

# Public Document Pack



Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 7 June 2011

## **Members Present:**

Councillors – North (Chairman), Serluca (Vice Chairman), Casey, Hiller, Simons, Todd, Lane, Harrington, Martin and Winslade

## **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 Stokes.

Councillor Winslade attended as a substitute.

### **2. Declarations of Interest**

4.1 Councillor Hiller declared that he possibly knew Mrs Hick's husband, with whom he had socialised with on a couple of occasions and who was an infrequent attendee at a housing sub group of which Councillor Hiller attended. This would in no way affect his decision.

4.1 Councillor Todd declared that she knew one of the speakers, Mr Eddie Hein, but this would in no way affect her decision.

4.5 Councillor Hiller declared that he had previously spoken on the application and the views expressed had been those of the local residents and not Councillor Hiller's own personal views. He would therefore look at the current application without prejudice.

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

#### **4.1 11/00256/FUL & 11/00257/CON – Demolition of existing bungalow and replacement with four bed dwelling and detached garage with store/games room above at Seven Summers, Russell Hill, Thornhaugh**

Permission was sought for the demolition of the existing dwelling under application number 11/00257/CON.

Under application number 11/00256/FUL The applicant proposed to replace the existing dwelling with a two storey four bedroom dwelling and a detached double garage with store/games room above.

The dwelling would be sited 44 metres from the front of the site.

The site lay within the Thornhaugh Conservation Area and had been subject to several applications for residential redevelopment over the past 5 years. The site consisted of a 1.5 storey chalet type dwelling sited centrally within the plot 31 metres from the plot access, at the top of a hill. The site was surrounded by a mixture of dwellings. Numerous period dwellings existed along Meadow Lane, which were stone built and followed the local vernacular. To the north was the Listed Manor House and to the north east and east were modern dwellings, the majority being bungalows. To the south were open fields and the A47 beyond.

The site itself was approximately 75 metres deep by 38 metres at its widest point and was fairly extensively treed, especially to the south at the rear of the site.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the size, scale and appearance of the replacement dwelling and proposed garage, the impact of the proposed dwelling and garage on the amenity of neighbours and the impact of the proposal on the Thornhaugh Conservation Area. The recommendation was one of approval. Members were advised that each of the applications were to be determined separately.

Members were advised that a previous application had been refused at appeal by a Planning Inspector. The appeal decision was appended to the committee report.

Members' attention was drawn to additional information contained within the update report. Feedback had been received from the Parish Council in regards to the latest set of drawings submitted. The Parish Council remained concerned with the application as did the surrounding neighbours. A suggestion had been put forward from the Parish Council to lower the levels on the site by one metre, this had been put to the agent who had responded saying that half a metre would possibly be achievable however the lowering of the site could have a detrimental impact on the proposed retained trees and there would be an issue with the distribution of soil removed.

Councillor Holdich and Councillor Lamb, Ward Councillors and Councillor Witherington, a Thornhaugh Parish Councillor, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- It was accepted in principle that a dwelling should be built upon the site
- The main body of the house, at 9.3 metres to the apex, was excessive
- The site lay on the top of a hill and this should be taken into account. The house would be taller than the other houses in the area apart from the listed Manor House site
- The height of the garage block, being 6.2 metres to the apex, was also considered to be excessive
- The extensive tree cover screening was deciduous
- A compromise was sought to lower the level of the site. Sinking the site into the ground would also be acceptable
- The development was out of character with the village and the surrounding properties
- The land was substantially higher than the surrounding land
- Any soil removed could be spread across the site to make an attractive garden
- The ridge height had been reduced but it was still above the original approval of 8.6 metres

- The building would have substantial foundations of 1 metre and the soil would usually be removed from the site
- The situation with tree roots could only be determined once works had commenced

