mother.

4 DESCRIPTION OF SITE AND SURROUNDINGS

Vere Road is a predominantly residential area built sometime around the 1930s. It features a wide road with the houses set back some way from it. Most properties have off-road parking and modest front garden space.

The house itself is a detached property and has an attractive and well maintained appearance. It is set between a row of semi-detached houses to the left and a short terrace to the right.

The house sits off-centre within its plot leaving approximately 2m space between the left hand gable wall and the property boundary. The neighbouring property is set another 2-3m within its plot leaving considerable separation between the two dwellings. On its right the house abuts the property boundary with a small 1m wide footpath separating it from the terraced houses.

The rear garden is approximately 18m x 8m and ends in a row of tall conifer trees. As noted above, at the time of visiting construction of the rear extension was already underway and so the intended scale of this extension was immediately apparent.

5 PLANNING HISTORY

Ref	Description	Status	Open Date	Closed Date
10/00040/CONTRA	Building Regulations Contravention	SER		
10/01705/FUL	Proposed two storey side extension and ground floor rear extension	PDE	16.12.2010	
10/00558/ENFEXT	Enforcement Enquiry	PLNREC	23.11.2010	

6 CONSULTATIONS/REPRESENTATIONS

LOCAL RESIDENTS

One letter of objection has been received from the Millfield and New England Regeneration Partnership (MANERP) raising objections on the basis that:

- The proposed extensions are an over development of the site, further that the proposed rear extension is likely to have a detrimental impact on the neighbouring properties.

COUNCILLORS

Cllr Hussain was present at the site visit and spoke in support of the applicant's intention to care for her mother at this address.

7 REASONING

Background

Whilst the Council seeks to support homeowners who wish to extend their homes, particularly for the purposes of the present case; such extensions should be proportional to the size of the original dwellinghouse and respect the amenity space of neighbouring properties.

In principle the proposed side extension is considered acceptable, subject to a number of minor design changes to the appearance of the front elevation that help to match it to the existing street scene.

The principle of extending the dwelling to the rear is also considered acceptable, however the size and scale of the proposed rear extension is not. Considerable effort has been made by both the planning office and agent to broker a suitable compromise on behalf of the applicant. Revised drawings were received which reduced the depth of the proposed rear extension by 2m and stepped the northern boundary wall in to mitigate the impact of the extension on the amenity of number 92 Vere Road.

Subsequent correspondence from the applicant however asked the Council to disregard the revised plans submitted and only consider those submitted as part of the original application. On this basis this application is recommended for refusal for the following reasons.

This development will result in an unacceptable impact on the amenities of occupiers of any nearby properties

Whilst only single storey, the necessary height of the proposed rear extension will create overbearing encroachment into the amenity space of number 92 Vere Road owing to its overall scale and close proximity to the boundary. This will further be exacerbated by the fact that the extension will be located directly to the south of the rear garden of number 92, resulting in unacceptable overshadowing.

This development cannot be comfortably accommodated within the site

The rear extension is unsatisfactorily large and cannot be adequately accommodated within the grounds of 90 Vere Road without having a detrimental impact on the amenity of the dwelling. Householder extensions should respect the scale of the host dwelling and the size of the plot in which it is situated.

The proposed extensions will more than double the footprint of the dwelling and result in almost 50% of the rear garden space being occupied by the building.

Impact on the character of the area

The character of the surrounding area is that of a moderate density city suburb. The terracing effect of development in this area is broken up by the inclusion of adequate space between dwellings and proportionally sized garden space to the front and rear of each property.

Personal circumstances of the applicant do not outweigh the planning objections to this proposal

This size of the rear extension being proposed as part of this application is being justified on the basis of the personal circumstances of the applicant. Generally speaking however, whilst personal circumstances can be a material planning and Human Rights consideration, in this circumstance they do not outweigh the provisions of the prevailing Development Plan for the reasons stated in the following paragraphs.

