

NOTICE OF MEETING

MEETING	PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE:	TUESDAY 7 JUNE 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>27 May 2011</i>

AGENDA

PAGE NO

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Members' Declaration of intention to make representations as Ward Councillor**
4. **Development Control and Enforcement Matters**
 - 4.1 **11/00256/FUL & 11/00257/CON - Seven Summers, Russell Hill, Thornhaugh, Peterborough** **1 - 20**
 - 4.2 **11/00351/FUL & 11/00359/ADV - 101 Garton End Road, Peterborough, PE1 4EZ** **21 - 30**
 - 4.3 **11/00408/R3FUL - Welland Primary School, Scalford Drive, Welland, Peterborough** **31 - 42**
 - 4.4 **11/00477/FUL - 171 Mayors Walk, West Town, Peterborough, PE3 6HB** **43 - 52**
 - 4.5 **11/00608/FUL - 45 High Street, Maxey, Peterborough** **53 - 66**



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 Serluca (Vice Chairman), Councillor Casey, Councillor Hiller, Councillor Simons, Councillor Stokes, Councillor Todd, Councillor Lane, Councillor Harrington and Councillor Martin

Subs: Councillors: Winslade, Ash and Shabbir

CASE OFFICERS:

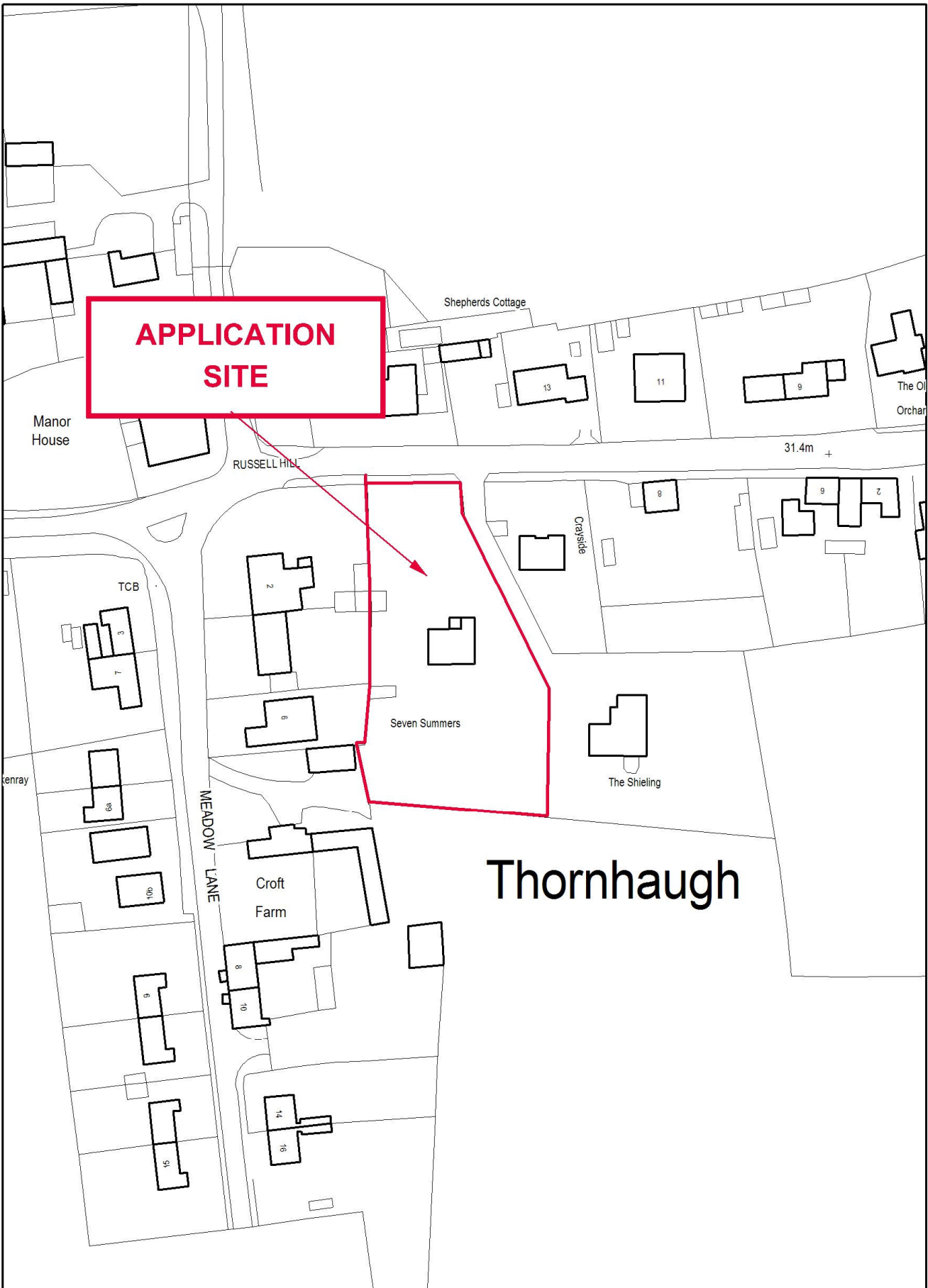
Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet MacLennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

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.



LOCATION PLAN 11/00256/FUL
 Seven Summers, Russell Hill, Thornhaugh

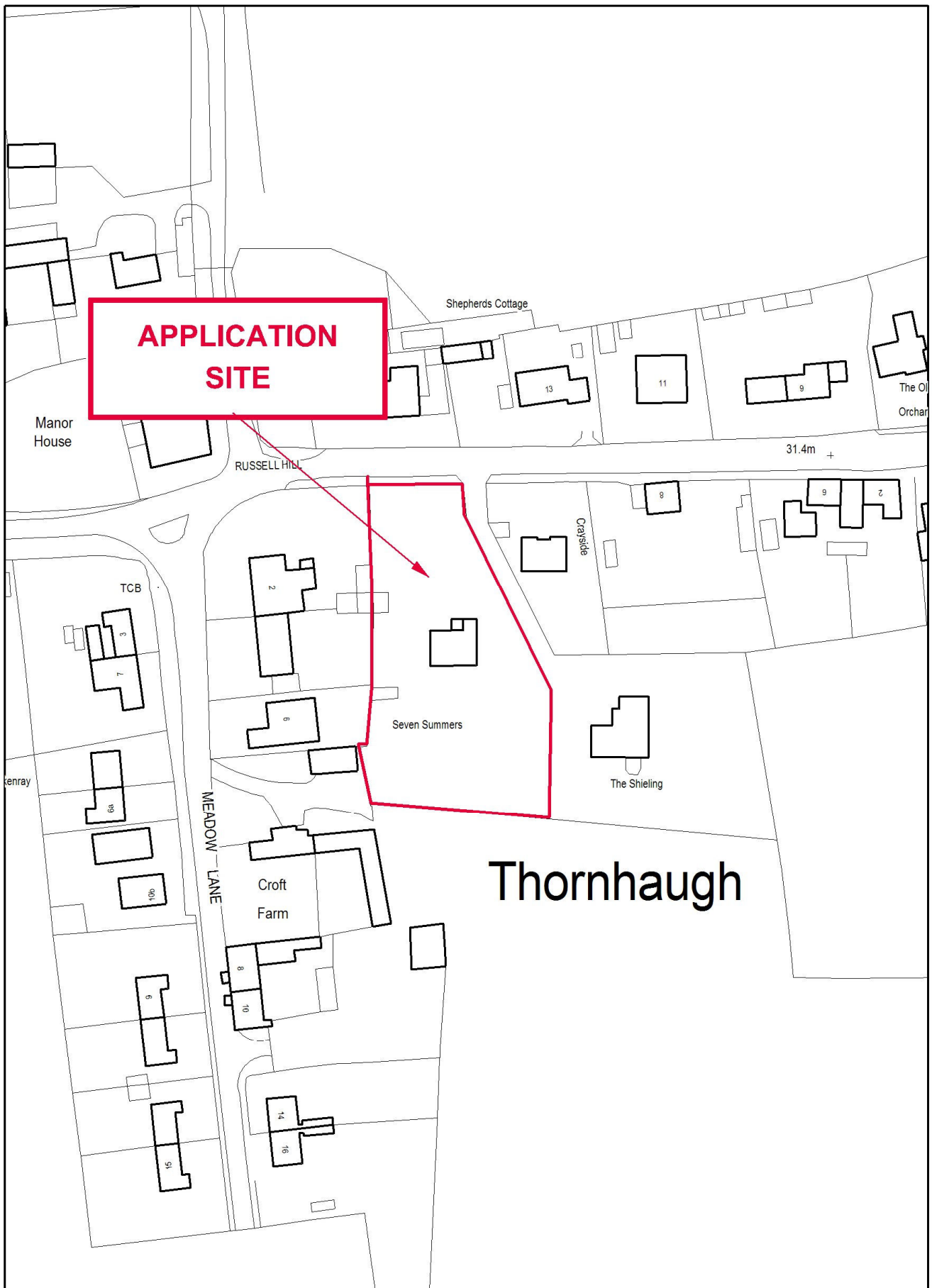
PCC GIS



Scale NTS **Date** 16/5/2011 **Name** MKB **Department** Planning Services

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LOCATION PLAN 11/00257/CON
 Seven Summers, Russell Hill, Thornhaugh