Mr Eddie Hein, Mr Liam Higgins and Mr Alan Tresadern, local residents, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Many of the dwellings in Thornhaugh were bungalows or terrace cottages, blending with the ambiance of the village
- This would be an incongruous development not in keeping with the area
- The height and massing of the development would cause unacceptable impact on the surrounding properties and the village
- The development was not opposed in principle, however as it stood it was unacceptable
- The existing permission was a lot less imposing
- The size of the development would affect the conservation area
- The surrounding properties would suffer with overlooking
- The size of the proposal would dominate the surrounding buildings

Mr Richard Edwards from Larkfleet Group, addressed the Committee in support of the application and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The concerns expressed with regards to the suggested compromise were acknowledged
- It was believed that a reduction of 0.6/0.7m could be achieved and this could be looked at with a caveat of how the surrounding trees would be affected
- The height of the building would be kept the same but the ground level would be lowered
- The removal of soil from the site would not be an issue and it could be utilised elsewhere if not used on the site
- There was a consented scheme on the site for two dwellings, this new scheme was for one dwelling only
- The size of the plot was substantial and the house would be set back 44 metres from the road, 11 metres further back than the existing dwelling
- The height was in keeping with the village
- The Conservation Officer did not consider the scale of the property to be detrimental to the surrounding listed buildings or the village as a whole
- The new dwelling would be no more harmful to the Conservation Area than the existing dwelling
- The proposal would preserve and enhance the appearance of the Conservation Area

The Planning Officer addressed the Committee in response to points raised by the speakers and stated that if Committee was minded to approve the application, with the suggestion that the building be set down into the ground, a condition could be implemented stating that 0.7m would come off the proposed floor level. With regards to trees, a condition could be implemented stating that in the vicinity of the trees, any excavations would have to be hand dug rather than machine dug and a subsequent condition to state that if any trees died within five years, these would be replaced by an extra heavy standard tree on a 'three tree for every one lost' basis.

Members commented that a condition should be imposed stating that no opening lights or windows should be allowed in the garage on the boundary side in perpetuity.

Following debate a motion was put forward to approve application 11/0256/FUL, subject to additional conditions in relation to the lowering of the proposed property and garage of 0.7mm, the safeguarding of the trees and the installation of windows in the garage roof light. The motion was seconded and carried unanimously.

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

1. The conditions numbered C21 to C122 as detailed in the Committee report
2. The additional conditions (nick wording)

A motion was put forward and seconded to approve application 11/00257/FUL. The motion was carried unanimously.

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

1. The conditions numbered C21 to C122 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 weighing against relevant policies of the development plan and specifically:

- The design of the dwelling was considered of appropriate size, scale and design and would preserve and enhance the character, appearance and context of the conservation area
- The proposal was not considered to form an unacceptably overbearing form of development that would create a detrimental loss of light, privacy or outlook to neighbour occupiers
- The proposal was considered to provide satisfactory off-street parking and would not result in a highway safety hazard
- The existing bungalow was of no architectural merit and it did not contribute positively to the Thornhaugh Conservation Area

Hence the proposal was in accordance with Policies CS10, CS13, CS14, CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies H16, and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010) and the Maxey Conservation Area Appraisal (2007).

**4.2 11/00351/FUL – Installation of external canopy and play equipment – retrospective – at 101 Garton End Road, Peterborough, PE1 4EZ, and; 11/0359/ADV – Retrospective banner signage at 101 Garton End Road, Peterborough, PE1 4EZ**

The applications had arisen as a result of the unauthorised works / advert at the newly opened day nursery being reported to the Planning Compliance (planning enforcement) team. Work had already been completed on the canopy and play equipment without obtaining Planning Permission.

Permission was therefore sought retrospectively for:

External Canopy – This application sought permission for the retrospective erection of a side and rear canopy. The side canopy measured 13300mm X 1400mm in footprint, 2000mm to the eaves and 2600mm in height. The rear canopy measured 7800mm X 2900mm in footprint, 2300mm to the eaves and 2600 in height.