The applicant states that the size of the proposed extension is necessary for her mother's rehabilitation following a road traffic accident, notwithstanding this however, the supporting evidence provided by the applicant in respect of her mother's requirements, states only that regular exercise is required, and does not go so far as to rule out the possibility of alternatives such as either exercising outdoors or with the aid of exercise equipment. On this basis the supporting medical evidence does not justify such a large extension to this property.

Planning officers have suggested revisions to the scheme. The revisions would give rise to a rear extension larger than we would normally permit in recognition of the applicant's mother's needs, but have been rejected by the applicant.

8 CONCLUSIONS

The extension to the side is considered acceptable subject to minor changes to its design. However, the size and scale of the proposed rear extension is considered unacceptable and will have an enormously detrimental impact on the amenity of the neighbouring property in terms of overshadowing and visual impact. Whilst precedent is not a reason to refuse the application, it must be noted that it is not normal practice for the Council to permit extensions of such a scale and indeed we have recently not accepted single storey extensions of a lesser scale in similar physical circumstances. It would be inconsistent to make an exception in this case. As it is not lawful for the Local Planning Authority to issue a split decision on a planning application, the whole proposal (ie side and rear extension) is recommended for refusal.

9 RECOMMENDATION

This application is recommended for REFUSAL.

R1 Impact on amenity of neighbouring property

The proposed rear extension will result in an overbearing encroachment into the amenity space of number 92 Vere Road owing to its overall scale and close proximity to the boundary. This will further be exacerbated by the fact that the extension will be located directly to the south of the rear garden of number 92, resulting in unacceptable overshadowing and visual impact. It is therefore considered that the impact on residential amenity of number 92 Vere Road is unacceptable and as such contrary to Policy CS16 of the Peterborough Core Strategy 2011 which relates to Urban Design and the Public Realm. This states that:

Design solutions should take the following principles into account:

- New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

R2 Poor design and out of keeping with character of area

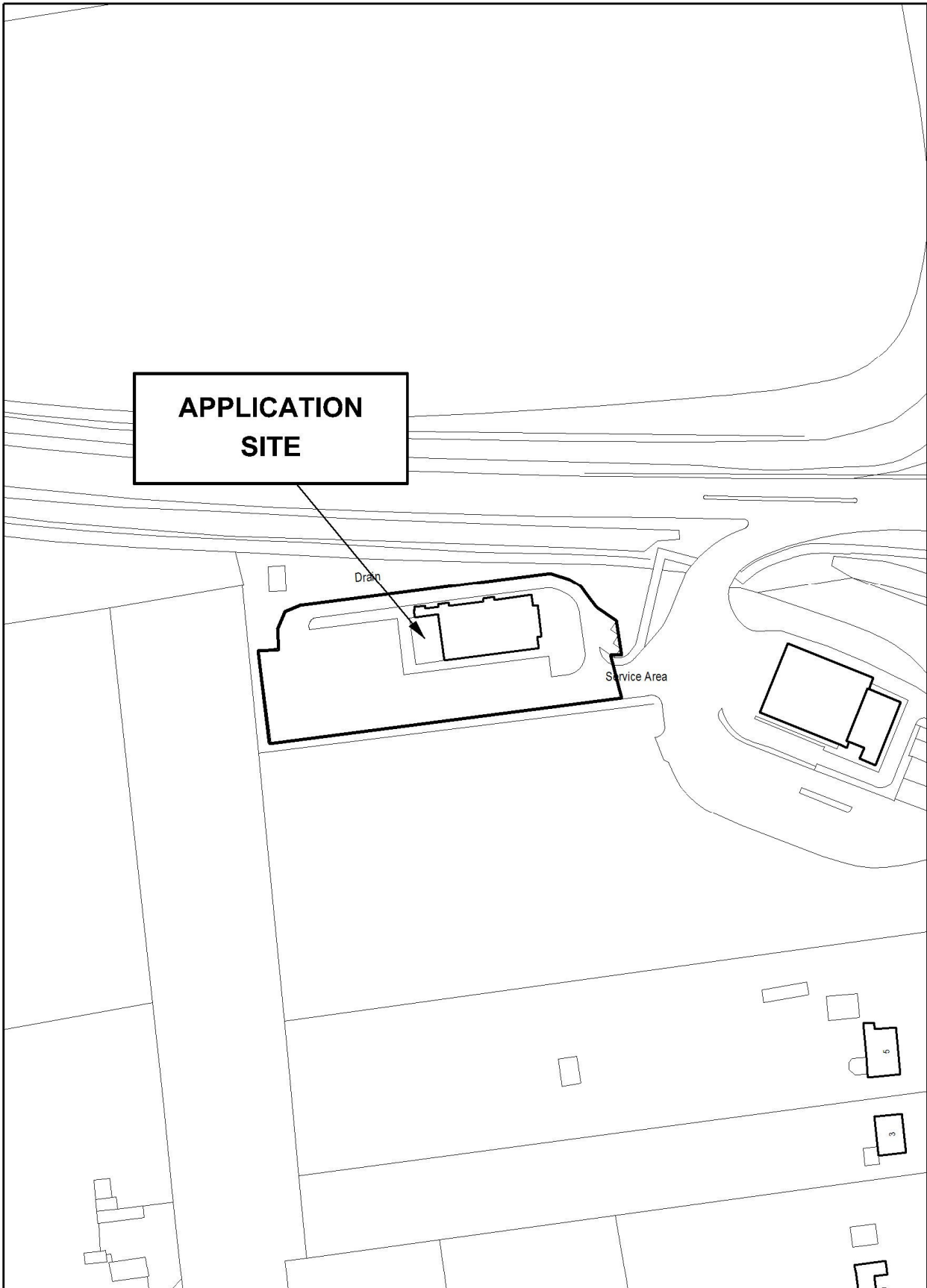
The proposed single storey rear extension would by virtue of its scale and projection, appear unduly obtrusive, overbearing and out of character with the original property and would be to the detriment of the overall character and appearance of the area. This is contrary to Policy CS16 of the Peterborough Core Strategy 2011 which relates to Urban Design and the Public Realm. This states that:

Design solutions should take the following principles into account:

- New development should respond appropriately to the particular character of the site and its surroundings, using innovative design solutions where appropriate; make the most efficient use of land; enhance local distinctiveness through the size and arrangement of development plots, the position, orientation, proportion, scale and massing of buildings and the arrangement of spaces between them; and make use of appropriate materials and architectural features.

Copies to Councillors P Kreling, Y Lowndes, J Peach

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LOCATION PLAN 11/00138/WCPP
McDonalds, Lincoln Road, Glington

PCC GIS



Scale 1:1250 **Date** 14/3/2011 **Name** MKB **Department** Planning Services

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11/00138/WCPP: VARIATION OF CONDITION C6 TO ALLOW RESTAURANT TO OPEN BETWEEN THE HOURS OF 0500 AM TO 01.00AM SUNDAY TO THURSDAY AND 24 HOURS ON FRIDAY AND SATURDAY - (SUBJECT OF PREVIOUS PLANNING PERMISSION 00/00930/FUL CONDITION C6 - HOURS OF OPENING AND FURTHER VARIATION OF C6 UNDER PLANNING REFERENCES 05/00099/WCPP, 06/00693/WCPP, 08/00094/WCPP AND 10/00999/WCPP) – AT MCDONALDS, LINCOLN ROAD, GLINTON

VALID: 22.12.2010

APPLICANT: MCDONALDS RESTAURANTS LTD

AGENT: MR BALDIP BASI

REFERRED BY: GLINTON PARISH COUNCIL

REASON: DETRIMENTAL TO RESIDENTIAL AMENITY, APPLICANT HAS NOT DEMONSTRATED NEED, WOULD BE A MAGNET FOR ANTISOCIAL BEHAVIOUR AND DOES NOT COMPLY WITH POLICY R7

DEPARTURE: NO

CASE OFFICER: DAVE JOLLEY

TELEPHONE: 01733 453414

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

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The effect of the proposals on the amenities of the occupiers of nearby dwellings

The Head of Planning, Transport and Engineering 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.