PCC GIS



Scale NTS **Date** 16/5/2011 **Name** MKB **Department** Planning Services

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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, THORHAUGH

VALID: 23 MARCH 2011
APPLICANT: KSH DEVELOPMENTS LTD
AGENT: LMC - ARCHITECT
REFERRED BY: COUNCILLORS JOHN HOLDICH AND DIANE LAMB
REASON: OUT OF CHARACTER WITH THE LOCAL AREA ON THE GROUNDS OF HEIGHT SIZE AND SCALE OWING TO ITS POSITION ON THE PLOT

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 size, scale and appearance of the replacement dwelling and proposed garage
- The impact of the proposed dwelling and garage on the amenity of neighbours
- The impact of the proposal on the Thornhaugh Conservation 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.

Peterborough Core Strategy DPD (2011)

CS10 Environment Capital Environment Capital

Development proposals will only be supported where they make a clear contribution to the aspiration of the Peterborough Sustainable Community Strategy for Peterborough to become the Environment Capital of the UK. As a minimum, all development proposals of any scale must not compromise the ability of the City to achieve such a status.

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: 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.

CS17 The Historic Environment: All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas of high heritage value

Peterborough Local Plan (First Replacement (2005)

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, livable and mixed communities with good access to jobs and key services for all members of the community.

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

Planning Policy Guidance (PPS) 3: Housing

Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed' Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

Planning Policy Guidance (PPS) 5: Planning and the Historic Environment (2010)

The PPS states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. The historic environment is also of immense importance for leisure and recreation.'

'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area.'

'the setting of a building may....often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration....Where a listed building forms an important visual element in a

street, it would probably be right to regard any development in the street as being within the setting of the building’.

‘The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest’.

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

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

In addition Circular 05/2005 states the following principles:

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

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

Planning Obligations Implementation Scheme – The Peterborough Planning Obligations Implementation Scheme (POIS) Supplementary Planning Document (SPD) was adopted on 8th February 2010. Prior to adoption, the POIS was the subject of a 6 week public consultation period between March and April 2009. The POIS sets out the Council’s approach to the negotiation of planning obligations in association with the grant of planning permission. A planning obligation is a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended).

Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city’s growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured ‘wish-lists’, instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area’s economic

performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The 2009 review adds to the programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from EEDA and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such the, City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

3 DESCRIPTION OF PROPOSAL

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

Under application number 11/00256/FUL The applicant proposes 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.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site lies within the Thornhaugh Conservation Area and has been subject to several applications for residential redevelopment over the past 5 years. The site currently consists 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 is surrounded by a mixture of dwellings. Numerous period dwellings exist along Meadow Lane, which a stone built and follow the local vernacular. To the north is the Listed Manor House and to the north east and east are modern dwellings, the majority being bungalows. To the south are open fields and the A47 beyond.

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

5 PLANNING HISTORY

Ref	Description	Decision	Closed Date
06/00054/REFPP	Erection of two detached dwelling with garages and parking	DISMIS	23.02.2007
06/00491/CON	Demolition of bungalow	WDN	09.05.2006
06/00879/FUL	Erection of two detached dwelling with garages and parking	REF	03.08.2006
08/00003/CON	Demolition of garage	PER	25.07.2008
08/00004/FUL	New dwelling and detached double garage	PER	25.07.2008
09/01357/DISCHG	Discharge of conditions 2, 3 and 4 pursuant to Planning Permission 08/00004/FUL - New dwelling and detached double garage	COM	18.01.2010
10/00807/DISCHG	Discharge of Condition C2 (materials) of planning permission 08/0004/FUL - New dwelling and detached double garage	COM	04.08.2010
11/00256/FUL	Replacement four-bed dwelling and detached garage with store/games room above	PCO	
11/00257/CON	Demolition of dwelling	PCO	

INTERNAL

Highways – No Objections

Conservation Officer – No objections

These revised proposals have responded positively to my initial comments and those of the case officer and parish councillors. I am prepared to overlook the omission of the parapet wall detail as the overall composition is assured.

Original Comments

The proposal is a reasonable composition which will be lifted by the use of good quality materials, samples of which should be conditioned on any approval. The new dwelling is set further back than the existing chalet bungalow as this enables the retention of the most valuable trees on site and is therefore welcomed. The second smaller cross gable detracts from the main gable jarring slightly. It may have been improved by the use of a parapet and flat roof and setting it back further. Alternatively the two gables could be separated altogether.

The proposed dwelling is set well back from the highway and I am therefore prepared to overlook this detail. The rear elevation is overly complicated, but again as it is not visible from the public realm and does not create unacceptable overlooking to neighbouring properties I do not object. The inclusion of rooflights on the rear roof pitch however does suggest that this space is to be used and a more accurate description would therefore be 2 1/2 storeys.

The triple garage occupies a prominent position within the site in front of the dwelling. The separation distance is appropriate but the proposed hipped dormer is too dominant a feature when seen from the side, both in terms of size and its height in relation to the main roof ridge. A traditional raking dormer would be a marked improvement and would not compromise the clear head height within the roof space. The two rooflights on the rear elevation of the garage are only just over 10 m away from the rear elevation of the neighbouring dwelling (Crayside) and would enable overlooking of both the dwelling and the rear garden.

Archaeology Services – The site falls within an area of historical interest, being located to the south of the 17th century Manor House. Remains associated with the medieval and post-medieval development of the village are likely to survive at this location.

Request trial trenching archaeology condition

Environmental Health – At the time of writing this report no comments have been received.

S106 Officer – No S106 is applicable for this development as this is a replacement for an existing dwelling

Education – Have requested £12,280 for education

Affordable Housing Officer – No objection as this application is for only 1 unit, there is no relevant policy requiring the provision of affordable housing from this planning application.

Landscape Officer – No objection

If a survey is not received prior to the determination of the application please attach standard tree protection, construction method statement and landscaping scheme conditions.

EXTERNAL

Parish – *Comment on revised plans (21-5-2011)*

Objects

The revised plans show a slight reduction in the height of the proposed house and garage but it is still felt that the proposed development will dwarf the surrounding properties and will be out of character with the street scene of this conservation village. As such the Appeal Decision refusal comments, especially point 4, made 8th Feb 2007, remains extant. (See Annex 1).

RECOMMENDATION: That planning be refused

OBSERVATION:

The height of the house has been reduced by 1 metre to 9.3m from 10.3 m. The consent for the existing permission was for 8.6m for the house in a position to the rear of the site, further from neighbouring properties and the road and street scene. A further height reduction is requested which reduces the height to below current permission due to the proximity to existing properties brought about by bringing the property forward on the site. Additionally to further help alleviate the height pressure on neighbouring properties it is requested that the final build height is measured from the lowest level of the house plot, which is the east side, due to the slight slope of the plot.

It is noted that the length of the property has been shortened by 1m on the west end which pulls it slightly further away from No. 6 Meadow Lane. The height of the west section is not known as there is no height shown on the plans. With the further height reduction carried through in proportion on the west and east ends this should help alleviate the current pressure issue on the neighbouring properties.

The height of the garage has been reduced from 7m to 6.25m which is welcomed but the current consent is for a height of 5.5m. With the pressure of this proposed garage on the bungalow to the East, Crayside, reversion to the current permission height is requested. The reduction in length by one parking bay is noted and welcomed.

The removal of the dormer window on the west aspect is noted and welcomed.