External Play Equipment – The application also sought permission to erect a tree house. This consisted of a raised timber platform built around a tree, measuring 3300mm X 2000mm in footprint. The height of the standing platform was 1300mm and an overall height of 2300mm.

Banner Signage – The application sought permission for a retrospective banner sign located on the north side frontage of the premises. The sign measured 4000mm X 1000mm and was located 900mm from the ground, therefore having a 1900mm overall height. The sign was yellow and advertised the opening which was in January 2011.

The site consisted of a single storey nursery building that was a converted residential bungalow. Vehicular access to the site was taken off Pyecroft, a quiet cul-de-sac and parking was provided off road to the rear. The rear garden area was enclosed by 1.8m high close boarded fencing and green weld mesh fencing.

The surrounding area of the site was predominantly residential with 1940's houses and bungalows either side of the road. The application site was located on a prominent corner plot that is viewed in the streetscene when driving either way along Garton End Road.

The Planning Officer addressed the Committee and gave an overview of the main issues those being that the canopy had taken on a 'temporary' appearance by virtue of the materials used, the play equipment detrimentally impacted on the amenity of the neighbouring dwelling and the impact of the proposal on the character of the area. The recommendation was one of refusal.

Members' attention was drawn to additional information contained within the update report. An objection had been received from a neighbour in relation to the canopy and supporting comments had also been received from Councillor Nadeem. And a further email in support of the application had been submitted from Children's Services.

In principle, the canopy was not objected to by Officers, however, the low quality of the roofing materials used on the construction was an issue. If more robust materials had been used, the canopy would have been acceptable. Officers did however object to the tree house because when children were playing in the house, they could overlook the neighbour's garden. The banner advert was also considered to be excessive. If the banner was reduced in size it could become permitted development and this had been advised to the applicant.

Councillor Shearman and Councillor Kreling, Ward Councillors, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Councillor Shearman declared that he knew the owner of the nursery in that he had been a pupil at a school Councillor Shearman had been head teacher of
- The nursery school was more professional than the one previously situated on the site
- Everything had been upgraded, including the garden, the car park and the canopy at the rear
- The canopy kept outdoor toys dry and clean and was hidden from view by high fences each side
- The canopy should not have to conform to the shop front canopy standards

- The canopy at the side provided dry shelter for pushchairs left by parents, and the bicycle rack
- The hide was hidden from view by a large tree which covered three quarters of it
- The children could use imaginative play whilst on the hide and it had been praised by Ofsted and the early years team, by giving confidence in climbing and becoming independent
- It was felt that the banner was out of date, especially in relation to the two newer signs outside of the front
- Both of the canopies were necessary, one was a requirement if the Government's Early Years Foundation Curriculum was to be implemented
- A large canopy was necessary for outside play during inclement weather
- The small canopy was also necessary for the storage of surplus equipment
- The large canopy could not be seen by residents in Garton End Road, so how could it impact on the visual amenity of the area?
- The batons on the side canopy did look slightly tatty and did perhaps need to be addressed and replaced
- With regards to the wooden supports of the canopy, the same materials were used in the play house and this was not considered to have a detrimental impact on the visual amenity of the area so why were. No particular comment could be given upon the roof materials
- With regards to the tree house, this was necessary for the national curriculum for the early years
- The height of the panel running behind the playhouse was 120cm tall, the tallest child at the playgroup was 110cm tall
- The next door neighbours had made no complaint with regards to the overlooking
- If there were any problems, the boarding could be extended all around the playhouse
- Children did not generally spend time staring into people's windows, they were more interested in chasing each other around
- As far as the materials used