Key policies highlighted below.

Development Plan Documents

Peterborough Core Strategy

- **CS16 Urban Design and the Public Realm**
Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

3 DESCRIPTION OF PROPOSAL

Retrospective permission is sought for the variation of condition C6 of planning application number 00/00930/FUL to allow restaurant to open between the hours of 0500 am to 01.00am Sunday to Thursday and 24 hours on Friday and Saturday. The current permitted hours are 05:00 – 24:00 Monday – Sunday.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site lies approximately 350 metres south of the village of Glinton and close to a group of dwellings situated 30 metres to the south on Lincoln Road. The site is located at a roundabout on the A15 trunk road accessing the north of the city and the outlying villages.

The site is separated from the dwellings to the south by a landscaped bund approximately 20 metres in width. There is pedestrian access from a turning head in front of the Lincoln Road properties adjacent to the petrol station and McDonalds.

From site investigation it is clear that the lorries use the facilities park adjacent to the petrol station.

5 **PLANNING HISTORY**

Application Number	Description	Decision	Date
07/00021/REFPP	Variation of condition 10 of planning permission 04/01313/OUT to allow the motel to have 80 bedroom instead of 40 bedrooms	DISMIS	14.04.2008
09/00533/IN	Internal Alterations And Refurbishment	BCO	20.04.2009
00/00930/FUL	Erection of McDonald's restaurant with car parking	PER	12.03.2001
00/00931/FUL	Erection of McDonald's restaurant with car parking (duplicate)	WDN	18.04.2001
01/00514/ADV	Various illuminated and non illuminated low level signs	PER	20.06.2001
01/00515/ADV	Various illuminated and non-illuminated low level signs - duplicate	PER	20.06.2001
01/00516/ADV	Illuminated building signs	PER	20.06.2001
01/00517/ADV	Illuminated building signs - duplicate	PER	20.06.2001
01/00518/ADV	Illuminated free standing sign	PER	20.06.2001
01/00519/ADV	Illuminated free standing sign - duplicate	PER	20.06.2001
05/00099/WCPP	Variation of condition 6 of planning permission 00/00930/FUL to allow restaurant to open from 0600 hours to 2300 hours seven days a week	PER	27.05.2005
06/00693/WCPP	Variation of C6 of planning permission 00/00930/FUL to allow restaurant to open from 0600 hours to 2400 hours seven days a week	PER	03.07.2006
06/01522/WCPP	Variation of condition 10 of planning permission 04/01313/OUT to allow the motel to have 80 bedroom instead of 40 bedrooms	REF	22.12.2006
08/00094/WCPP	Variation of C6 of planning permission 00/00930/FUL to allow restaurant to open on a permanent basis, from 0500 hours to 2400 hours seven days a week	PER	02.05.2008
10/00260/FUL	Refurbishment of restaurant and patio area, changes to elevations including the removal of booth one and light beams from the roof	PER	15.04.2010
10/00261/ADV	Installation of 3 x internally illuminated fascia signs, 6 x freestanding internally illuminated signs, 1 x height restrictor, 1 x banner sign and 1 x customer order display	PER	14.05.2010
10/00262/ADV	Extension of the existing pole on an existing freestanding sign from 7 metres to 9 metres	PER	16.04.2010
10/00999/WCPP	Variation of condition C6 (of planning permission 00/00930/FUL) - to allow restaurant to open from 0500 hours to Midnight each day on a permanent basis	PER	15.09.2010

11/00138/WCPP	Variation of condition C6 to allow restaurant to open between the hours of 0500 am to 01.00am Sunday to Thursday and 24 hours on Friday and Saturday - (subject of previous planning permission 00/00930/FUL Condition C6 - hours of opening and further variation of C6 under planning references 05/00099/WCPP, 06/00693/WCPP, 08/00094/WCPP and 10/00999/WCPP)	PCO	
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6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Environmental Health – Have received no complaints regarding the existing opening hours over the past year and no objections since the new opening hours have operated.