NEIGHBOURS

The following comments have been received in relation to the proposal:

- Affect on conservation area
- Affect on listed building
- Impact on local community
- Overlooking/loss of privacy
- Overshadow/loss of light
- Precedent/consistency
- Unacceptable size/scale
- The proposed revised design has not solved the problem of the scale of the development which would still by virtue of its size, uncharacteristic detailing and layout would create an incongruous development that is not in keeping with the surrounding properties and area.
- Design should reflect local vernacular architecture in scale, form, layout, proportions, materials and detailing.
- The ground level of the Seven Summers plot is 0.75 metres higher than the plot of the Shielding. The height, form and massing of the proposed development create an unacceptable perception of overlooking and would be overbearing.
- The fenestration to the rear of the property would permit overlooking in the back garden into the back garden of the Shielding harming the privacy of the occupants.
- The revised proposal has not been designed with minimal impact in terms of good neighbourliness and physical presence.
- The enormous height and scale of the proposed house and garage are completely out of proportion, out of character and incongruous not only with any of the surrounding properties, but also within the village scene as whole. Both the house and garage would dwarf the surrounding properties which are for the most part bungalows to the north and east and it would adversely affect and dominate the listed buildings in Meadow lane to the west.

- The original application from this developer to demolish the existing bungalow “Seven Summers” was rejected on appeal to the Secretary of State. The concluding comments by the inspector state....."I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers." Nothing, in my opinion, has changed.
- House - is huge, and at 10.3m to the ridge and its length up to several metres from the boundaries, it will dominate the site and surrounding properties.
- The Occupant of number 4 Meadow Lane has submitted annotated photographs (Figs 1-5 below) to help visualise the negative impacts of the proposal and states the following:

Figure 1 shows the view from our living room French doors and an outline of the existing and proposed development based on the drawings and site plan provided. The development will significantly affect our outlook, privacy and morning sun and will generally be over-bearing and out of character.

Figure 2 shows the rear of our house from the boundary with Seven Summers and how our living room looks straight at the proposed development. Our recent extension had to be low to fit in with the village and listed building. The height of the proposal is shown for comparison.

Figure 3 shows the heights of the proposed development and the height history of the various applications and permissions. The application heights still far exceed the current permission heights for the house and garage and should be reduced further so that the proposed property is far less dominating of the neighbouring properties and more suited to an infill site within a conservation village.

Figure 4 shows the site plan and the lines taken in creating the image of the proposed development in Figure 1. Also shown is the existing permission property sight line.

Figure 5 shows the site plan for the existing permission property and the sight line to the front-most part which has been added to Figures 1 and Figure 4 for ready comparison.

- The development remains far too high and out of keeping with existing village properties and therefore planning consent should be refused. The new development proposal has been brought forward on the site and now significantly negatively affects ourselves. Additionally the low west end design of the permission property, which helped to minimise the effect of the development and hence gain original permission, has gone and been replaced with a much taller design adding to the visual impact. The height increase from 8.6m to 9.3m exacerbates the negative impact.
- Ideally development should be restricted to the extant permissions or a further significant height reduction to of the proposed property to about 8m should be imposed to limit its dominating effect on neighbouring properties.
- The rear roof has 6 velux windows shown on the plans and a main set of stairs shown accessing the 'loft'. This is clearly a three storey house but no plans have been submitted for the second floor. This was also a feature of the original application and helps explains the necessity for the overall height increase again. The previous consented house had a lower roofline by using roof level dormer design windows, but it was still high. This new application has not only reverted but has further increased height.
- The application states a replacement four bed property. The design allows for the ready provision of five beds on the first floor, all ensuite, with further expansion in the loft area. I understand that the 4 bed label is not significant but as the application is for a 4 bed house to replace the existing 4 bed house with planning permission I thought I would mention it.
- The development is far too high and out of keeping with existing village properties and therefore planning consent should be refused.
- Garage - consented garage was only single level with pitched roof and for 2 cars. This was reduced (from a similar design to the current application in the original application) to the consented application during the previous consultations where complaints over height and privacy of first floor dormer windows were raised. We have not only gone back to square one here but it is now an even larger proposed structure and clearly lends itself to residential

development. The existing permission should be retained and no dormer window permitted in the roof which would look straight into our rear garden and living area.

- The application mentions the previous appeal process to the Secretary of State (where the original application for two large houses was rejected following rejection locally and by PCC) but it does not mention anything about the ruling and the existing bungalow, which ruled, ..."I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers." Demolition of the existing bungalow should be refused until such time that an acceptable proposal be accepted.
- On 23 February 2007 the Planning Inspectorate dismissed an appeal against a previous refusal to grant planning permission for two large houses on grounds, which I believe, still apply to this latest application. This proposed property, albeit just one, is much larger and more prominent than the near-by dwellings and will be detrimental to the conservation area's street scene. Furthermore, the bulky form of the proposed house would result in it appearing as a dominant and unprepossessing modern dwelling, which would intrude into the open backdrop of the listed farmhouse on Meadow Lane (Croft Farm). The facts speak for themselves. The latest submittal for the redevelopment of Seven Summers has a ridge height of over ten metres! I live in the neighbouring property to the east and my ridge height is approximately six metres, as are all of the properties opposite and most in Meadow Lane to the west. Moreover, this new development has a triple garage, on its eastern boundary, that also sits higher than mine does! Subsequent to the dismissed appeal in 2007 a later application for a single and slightly smaller property was approved, but the approval also included retention of the existing bungalow keeping the new-build away from the street scene. This fact, plus the lower ridge height, were important reasons that those of us invited to comment on the application did not object. I accept the site lends itself for redevelopment and to this end, I would find it hard to object to a large-footprint bungalow or even two or three smaller bungalows, even dormer style, but can see no justification for allowing the building of a property so incongruous it is likely to be mistaken for Thornhaugh Hall!

No.6 Meadow Lane is a bungalow and the proposed development is directly behind our property and pushes close to our rear boundary. This close proximity along with the proposed height will overwhelm our rear aspect and overshadow our property, to the detriment of our privacy and morning sunlight.

I request consideration is made to substantially reducing the height of the dwelling that it is pulled further away from our boundary.

The previous proposal was mainly offset from our property and had a single storey pitched roof facing our direction, as opposed to the proposed high gable end, which helped to soften both the proximity and impact.

Councillors

Cllr Diane Lamb

I would like to object to the above planning application, on the grounds discussed at the site meeting; excessive height, overall size, and scale of the property. If you are considering approval of the above application please refer it to the planning committee

Cllr John Holdich

I am still of the view that this application is out of character with the local area on the grounds of height size and scale owing to its position on the plot therefore if you are mindful to approve please refer to committee.

7 REASONING

a) Introduction

There is an extant planning permission for the site, application number: 08/00004/FUL which allows for development of an additional property to the rear of the site (currently the rear garden area of Seven Summers) a new double garage to serve the Seven Summers sited to the front of the property. This application seeks to demolish the existing dwelling and replace with a single 2 and 1.5 storey property.

The existing dwelling is not of any particular character or architectural merit that would warrant protection from demolition. There is therefore no objection to the proposed demolition.

b) Policy context and the principle of development

The site is already developed and the proposal is for a replacement dwelling, therefore it is considered that the principle of development is sound.

The development site is situated within the centre of the village adjacent to Russell Hill.

c) Design, Layout and Impact on the Conservation Area and adjacent Listed Building

Since the submission of the application the proposal has been subject to a revision of a number of elements including a reduction in its overall height and width and a reduction in the size of the garage to the front.

The current scheme features a large two storey dwelling with 1.5 and single storey elements to the west and east side elevations respectively. The main two storey body of the dwelling will be 9.26 metres metres high, measuring 5.7 metres at the eaves. This main part of the house is approximately 16.3 metres wide. The 1.5 storey element will be 5.6 metres wide with a dual pitch roof measuring 4.2 metres above ground level and 8.1 metres at the apex. The single storey element to the east will measure 4.0 metres wide, with a dual pitch roof 3.7 metres above ground at the eaves and 6.8 metres at the apex.

The new dwelling will be set back 44 metres from the sites frontage this compares to the position of the existing dwelling 33 metres from the sites frontage. No existing elements of the frontage are liable to change; the access location and low stone wall would appear to be retained as part of the application.

The roof height of 9.26 metres is higher than the majority of the surrounding buildings with exception of the manor house opposite the site to the north, though it is commensurate with other dwellings in the village including the 1960's semi detached dwellings at the south of Meadow Lane and a number of other two storey properties in Thornhaugh.