Mr Mohammed Younis, the applicant, Ms Debbie Aldridge, the Area Manager and Ms Jo Smith, the Early Years Childcare Advisor, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Shining Stars had worked closely with the Early Years Team to create a garden space which best met the needs of the children in the community
- The local authority had a target to narrow the gap for learning between the 20% lowest achieving children and the medium score children, and there was a duty to raise outcomes for individual children
- Having worked closely with the proprietors, the Early Years Team and Ofsted considered the provisions to be of high quality, with well thought out resources and a well thought out environment which served the children in the local community
- With regards to the canopy, the same builder had provided numerous other resources for The Early Years Team via recent grants
- The Early Years Foundation Stage, encouraged providers to provide experiences for learning outdoors as well as indoors. As part of this, the equipment provided should introduce an element of risk and challenge, whilst being safe and secure. The tree house was designed for this in mind
- Children needed to be provided with equipment on different levels, the platform on the tree hide provided this
- The space underneath the hide encouraged children to gather and talk

- There were a maximum of 24 children at the playgroup and the playgroup was open for six hours a day
- The canopy allowed the learning experience to be transferred to the outdoors allowing the children to experience the natural environment
- The playgroup would be happy to put a panel along the tree hide to prevent overlooking
- With regards to the canopy, the roofing materials were domestic looking. If it had to be replaced it would be very costly
- Due to the size of the canopy and its location, it had not been realised that planning consent was required, however the architect had advised otherwise
- The materials used for the canopy had been used in other schools in the area
- With regards to the banner, it could be reduced in size but one was required for the marketing of future activities
- It had not been realised that a planning consent was required for the banner
- The banner could be reduced to ground level if required and could also be made a more neutral colour

The Planning Officer addressed the Committee in response to points raised by the speakers. Members were informed that in terms of the advertising banner at the front of the property, a relatively small reduction in size would make it permitted development, therefore if the Committee wished to remove the banner, the next time the nursery wished to use a banner to advertise they could do so within the sizes previously outlined to them.

With regards to the canopy, the committee report highlighted Officers discontent with both the roofing materials and the timber, however Members were advised that the critical issue was the roofing, being the most visually obvious aspect of the development.

Following debate and questions to the Planning Officer with regards to the construction of tree houses in private gardens, the location of the tree house in the nursery gardens and its possible re-location and the out of place nature of the canopy in a domestic setting a motion was put forward and seconded to refuse application 11/00359/ADV. The motion was carried unanimously.

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

A further motion was put forward and seconded to refuse application 11/0351/FUL due to the incongruous aesthetic of the canopy in a residential area and the current state of the tree house. The motion was carried by 8 votes, with 2 voting against.

**RESOLVED:** (8 for, 2 against) to refuse the application, as per officer recommendation.

**Reasons for decision:**

**11/00359/ADV: Banner Sign (Retrospective)**

**Banner Sign:**

In light of all policy considerations, the retrospective application 11/00359/ADV for banner signage was wholly unacceptable and contrary to DA22 of the Adopted Peterborough Local Plan First Replacement (2005) and CS16 of the Peterborough Core Strategy DPD 2011, and specifically:

R1) The retrospective banner signage located above the fence in the front garden was considered to be wholly unacceptable by virtue of its size and proportion located within a predominantly residential area on a very prominent corner plot.

## **11/00351/FUL: Installation of External Canopy and Play Equipment (Retrospective)**

### Canopies:

In light of all policy considerations, the retrospective application 11/00351/FUL for the side and rear canopies were entirely unacceptable and contrary to policy CS16 of the Peterborough Core Strategy DPD 2011, specifically:

R1) The design and appearance of the canopies as constructed did not respect or reflect the character or appearance of either the host property or surrounding area.

### Tree House:

After considering the retrospective application 11/00351/FUL for the tree house, it had been deemed that the overlooking impact associated was contrary to CS16 of the Peterborough Core Strategy DPD 2011, specifically:

R2) The height and location of the tree house structure was considered to be too close to the boundary, at an unfortunate height where all users of the platform would have unrestricted views into the rear windows and the private rear garden at 99 Garton End Road having a detrimental impact on the occupant's amenity.