EXTERNAL

Glington Parish Council – This proposal would unnecessarily increase late night disturbance and have a detrimental impact on amenity of nearby properties. Applicant has not demonstrated a local need as required by this type of development. No benefit to the local community and would only serve as a magnet to antisocial persons. The proposal does not meet policy R7 of the Peterborough Local Plan.

It should be considered whether approval of this proposal could set precedence with regard to the opening hours of the adjacent service station.

NEIGHBOURS

Letters of objection have been received from 1 local resident raising the following issues:

- Crime security problems
- Extra traffic
- Impact on local community
- Impact on water table/possible ground heave
- Light pollution
- Litter
- Noise
- Nuisance (general)
- Opening hours
- Public disorder
- Smell
- Youths congregate

comments: as brought up before, McDonalds have not honoured their litter /noise issues also, large lorries are parking up and staying late or overnight with engines running as they can use restaurant facilities, youths have been revving engines in car parks late at night, cars have been coming down Waterworks Lane and parking outside properties (1,3,5) to use the walking access to go to the restaurant, litter is everywhere outside 1,3,5 Lincoln Road and down to main road at least 1 black bin a week is being picked up by residents. Smell is evident since opening hours have been extended, as this area is not town centre there should be no need for 24 hour opening it just makes the area seem unsightly. Glington village does not need students/residents etc to have 24 hour facility to eat burgers. Residents from Lincoln Road and Waterworks Lane feel upset that voices are not being heard and as with the McDonalds at Boongate they had permission to open from 0500 permitted then they had 24 hour permitted, this should not be allowed at Glington. Traffic is a problem already and we do not need this restaurant to be open 24hours causing noise to a rural location.

a) **The principle of the development**

The development is for the extension of opening hours of an existing establishment, therefore the principal of development on site is acceptable.

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

The primary area of concern surrounding the application is the impact upon the adjacent residents of Lincoln Road and the impact generally upon the residents of Glinton village.

Due to the potential for additional noise disturbance for the adjacent residents of Lincoln Road it is recommended that the Local Planning Authority grant a temporary 6 month permission in order for the impact of the longer opening hours to be monitored. If it is found that the increased opening hours have led to unacceptable impacts upon the nearby residents then any subsequent applications could be refused or steps taken to mitigate for the harmful impacts on residents.

It is not considered likely that crime and security issues would increase as a result on the extended opening hours. The fact that the area would be manned by staff around the clock is likely to discourage criminal activity in the area through increased natural surveillance.

The levels of traffic generated by the opening hours are unlikely to cause harm to the transportation network or lead to unacceptable congestion. Access to and from the services is directly to the A15 trunk road close to a round about where speeds are greatly reduced. At the times of night covered by the revised opening hours there is very little traffic on the transportation network and additional flows could easily be accommodated.

The noise and odour impact on local residents is the most pressing area of concern regarding the application and it is for this reason only that a temporary permission is recommended. This will allow the impact upon the residents to be monitored. The objector is located 130 metres from the restaurant and 85 metres from the location where lorries park to rest and eat food purchased at the application site and garage. At these distances it is considered unlikely that any additional noise and smells generated by the extended opening hours would be materially harmful so as to warrant refusal. The objector lives to the south west of the application site and the prevailing winds would generally take odour and noise in the opposite direction.

There are closer residential properties to the restaurant and it is the closest of these properties, number 5 Lincoln Road that is most likely to be affected by the increase opening hours. Although situated 100 metres from the McDonalds, the property is only 30 metres from the location where lorries park, some no doubt running their engines while the eat food/rest, this can be evidenced by the numerous McDonalds bins along the edge of the road. Whilst it is clear that lorries already park in this location causing disturbance to the residents, an increase in opening hours could intensify the use of this waiting area, leading to further and unacceptable levels of noise disturbance.

The temporary permission is recommended in order for the impact upon this closest resident to be monitored.