The significant 44 metre set back of the replacement property will help diminish the scale of the property from the frontage and the Local Planning Authority and Conservation Officer do not consider that the scale of the proposal will harm any of the adjacent listed buildings or the wider conservation area.

The main bulk of the dwelling, the two storey element will be 47 metres from the public road at Meadow Lane. At this distance, though visible from Meadow Lane the impact of the additional height of the proposed dwelling over those of meadow lane will be diminished due to foreshortening. The Photograph (figure 3) supplied as part of the objection received for the occupier of number 4 Meadow Lane is not considered to be an accurate representation of the impact of the proposal for this reason.

The views of the new dwelling between the existing dwellings of meadow lane is not considered harmful to the character of the Thornhaugh Conservation Area, due in part to the foreshortening effect stated above but also that this west facing side elevation is architecturally interesting and will be constructed from high quality materials which will not jar or look out of place when compared to the surroundings. In any event there is extensive tree cover screening the proposed dwelling in the summer months.

The design of the proposed dwelling is considered acceptable in this instance, though the design is not immediately evocative of the best of the local vernacular, the village of Thornhaugh is extremely varied in terms overall character, even when comparing the elements of the listed buildings within the village and it is considered that it would be difficult to produce a modern property of a scale commensurate with the size of the plot which perfectly captured the local vernacular. The chosen design does have some interesting features to the front elevation and it would sit comfortably within the context of the conservation area.

The Local Planning Authority considers the proposed dwelling no more harmful to the character of the Conservation Area than the existing dwelling. The proposal is certainly more appropriate in terms of architectural detailing and material use than the current dwelling on site the applicant proposes replica Collyweston slate and natural Limestone which are in keeping with the local palette of materials.

The garage is 70cm taller and 1.4 metres wider than the garage approved under application number 08/00004/FUL. The size of the proposed garage has been significantly reduced from the initial submission. The height has been reduced by 75cm, the width reduced by 3.3 metres and the depth reduced by 60cm. The front facing dormer and roof lights to the rear have also been removed. The revised garage proposal is only marginally larger than the garage approved under application 08/00004/FUL and the additional scale does not result in harm to the character of the conservation.

Applications 06/00879/FUL and 06/00491/CON refused by the Planning Inspector (Appendix 1) related to the construction of two dwellings, one 10 metres the front of the road and one 10 metres from the rear of the site. The inspector ruled that this arrangement harmed the character of Russell Hill, as plot one was too close to the site frontage and the scale of the dwelling was too large and plot two harmed the character of the nearby Croft Farm Listed Building harming its setting. This proposal is for a single dwelling sited far more centrally in the plot and the Local Planning Authority considers that this overcomes the objections of the inspector.

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene, and is considered to be in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) 2005, PPS1 (2005) and PPS5 (2010).

d) Impact to Neighbouring Amenity

The dwelling being substantially larger than the current dwelling on site is likely to cause some overshadowing of the amenity space of numbers 4 and 6 Meadow Lane, this is not materially harmful enough to warrant refusal as it will only occur throughout the morning. There will be no overshadowing of primary habitable rooms.

The proposed dwelling will not result in any direct overlooking into primary habitable rooms. Clearly there will be views possible into the private amenity space of neighbours but these are oblique views and not considered materially more harmful than the overlooking possible from the current dwelling which has windows on all 4 sides at 1st floor level.

The dwelling at risk of overlooking the most is Crayside to the north. Some views into the rear of Crayside will be blocked by the proposed garage others by the substantial 2.0 metre hedge which surrounds the garden of Crayside. In any event the current dwelling is closer to Crayside and has windows on two aspects looking into the garden. Therefore the proposal is not considered to be any more harmful than the existing situation. The window to window distances between dwellings increase by at least 5 metres as a result of this proposal and therefore any perceived additional impacts are considered acceptable.

The revised design which has removed the window and rooflights and reduced the height of garage has removed any impact from the occupants of Crayside and as stated above the garage is only marginally taller than the garage approved under 08/00004/FUL. This additional height will not have any impact upon the amenity of the occupiers of Crayside and is not considered likely to be overbearing.

The proposal is not considered to be overbearing to the occupants of any of the surrounding dwellings. The occupants of number 4 and 6 Meadow Lane will be closest to the new dwelling, number 6 being the closest 16.5 metres from the 1.5 storey element of the dwelling and 23 metres from the main two storey bulk of the house. These rear to side separation distances of 16.5 metres (to the 1.5 storey element) are considered at the limit of acceptability for a rural location and there is no doubt that the bulk of the new dwelling will be clearly visible from the windows and amenity space of numbers 4 and 6 Meadow Lane and that this represents a huge change to the current open aspect to the rear of these properties. However the right to a view is not a valid reason for refusal and the proposal is considered to be on balance acceptable with regards to the dwellings relationship to the dwellings of Meadow Lane.

The indicative appearance of the dwelling submitted by the occupier of number 4 Meadow Lane will be attached to the committee presentation to allow members to view the submission. However the Local Planning Authority is of the opinion that it is extremely difficult to ascertain the accuracy of this diagram and that limited weight should be given to the consideration of the diagram.

The proposed dwelling will have no impact upon the occupants of the Shieling, even when the change in height between the two plots is taken into account. The separation distance between the front of the Shieling and the two storey element of the proposed dwelling is approximately 22 metres, at this distance the dwelling is not considered to be overbearing though the Local Planning Authority accepts that it will be clearly visible to the occupants of the Shieling, from both their dwelling and amenity space but this is not a valid reason for refusal.

e) **Highway Safety**

The local Highways Authority has raised no objection to the proposal and has not requested any conditions to be appended to the permission.

f) **S106**

No S106 is required for the proposal as it will be a single replacement dwelling

g) **Archaeology**

The Archaeology Officer has responded by stating that medieval and post medieval remains are likely to survive in this location and it is proposed to put a trial trenching condition on the permission if the application is approved.

h) **Other Matters**

Numerous objections have been received in relation to the application, many have been answered in the sections above, but those which have not been dealt with specifically shall be addressed below:

The objection relating to the 3 storey element is not considered a material consideration in the determination of the application. The roof height has been lowered by 1.0 metre which will restrict the space within the roof. However were the roof to be converted to habitable space at a later date this would have no additional impacts upon the character of the area or the amenities of the occupiers of neighbouring dwellings.

The occupant of the Shieling has stated that the rear fenestration of the proposal permits views into their private amenity space. It may be possible to see limited oblique views from the windows of the proposed dwelling but this is not considered to be materially harmful or severe enough to warrant refusal. These views will be restricted by virtue of the internal layout of the proposed dwelling, especially in regards to the upper garden room.

The occupier of number 4 Meadow Lane has stated in their representation that their own recent extension had to be kept low to fit in with the character of the listed building and the village. This is indeed the case but the existing listed building, number 4 Meadow Lane is a modest building on a far smaller plot and the extension to number 4 would have to have been of a smaller scale in order for it to relate properly to the existing buildings on the site. The two proposals are not directly comparable; the application site is far larger with no existing listed building constraining its design.

8 CONCLUSIONS

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

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene.

The proposal is not considered to create an overbearing form of development that would detract neighbouring amenity by way of loss of light or privacy and is on balance acceptable in this regard.

The existing bungalow is of no architectural merit and it does not contribute positively to the Thornhaugh Conservation Area

The proposal is considered to be 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).

9 RECOMMENDATION

The Head of Planning, Transport and Engineering Services recommends that these applications are **APPROVED** for the following reasons:

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

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

Hence the proposal accords 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)

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 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy (Development Plan Document) 2011.

C3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy (DPD) 2011.

C4 The development shall not commence until details of all boundary walls and fences have been approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, in accordance with the approved details.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy (Development Plan Document) 2011.

C5 The dwelling shall not be occupied until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policies U1 of the Peterborough Local Plan (First Replacement).

C6 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Human Health and Controlled Waters, in accordance with Policies DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).

C7 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of:

i. archaeological field evaluation works (trial trenching) in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority; and

ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with policy CS17 of the Peterborough Core Strategy (Development Plan Document) 2011.

C8 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until the following detail has been submitted to and approved in writing by the Local Planning Authority:

- No works or development shall take place until a Tree Protection Plan has been carried out (As per section 7.1 BS5837-2005) and has been agreed in writing with the Local Planning Authority.
- No works or development shall take place until an Arboricultural Method Statement has been carried out (As per section 7.2 BS5837-2005) and has been agreed in writing with the Local Planning Authority.
- No trees that are being shown as being retained on the approved plan shall be cut back in any way without the prior written consent of the Local Planning Authority. All pruning works approved shall be to BS 3998- 2010 Recommendations for Tree Work.
- If any retained tree as shown on the approved Plans is damaged or removed during the development phase, a revised scheme and implementation timetable will be submitted for approval by the Local Planning Authority.