### **4.3 11/00408/FUL – Change of use from dual school and public open space to school use. Construction of new two form entry, Welland Primary School and demolition of the existing Welland Primary School, Scalford Drive, Welland. The off-site provision of a marked out playing pitch on centrally located land within Woodfield Park. The provision of two temporary classrooms**

The proposal was for a new school building to replace the existing Welland Primary School. The reasons for the proposal included the increased birth rate in the locality and the significant residential development of the former John Mansfield School Site which could be expected to generate increased demand for primary school places. An assessment had been made of the feasibility of retaining and extending the existing school but it was considered to be below the standards of the requirements of modern education facilities. The existing school had been, since first opening, a one form entry school. As of September 2011 Welland school would become a two form entry school that over a period of 5 – 6 years was to have an increase in pupil numbers double the existing i.e. a total of 420 children. This would mean an intake of up to 60 new pupils each year. The new school was to comprise of 14 teaching classroom, (the existing school had 5) with the number of staff projected to increase to 60 full time employees, (the existing school had 36). Children's age ranges would be from Reception to Year 6. The school would also contain a larger and a smaller hall.

The proposed new school was to be located to the rear of the existing school buildings which also would involve taking in the whole area of open space, the use of which was shared between the school and the general public, which lay between the eastern boundary of the Welland school curtilage and the western boundary of the Marshfield's School curtilage (a distance of between 100 – 115 metres with a width of approximately 110 metres). This had been proposed to enable the continued use of the existing school during the period of the construction of the new school to ensure minimum disruptions to the education of the pupils during construction. Upon completion of the new school the existing school buildings would be completely demolished. It was anticipated that should planning permission be granted the new school would be open for the start of the 2012/13 school year.

The footprint of the proposed school was of an approximate 'T' shaped/L' shaped design. The front elevation of the school was set back approximately 4 metres from the rearmost elevation of the existing school building and thus 80 metres from Scalford Drive to the west. The nearest the school would be to the rear boundaries of the residential properties in Eastern Avenue would be 36 metres with the majority of this south elevation of the new building to be 44 metres away. The dwellings along the northern side of Eastern Avenue had rear garden depths in the region of 18 metres. The nearest extent of the new building to residential properties in Redmile Walk to the north would be 28 metres with the majority being 42 metres away.

The new school was to be a tall single storey building comprised of principally pitched, mono-pitched and hipped roofs with a maximum height of 6.8 metres. The roofs of the school were to be shallow in slope. The principle length of roof, to extend from the entrance to the very rear, was to have an open trough feature for the full length that had been designed to provide greater light into the classrooms. The overall length of the building was to be 92.5 metres. Canopies would run the full length of the elevations to extend out beyond each of the 14 classrooms.

The new building had been designed with energy efficiency at the forefront. In this regard the roofs were to be comprised of sedum plants throughout, a passive ventilation system was to serve each teaching classroom which would each require a 'mono-draft chimney which was to be approximately 1.2 metres square and a height of 1.8 metres above the roof slope, a biomass heating system with a 1.5 metre high chimney, approximately 180 photovoltaic panels to be located on the south facing roof slope of the long rear projection of the building and a rainwater harvesting system that would provide water towards the flushing of the WC's.

The northern, eastern and southern surrounds to the school building were to be landscaped and would include various activity areas such as a trim trail, pond wetland area, an allotment, turf mazes, tyre park, two hard surfaced play grounds with pergola seating areas, a small grassed games area and a grassed area to comprise a football pitch measuring 50 metres by 30 metres, a hard surfaced games area and a netball/tennis area on a rubber surface, the latter two were to be located in the south west corner of the school grounds between the new school building and the rear boundaries of residential properties in Eastern Avenue. An avenue of trees was proposed to extend from a pedestrian entrance off Scalford Drive to the main entrance of the school. The north, east and south boundaries were to be defined by 2.4 metre high weld mesh fencing. To the front, (the west elevation), of the school there was to be a marked out parking area for 76 cars to include 3 spaces closest to the school for the sole use of disabled drivers. The parking area was to occupy a depth of approximately 72 metres. The vehicular access was to make use of the existing access to the school.