The objector has stated that the proposal could impact on water table leading to possible ground heave. The Local Planning Authority consider this extremely unlikely, as no excavations are proposed, no new soakage into the ground would occur and no loss of vegetation or mature trees is proposed, which could lead to ground heave.

There is a heavily vegetated bund between the McDonalds/garage and the nearby residents, therefore light pollution is not considered to be a major issue and certainly not one which could on its own provide grounds for refusal. If the proposal does lead to issues of light pollution the temporary nature of the consent would allow for steps to be taken to rectify this in subsequent applications.

During the Local Planning Authorities site visit there did not appear to be any unacceptable levels of litter either around the restaurant/petrol station or the nearby residential properties. It was however

not clear whether this was due to residents picking up the litter as stated in the objection letter. Environmental health has stated that no complaints have been received in the last year regarding the establishment, however were approval of this application to lead to an increase in litter and complaints; action could be taken.

The Local Planning Authority accepts that the increased opening hours of the establishment could lead to an increase in youths congregating around the area. Any residents complaints should be made to the relevant authorities for investigation, these complaints will be reviewed as part of any subsequent planning applications.

Both the Parish Council and the local resident who objected have stated that the proposal would not be of benefit to the local community. However this is not a material planning consideration.

The Parish Council have stated that the application does not comply with policy R7. However the proposal is not required to be assessed under policy R7 for two reasons; firstly the application site is not within a district or local centre and the establishment is already in existence. Due to the location of the restaurant, outside of the Glinton and Werrington village boundaries and not in a local or district centre none of the retained local plan retail policies are considered relevant and therefore the application will be assessed under new core strategy policy CS16. It is only the increase in opening hours that is being considered under this planning application.

c) The impact upon the character of the area

The restaurant is already in operation and the only change being applied for is an extension to the opening hours. This alteration is considered unlikely to lead to unacceptable harm to the character of the surrounding area. The site is outside both the Glinton and Werrington village boundaries and is in effect relatively isolated. The isolated nature of the site means that any increase in visitor numbers of traffic flows is unlikely to affect the residents of either village.

d) Impact on the transportation network

The area does not appear to suffer from any unacceptable levels of traffic or congestion in daylight hours when the network is at its busiest. Therefore extending opening hours into the night, when the network is at its quietest is unlikely to lead to unacceptable levels of congestion or harm to the transportation network.

The Local Planning Authority can see no reason why Glinton would experience increased traffic as a result of the proposed increase to the opening hours.

8 CONCLUSIONS

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

- a) It is recommended that the proposal will be approved for a period of 6 calendar months in order for the impact on the adjacent residents to be monitored.
- b) The additional noise and smells generated by the proposal are likely to be minimal and will not materially harm the amenity of near by residents. However a temporary permission allows for this to be reviewed.
- c) The isolated location of the application site outside of both the Glinton and Werrington Village boundaries would ensure that no harm is caused to the character of either village or the surrounding area.
- d) The additional traffic flows generated by the proposal are unlikely to result in unacceptable congestion or harm to the transportation network.
- e) The proposals are therefore considered compliant with policy CS16 of the Peterborough Core Strategy (DPD) 2011.

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

- C1 The extended opening hours hereby approved are permitted for a period of 6 calendar months from the date of this permission after which time they shall revert to the previous opening hours 05:00 - 24:00 Monday to Sunday.**

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- C2 No foul sewerage or trade effluent, including cooling water containing chemical additives, or vehicles washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.**

Reason: In order to preserve the natural environment, In accordance with policy U1 of the Peterborough Local Plan (First Replacement)

- C3 Deliveries to the restaurant shall take place only between 0700 to 2300 hours each day.**

Reason: In order to preserve the amenity of the occupiers of nearby dwellings; in accordance with Core Strategy Policy CS16 of the Peterborough Core Strategy (DPD) 2011.