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

C9 Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be

carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details:

Proposed finished ground and building slab levels

Planting plans including retained trees, species, numbers, size and density of planting

An implementation programme (phased developments)

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 the Peterborough Local Plan (First Replacement).

- C10** Before the development hereby permitted is first occupied, the proposed window(s) in the 1st floor west facing side elevation shall be obscure glazed to British Standards level 3 and non opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall subsequently be retained as such.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C11** Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions; shall be constructed other than as those expressly authorised by this permission or those expressly authorised by any future planning permission.

Reason: In order to protect the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C12** The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

Copies to Councillors J Holdich OBE, D Lamb



Appeal Decision

Site visit made on 8 February 2007

by Terence N Povey BA BArch MA FRTPI Architect

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date: 23 February 2007

Appeal A Ref: APP/J0540/E/06/2026186

Site address: Seven Summers, Russell Hill, Thornhaugh, Peterborough PE8 6HL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by Mrs Helen Hick (KSH Developments Ltd) against the decision of Peterborough City Council.
- The application ref: 06/00878/CON, dated 7 June 2006, was refused by notice dated 3 August 2006.
- The works proposed are the demolition of the existing dwelling.

Decision: I dismiss the appeal.

Appeal B Ref: APP/J0540/A/06/2026182

Site address: Seven Summers, Russell Hill, Thornhaugh, Peterborough PE8 6HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Helen Hick (KSH Developments Ltd) against the decision of Peterborough City Council.
- The application ref: 06/00879/FUL, dated 7 June 2006, was refused by notice dated 3 August 2006.
- The development proposed is residential development of two detached dwelling houses with associated garages and parking.

Decision: I dismiss the appeal.

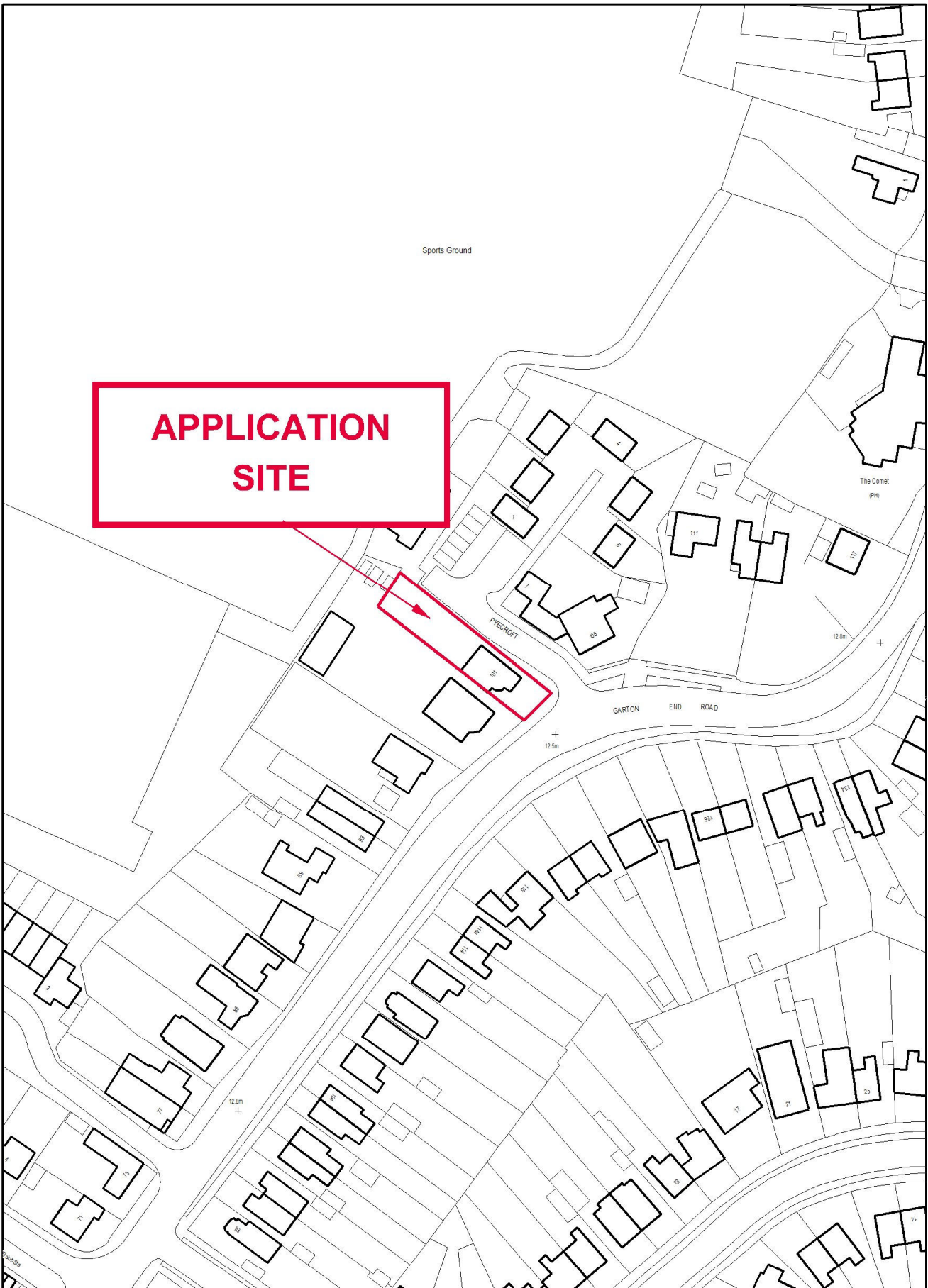
Reasons

1. The appeal site is located within the Thornhaugh Conservation Area. The conservation area encompasses numerous old stone buildings which flank the main village street, Russell Hill, and Meadow Lane. Many of the buildings are houses of modest size and scale with steeply sloping roofs covered with the local Collyweston stone slates. In contrast, the Manor House and The Old Rectory are much larger and imposing stone houses, and the parish church to the east of the appeal site is an ancient structure dating from the 12th century. Despite the presence of a few modern dwellings, it is clear to me that it is the traditional architecture of the old buildings that gives the conservation area its special architectural character and appearance.
 2. Dealing first with Appeal A, the appeal site is presently occupied by a modern house of nondescript appearance. Unlike other modern dwellings nearby, it is set well back from the road behind a large front garden which appears as a pleasant space within the street scene. Despite being a reasonably substantial house "Seven Summers" is not built of stone and its lack of distinctiveness means that it does not make a positive contribution to the intrinsically traditional character and appearance of the conservation area.
-

3. Paragraph 4.27 of Planning Policy Guidance 15 states that consent for the demolition of buildings which make no contribution to a conservation area's character or appearance should not be given unless there are acceptable plans for redevelopment. Accordingly, I now turn to the merits of the proposed scheme for replacing "Seven Summers" with two new dwellings. The houses would comprise large, five bedroom properties located at either end of the site. I acknowledge that the houses would have stone walls and that their designs incorporate some local architectural details such as mullion windows and dormer windows with stone gables. On the other hand, however, the main gable walls of the houses, which are a prominent feature of the designs, would be ill-proportioned and ungainly, unlike the elegant gable walls of the old stone houses.
4. At present there are pleasing views looking up Russell Hill across the open front garden of Seven Summers towards the historic houses in Meadow Lane and The Manor House. The proposed scheme would result in the tall and bulky house on plot 1 being set close to the road, destroying most of the garden space and intruding into these views. Although I do not consider that it would be so close as to overshadow the neighbouring dwelling to the east, the house would be much larger and more prominent than the nearby modern dwellings; with its wide, poorly-proportioned gable wall, it would in my opinion appear as an insensitive and incongruous new feature which would be detrimental to the conservation area's street scene.
5. The house on plot 2 would be located at the southern end of the appeal site and would not generally be visible in terms of views from Russell Hill. It would be erected adjacent to an existing house, The Shieling, and it seems to me that this house could be overlooked by the east-facing bedroom window and the balcony of the proposed dwelling. However, since there would be a distance of over 20 metres between the two houses I have concluded that the loss of privacy which might be suffered by occupiers of The Shieling would not be so significant that on its own it justifies dismissing Appeal B. The house on plot 2 would also be adjacent to Croft Farmhouse, a listed building. While I do not find that the proposed dwelling would overlook this old house, it would be visible in terms of easterly views from Meadow Lane looking towards the farmhouse and its outbuildings. In this context the large and bulky form of the proposed house, together with its poorly-proportioned gable and chimney stack, would result in it appearing as a dominant and unprepossessing modern building which would intrude into the existing open backdrop of the listed farmhouse.
6. I therefore find that the proposed development would serve to harm rather than to preserve or enhance the character and appearance of the conservation area, and also to harm rather than preserve the setting of the listed farmhouse. Thus, the proposal conflicts with the provisions of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and development plan policy CBE3. Having regard to paragraph 4.27 of Planning Policy Guidance 15, I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers".