The school was to have one vehicular access off Scalford Drive. This would make use of the existing access. There was proposed to be 4 pedestrian entrances to the school. Two of these were to be directly off Scalford Drive. One was to access the main school entrance whereas the other would run alongside rear boundaries of a number of dwellings in Eastern Avenue to access the southernmost playground. Two accesses would be directly off Redmile Walk to the north of the school both of which would access the northernmost playground. All the pedestrian accesses were to have security gates, other than the principle access to the main entrance off Scalford Drive. All the gates, other than those to the main pedestrian entrance to the school were to remain locked during teaching hours.

The school had been designed to provide for 'out of hours' school functions. A sub-zone to the front of the school could be secured off to let during school hours for community uses for example.

The plant room to serve the school building was to be located to the front of the school close to the parking/access areas to enable easier replenishment of the bio-mass fuel store. The school kitchen was similarly located for access reasons.

Two temporary mobile classrooms were proposed, one of which was already present. These were to be located towards the south of the existing school building. These were to be spaced apart with the larger mobile measuring 15.2 metres by 8.6 metres and the smaller mobile measuring 9.6 metres by 10 metres. They would be 14 metres and 9 metres from the southern boundary of the site respectively. They were required to accommodate the first two form entry of children in September of 2011. They would be removed upon occupation of the new school building.

The provision of a marked out football pitch within Woodfield Park to the east of the school and community use of the school playing field was proposed to compensate for the loss of the dual use open space.

For the duration of the construction works, contractor and staff car parking was to be in a designated area to the front of the Acorn Centre. The contractor's construction vehicles and deliveries would enter the site via the existing vehicular access and would pass to the south side of the existing school building. To the south of the existing school there would be additional site parking, a delivery turning area, site accommodation and welfare facilities.

The Planning Officer addressed the Committee and gave an overview of the application. The main issues for consideration were outlined and these included the need for a replacement school, the impact of the new school upon the character of the area, the loss of an area of open public space, the impact upon highway safety, the impact upon residential amenity and the sustainability implications of the development. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report. Comments had been received from the Highways Authority and concerns were highlighted around a number of issues. A revised tracking plan had been requested in order to address these issues and Members were informed that if they were minded to approve the application, delegated authority could be given to the Planning Officer to issue planning consent once the revised plans had been submitted. Subject to the revised plans, the Highways Authority raised no objections to the proposals subject to the imposition of a number of conditions and informatives as outlined in the update report. Members were advised that there were a number of pre-start conditions and delegated authority was sought for the Planning Officer to make minor amendments to those conditions as required.

Members were informed that there had been some design changes to the application due to cost restraints. One of these changes was the removal of a passive ventilation / heating system which involved passive chimney ventilations. This in no way affected the sustainability credentials of the school.

There was an overgrown cut through to the school which the Highways Officers had stated it would be of benefit to re-instate.

Following debate and questions to the Planning Officer in relation to the reinstatement of the overgrown walkway, the process that would need to be undertaken if the school ever wished to secure sole use of the playing fields, the ongoing use of the community room and facilities within the school, the car parking on site, the loss of green land on the site and the consultation undertaken with local residents, a motion was put forward and seconded to approve the application, subject to the updated highway conditions

and informatives as detailed in the update report, the provision of delegated authority to Planning Services to amend those conditions as necessary and to be given authority to issue permission subject to satisfactory revised plans, and an additional condition to retain the community hall and facilities in perpetuity. The motion was carried unanimously.