- C4 All ventilation of steam and cooking fumes to the atmosphere shall be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment shall be submitted to and approved in writing by the Local Planning Authority before installation and shall be installed before the use hereby permitted commences.**

Reason: In order to preserve the amenity of the occupiers of nearby dwellings; in accordance with Core Strategy Policy CS16 of the Peterborough Core Strategy (DPD) 2011.

Copies to Councillors: Holdich, Lamb



LOCATION PLAN 11/00213/FUL

12 Lime Tree Avenue, Peterborough

Scale 1:1250 Date 7/3/2011 Name MKB Department Planning Services

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11/00213/FUL: CONSTRUCTION OF SINGLE STOREY REAR EXTENSIONS TO ENLARGE EXISTING KITCHEN AND SHOWER ROOM AT 12 LIME TREE AVENUE, PETERBOROUGH
VALID: 15 FEBRUARY 2011
APPLICANT: CLLR MOHAMMED JAMIL
AGENT: Mr SAJID AYUB
REFERRED BY: HEAD OF PLANNING, TRANSPORT AND ENGINEERING SERVICES
REASON: APPLICANT IS A COUNCILLOR
DEPARTURE: NO

CASE OFFICER: SAM FALCO
TELEPHONE: 01733 454408
E-MAIL: sam.falco@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Impact of development on neighbour amenity
- The impact of the development on the character and appearance of the area

The Head of Planning, Transport and Engineering 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.

The Peterborough Core Strategy Development Plan Document 2011

CS16 Urban Design and the Public Realm

Planning permission will only be granted if:

- (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**
- (d) Can be satisfactorily accommodated on the site itself; and**
- (e) Would not adversely affect the character of the area; and**
- (f) Would have no adverse impact on the amenities of occupiers of nearby properties.**

National Planning Policies

Planning Policy Statement (PPS1) 'Delivering Sustainable Development (2005)

3 DESCRIPTION OF PROPOSAL

Planning permission is sought to extend a semi detached residential dwelling to the rear of the property.

The extension is to be located to the south east of the property, in order to extend the existing kitchen and shower room. The footprint of this proposal is to be 2100mm in width and 6000mm in length. The height of this proposal is 3300mm at the ridge and 2500mm at the eaves.

To avoid confusion, there is also an extension proposed to the southern most elevation of the property with a projection of 3000mm which is deemed as 'permitted development' by virtue of the Town and Country Planning (General Permitted Development) Order 1995 and accordingly does not require planning permission from this authority. This part of the proposed alterations will therefore not be dealt with in this committee report.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is located on the edge of the Millfield area of Peterborough, in a predominantly residential street. The host property is a semi detached residential dwelling built in the late 19th Century. The application property and the attached property are of deceptively large proportion with considerable rear projections. The application dwelling has not had any extension to its original form. The application and the attached property appear to have removed all boundary fencing, effectively merging the two rear gardens. The area of garden closest to the dwellings has been hard surfaced and the remainder laid to lawn.

5 PLANNING HISTORY

No recent relevant planning applications

6 CONSULTATIONS/REPRESENTATIONS

Consultees

Given the nature of the proposal, no consultations were required

Neighbours

No responses currently received

7 REASONING

The scheme will not be seen from anywhere in the public realm, is considered to be in keeping with the host property and character of the area. Any permission will be conditioned to be constructed in materials to match the existing.

The proposal is approximately 1500mm from the nearest boundary and has an eaves height of 2.5m sloping down towards the boundary and therefore will not in any way be significantly overbearing, overshadowing or overlooking on the closest neighbour at 12 Lime Tree Avenue.

The proposal is therefore in line with policy CS16 of the Peterborough Core Strategy DPD 2011.

8 CONCLUSIONS

In light of all policy considerations, the proposal is considered to be in keeping with the character and appearance of the area and will not have any significant impact on residential amenity. Subject to the attached conditions the proposal is recommended for approval.

9 RECOMMENDATION

The Head of Planning Highways and Engineering Services recommends that due to the proposals accordance to policy CS16 of the Peterborough Core Strategy DPD 2011 this application is APPROVED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

Please copy to Cllr Z Hussain. and Cllr M. Jamil