Terence N. Povey

INSPECTOR



LOCATION PLAN 11/00351/FUL
 101 Garton End Road

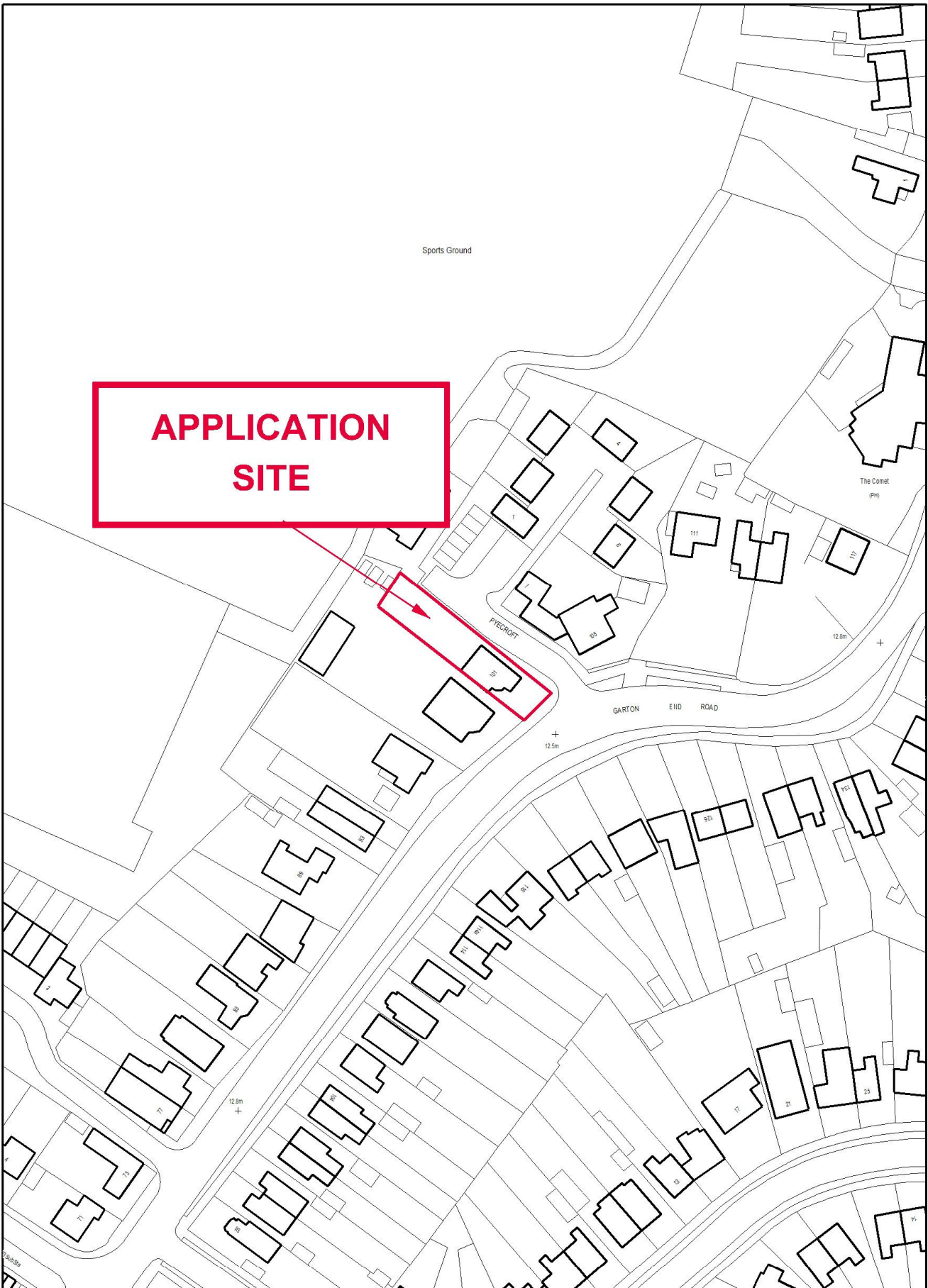
PCC GIS



Scale NTS **Date** 16/5/2011 **Name** MKB **Department** Planning Services

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**APPLICATION
SITE**

LOCATION PLAN 11/00359/ADV

101 Garton End Road

PCC GIS



Scale NTS Date 16/5/2011 Name MKB Department Planning Services

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11/00351/FUL & INSTALLATION OF EXTERNAL CANOPY AND PLAY EQUIPMENT-
RETROSPECTIVE AT 101 GARTON END ROAD, PETERBOROUGH
PE1 4EZ

11/00359/ADV: RETROSPECTIVE BANNER SIGNAGE AT 101 GARTON END ROAD,
PETERBOROUGH
PE1 4EZ

VALID: 11/06/2011

APPLICANT: MR M YOUNIS

AGENT: MR R GOODING

REFERRED BY: HEAD OF PLANNING SERVICES

REASON: THE IMPACT CAUSED BY THE PROPOSAL ON THE AMENITY OF THE
NEIGHBOURING PROPERTY AND UPON THE CHARACTER AND
APPEARANCE OF THE AREA

DEPARTURE: NO

CASE OFFICER: MR S J FALCO

TELEPHONE: 01733 454408

E-MAIL: sam.falco@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

The design and appearance does not respect the character or appearance of the host property or surrounding area.

- The canopy takes on a 'temporary' appearance by virtue of the materials used
- The play equipment detrimentally impacts on amenity of the 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 respond appropriately to the particular character of the site and its surroundings.
- New development should improve the quality of the public realm.
- New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

Adopted Peterborough Local Plan (First Replacement) 2005

DA22 Advertisements

The City Council will not grant consent for any advertisement which, by reason of its size, location, design, illumination or colour:

- Would be likely to endanger public safety
- Would be detrimental to the visual amenity of the area

3 DESCRIPTION OF PROPOSAL

The applications have 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 has already been completed on the canopy and play equipment without obtaining Planning Permission.

Permission is hereby sought retrospectively for:

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

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

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

4 DESCRIPTION OF SITE AND SURROUNDINGS

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

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

5 PLANNING HISTORY

Ref	Description		
07/01740/FUL	Change of use from day nursery to residential dwelling	PERMITTED	25.04.2008
09/00885/FUL	Change of use from residential to Child Day Nursery	PERMITTED	06.10.2009
10/01724/FUL	External Canopy, Retrospective	REFUSED	03/02/2011

6 CONSULTATIONS/REPRESENTATIONS

LOCAL RESIDENTS

Mr Richard Sharman:

1. The signage is situated in a residential area, and is therefore totally in-appropriate to the local environment / character of the area.

2. The signage is so large and brightly coloured, that it could distract drivers as they pass the signage, which is located on the start of a double bend. There have been serious accidents on this double bend requiring the road to be closed, telegraph pole and lamp post to be replaced (twice), and walls rebuilt. To add signage that will distract drivers will only increase the risk of further accidents occurring.
3. The ability of drivers to see pedestrians and other vehicles along Garton End Rd as they turn out of Pyecroft towards the town centre will be severely impeded, and this will only increase the risk of further accidents occurring.

Mrs Jill Harrison:

1. Object, as it was erected prior to the nursery being opened and is now out of date. There is already a notice on the window of the property giving similar details
2. This is a residential area and therefore out of place. It may also be a traffic hazard. We have enough problems of speeding traffic in this area, many accidents and this large banner may cause a distraction to drivers.