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

1. The conditions numbered C1 to C9 as detailed in the committee report
2. The additional Highways conditions number 1 to 13 as detailed in the update report
3. The Highways informatives numbered 1 to 9 as detailed in the update report
4. An additional condition relating to the use of the community hall and facilities in perpetuity

**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 replacement school was essential to enable the increased pressure for primary school education places in the local area to be satisfied.
- The replacement school and its occupation would not adversely impact upon the amenities of the occupiers of the close by residential properties
- The traffic generated by the school would not adversely impact upon highway safety
- The loss of the public open space would be offset by the close presence of Woodfield Park, an existing substantial area of open space and by the marking out of a football pitch for community use and the entering into a formal dual use agreement for the use of the school playing field.
- The school had been designed to achieve a good level of sustainability.

The proposal was therefore in accordance with Policies LNE9, LNE10 and T10 of the Peterborough Local Plan 2005 (First Replacement) and Policies CS10, CS11, CS14 and CS16 of the Peterborough Core Strategy DPD.

Councillor Harrington left the meeting.

**4.4 11/00477/FUL – Construction of 3 bed detached dwelling at 171 Mayors Walk, Peterborough, PE3 6HB**

The Committee was advised that the application had been withdrawn.

**4.5 11/00608/FUL – Construction of 2 x 4 bed semi-detached cottages with parking at 45 High Street, Maxey, Peterborough**

The proposal was to erect 2, 4 bed dwellings. Each dwelling had a double garage served off Woodgate Lane, and its own dedicated rear amenity spaces.

Further, amendments had been requested following Highways and Conservation Comments. Additional plans had been received;

- Drawing 564-37-02-DD-01 Rev B – Elevations and Floor Plans illustrating rain water goods and increase in height of boundary wall (700mm).
- Site Plan 546-37-SP01 Rev D – Site Plan illustrating revised access and wall positioning.

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. Footings had been constructed on site, however these were not in accordance with a previous approved scheme and work had since stopped. In 2010 an application for 3 dwellings was refused at Committee as it was considered the proposal was overdevelopment of the site and the proposal did not reflect the character or appearance of buildings in Maxey (see section 5). The site was cordoned off by security fencing and is 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, 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. The main issues for consideration were the policy context and the principle of development, the design and visual amenity, whether the proposal would impact on the Historic Environment and Highways implications. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report. There had been additional representations received from Maxey Parish Council and The Barn, the property located adjacent to the proposal site, expressing concerns around the proposal. There had also been comments received from Highways stating that there were no objections to the proposal subject to the imposition of conditions as listed in the update report.

Councillor Hiller addressed the Committee and stated that the site was at the heart of a conservation village, surrounded by listed properties. The previous application had not been sensitive to the site, however this proposal was sympathetic to the plot and Councillor Hiller stated that he believed it would fit in with the village and the Parish Council comment was out of context, being in relation to the original application for two properties back in 2006 which had been subsequently approved.

Following debate, a motion was put forward and seconded to approve the application, subject to the Highways conditions and informatives as detailed in the update report and an additional condition stating that the garages should not be allowed to be turned into living accommodation. The motion was carried unanimously.

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

1. The conditions numbered C1 to C15 as detailed in the committee report
2. The Highways conditions numbered 1 to 4 as detailed in the update report
3. The Highways informatives numbered 1 to 5 as detailed in the update report
4. A minor amendment to C15 to read 'Target Emission Rate...'
5. An additional condition stating that the garages should not be allowed to be turned into living accommodation

**Reasons for the decision:**

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

- the design of the dwellings was considered to be of appropriate size, scale and design which would preserve and enhance the character, appearance and context of the conservation area
- the proposal was not considered to form an overbearing form of development that would create a detrimental loss of light, privacy or outlook to neighbour occupiers
- the proposal was considered to provide satisfactory off-street parking and would not result in a highway safety hazard

Hence the proposal was in accordance with Policies CS1, CS13, CS14, CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies H16, and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010) and the Maxey Conservation Area Appraisal (2007)

13.30 – 16.03  
Chairman

This page is intentionally left blank