COUNCILLORS

Cllr Pam Kreling:

1. The canopy makes a good shelter for the toys etc and why should posts be metal instead of wood - what is the difference? I do not think the canopy changes the character of the area – it cannot be seen except from the garden because of the high fence that the owner was required to erect.
2. The canopy at the side of the building is needed to shield the bicycle racks and keep cycles dry – after all we are supposed to be promoting walking and cycling! It also keeps push chairs dry which parents leave for their return journey home.
3. The 'Hide' leads to imaginative play and gives children the freedom to 'get away from it all'. It does not in my opinion give rise to disturbance and if there are privacy issues the management will be pleased to address them. The 'Hide' has been praised by OFSTED and the Early Years team.

7 REASONING

Background

These applications have arisen as a result of unauthorised works and advert being reported to the Planning Compliance (planning enforcement) team. Work has already been completed on site, including the canopy, play equipment and banner sign without obtaining Planning Permission.

The canopy element of this retrospective application has previously been refused in February 2011 by delegated officer decision. The other two elements, including the external play equipment and the banner sign are being considered for the first time within this application.

Design and impact on character and appearance of area

Canopies:

It is considered that the design and appearance of the canopies as constructed do not respect or reflect the character or appearance of either the host property or surrounding area. Garton End Road is comprised of a variety of dwelling sizes, style and types albeit none have been extended in the manner of the application proposal. No.101 occupies a prominent position within the streetscene at the junction of Garton End Road and Pyecroft and the side elevation is particularly visible within the public realm. The construction of both canopies appears of a temporary nature given the use of a timber frame and ridged polycarbonate sheet roofing. These materials and the overall appearance of the canopies fail to integrate within the streetscene and appear at odds with the original building. Moreover, the overall scale of the canopies is not in proportion to the host building, wrapping around the property and appearing obtrusive and incongruous within the streetscene. Given the poor appearance of the canopies (particularly to the side), their visual

prominence and scale they represent a harmful feature within the character of the wider area and harm the visual amenity of the locality.

Peterborough has spent a considerable amount of time creating a canopy design guide, indicating that a metal frame painted in dark green, with a glass roof is acceptable due to good quality, low maintenance materials and the glass roof being transparent, therefore reducing the bulk. However what we have on site at No. 101 Garton End Road is a structure that will deteriorate over time, with an obscured polycarbonate roof giving a bulky temporary appearance.

Tree House:

The timber hide in the rear garden of the day nursery is not considered to have any visual detrimental impact upon the character and appearance of the area due to its timber construction surrounding the existing tree.

Banner Signage:

The application for the retrospective banner signage located above the fence in the front garden is considered to be wholly unacceptable by virtue of its size and proportion and colour, located within a predominantly residential area, on a very prominent corner plot. The sign and the side canopy give the frontage a distinctly commercial appearance that is completely at odds with the residential character of the surrounding properties.

Furthermore, the sign is out of date, advertising the opening of the premises which was nearly 6 months ago. This is both contrary to planning policies CS16 and DA22.

Residential amenity

Canopies:

The canopy has been proposed to allow for the covered storage of pushchairs and it is not considered that this would give rise to any significant noise disturbance, greater than that which would exist without the presence of a canopy.

In visual terms, the canopy takes on a 'temporary' appearance by virtue of the materials used which appears out of keeping with the surrounding area (see above). This results in an unacceptable visual impact upon the amenity of neighbouring occupants.

Tree House:

The hide is considered to cause an unacceptable overlooking impact upon the neighbour at No.99 Garton End Road. The standing platform is 1300mm in height located 500mm from the shared boundary of which there is an 1800mm close boarded fence.

Standing in the neighbour's garden (no.99 Garton End Road) it is evident that even a small child would be tall enough to peer into the neighbours garden and conservatory whilst standing on the platform.

It is considered that this kind of structure, mixed with children and their inquisitive nature creates a significant loss of privacy and disturbance to the resident at No.99 Garton End Road, who has a right to the private garden that currently exists.

Banner Signage:

It is considered that the sign creates a visual detriment to the area and could be argued that for that reason it is detrimental to the visual amenity of the nearby residents and again contrary to policies CS16 and DA22. As such we have had objections from neighbours, stating that the signage is out of date, is duplicating what is already advertised in the front window and at odds with the residential character of the area.

Highways Implications

Banner Signage:

There are considered to be no highways implications as a result of the banner sign erected and therefore it meets the requirements of DA22 in terms of highway safety. Both neighbour objections have raised concerns as to the signage on highway safety, stating that another distraction on a

hazardous corner can only act to exacerbate the current issues and that the signage causes obstruction of view of people emerging from Pyecroft.

8 CONCLUSIONS

It is considered that the retrospective external canopies are detrimental to the character and appearance of the residential area, due to their non-residential scale, character and temporary materials.

The retrospective tree house is deemed to cause an unacceptable level of overlooking and a significant loss of privacy of the adjoining residential property.

The retrospective banner signage is considered to have a detrimental impact on the character and appearance of the residential area due to its large size and garish colour, in a very prominent corner location.

9 RECOMMENDATION

The Head of Planning, Transport and Engineering Services recommends that both applications are **REFUSED** for the following reasons:

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 are 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 do 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 has been deemed that the overlooking impact associated is contrary to CS16 of the Peterborough Core Strategy DPD 2011, specifically:

R2) The height and location of the tree house structure is considered to be too close to the boundary, at an unfortunate height where all users of the platform will 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.

11/00359/FUL: Banner Sign (Retrospective)

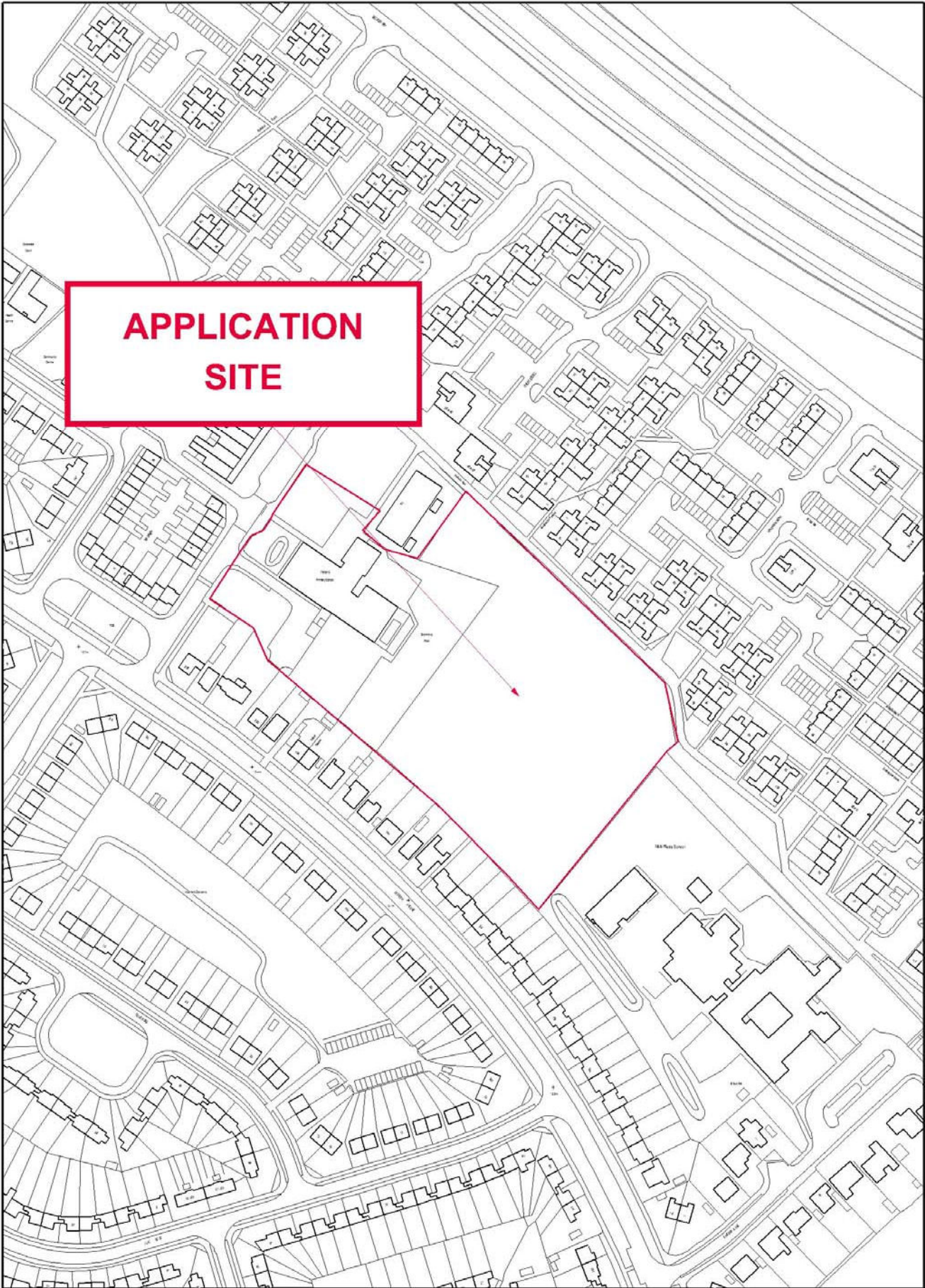
Banner Sign:

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

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

Copies to Councillors P Kreling, J Peach, J Shearman

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**APPLICATION
SITE**

LOCATION PLAN 11/00408/FUL
Welland Primary School, Scalford Drive

PCC GIS



Scale NTS **Date** 25/5/2011 **Name** MKB **Department** Planning Services

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11/00408/R3FUL: 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 ON LAND WITHIN WOODFIELD PARK. THE PROVISION OF TWO TEMPORARY CLASSROOMS

VALID: 18 MARCH 2011
APPLICANT: PETERBOROUGH CITY COUNCIL
AGENT: ENTERPRISE PETERBOROUGH
REFERRED BY: HEAD OF PLANNING TRANSPORT AND ENGINEERING
REASON: WIDER CONCERN
DEPARTURE: NO

CASE OFFICER: MIKE ROBERTS
TELEPHONE: 01733 454410
E-MAIL: mike.roberts@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The need for a new replacement school
- The impact of the new school upon the character of the area
- The loss of an area of public open space
- The impact upon highway safety
- The impact upon residential amenity
- The sustainability implications of the development

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.

Development Plan Policies

Key policies highlighted below.

Peterborough Local Plan (First Replacement) 2005

- T8** - Permission will only be granted for a development if vehicular access is on to a highway whose design and function is appropriate for the level and type of vehicular traffic likely to be generated by the proposed development.
- T10** - Car parking provision to be in accordance with maximum car parking standard
- LT3** - Planning permission should not be granted for any development that would result in the loss of an existing area of open space if that loss would give rise to a deficiency, or would be in an area of the District where there is already a deficiency in open space.
- LNE9** - Developments are to make adequate provisions as far as is reasonably practicable for the retention and protection of trees and other natural features on a site that make a positive contribution to the quality of the local environment and it makes

adequate provision for the landscaping of the site as an integral part of the development.

LNE10 - Where appropriate the Authority will seek the provision of a landscaping scheme suitable for the type of development proposed

Peterborough Core Strategy (adopted 23 February 2011)

CS10 – Seeks development that supports the Council's Environment Capital aspiration

CS11 - A proportion of the energy supply for new development is expected to be gained from on-site or decentralised renewable or low-carbon energy sources, especially for major developments. Development involving renewable/low-carbon technologies will be supported and encouraged except where the proposal would have unacceptable impacts which are not outweighed by local and wider environmental, economic, social and other considerations of a development.

CS14 - New development in Peterborough is to ensure that appropriate provision is made in line with the Peterborough Transport User Hierarchy for the transport needs that it will create

CS16 – Seeks development that has a positive effect on the local area and does not adversely affect neighbours

3 DESCRIPTION OF PROPOSAL

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

The proposed new school is to be located to the rear of the existing school buildings which also will involve taking in the whole area of open space, the use of which is shared between the school and the general public, which lies between the eastern boundary of the Welland school curtilage and the western boundary of the Marshfield's School curtilage (a distance of between 100 – 115m with a width of approximately 110m). This has 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 will be completely demolished. It is 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 is of an approximate 'T' shaped/L' shaped design. The front elevation of the school is to be set back approximately 4m from the rearmost elevation of the existing school building and thus 80m from Scalford Drive to the west. The nearest the school will be to the rear boundaries of the residential properties in Eastern Avenue will be 36m with the majority of this south elevation of the new building to be 44m away. The dwellings along the northern side of Eastern Avenue have rear garden depths in the region of 18m. The nearest extent of the new building to residential properties in Redmile Walk to the north will be 28m with the majority being 42m away.

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

The new building has been designed with energy efficiency at the forefront. In this regard the roofs are to be comprised of sedum plants throughout, a passive ventilation system is to serve each teaching classroom which will each require a 'mono-draft chimney which is to be approximately 1.2m square and a height of 1.8m above the roof slope, a biomass heating system with a 1.5m 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 will provide water towards the flushing of the WC's.

The northern, eastern and southern surrounds to the school building are to be landscaped and will 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 50m by 30m, a hard surfaced games area and a netball/tennis area on a rubber surface, the latter two are 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 is proposed to extend from a pedestrian entrance off Scalford Drive to the main entrance of the school. The north, east and south boundaries are to be defined by 2.4m high weld mesh fencing. To the front, (the west elevation), of the school there is 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 is to occupy a depth of approximately 72m. The vehicular access is to make use of the existing access to the school.

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

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

The plant room to serve the school building is 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 is similarly located for access reasons.

Two temporary mobile classrooms are proposed, one of which is already present. These are to be located towards the south of the existing school building. These are to be spaced apart with the larger mobile measuring 15.2m by 8.6m and the smaller mobile measuring 9.6m by 10m. They will be 14m and 9m from the southern boundary of the site respectively. They are required to accommodate the first two form entry of children in September of this year. They will 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 is proposed to compensate for the loss of the dual use open space.

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

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site comprises the Welland Primary School, a wholly flat roofed single storey building and its curtilage which is part grassed playing field, hard surfaced play areas and a 23 space car park

and an area of grassed open space that lies between the Primary School and the Marshfield's Primary School to the east. The existing school curtilage measures an area of approximately 0.84 hectares and the open space area measures 1.36 hectares. The existing school has an approximate 'T' shaped footprint with the dominant east – west footprint being 20m wide by 55m deep. The school extends out from the main length of the building towards the Acorn Children's Centre to the north. The Acorn Centre is single storey with a shallow pitched roof. The school is currently set back 25m from Scalford Drive. There are a scattering of trees within the site frontage. Both the western boundary of the site that is shared with the rear boundaries of the residential properties in Eastern Avenue comprises trees and hedging. The open space area is accessed from Redmile Walk to the north the boundary of which is wholly open. The open space is also used by both the Marshfield's School and the Welland School for sports use to include, Athletics and Rounder's for example. The eastern and northern boundaries of the school and demarcated by 2.4m weld mesh fencing.

The existing school building is located from between 26m and 36m from the rear boundaries of the residential properties in Eastern Avenue. The general rear garden depth of the occupiers of the latter properties is about 17 – 18m. The school buildings are between 50 -70m away from Redmile Walk. Redmile Walk provides for a footpath/cyclepath connection to Woodfield Park to the east.

The boundary of the dual use playing field and the rear gardens of dwellings in Eastern Avenue is fenced on the residential side and a green painted 1.8m high palisade metal fence playing field side.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
06/00425/R3FUL	Extension to existing car park	25.06.2006	Approval
05/00724/OTHFP	Erection of Sure Start Centre	08/07.2005	Approval
04/02080/R3FUL	Erection of security fencing to the rear	08.02.2005	Approval
04/00227/R3FUL	Retention of mobile classroom	02.04.2004	Approval
01/00821/R3FUL	Erection of 2.4m high security fencing to the front of the school	24.10.2001	Approval

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Building Control – Building Regulation Approval will be required and Part M of the Regulation will apply.

Local Highway Authority – Parking spaces need to be allocated for the use of the staff of the adjoining Acorn Children's Centre. Cycle parking to accommodate 8 secure cycle stands for members of staff and 2 cycle stands for visitors. The vehicle access width must be a minimum of 5.5m. The car parking spaces and the access road must be set out to ensure that a bus can travel through the car park without obstruction. Bus tracking plans are to be submitted for approval. The path of vehicles through the car park is to be agreed. The number of car park spaces is satisfactory. 2 motor cycle parking spaces are required. The submitted Travel Plan is not wholly satisfactory and a revised one should be secured by condition. The increase in vehicle movements to and from the school by the parents of the children will be significant and for safety reasons a pedestrian crossing will be required in a location to be agreed between the vehicular access to the school and Eastern Avenue. The surveys carried out as a part of the Transport Assessment have required this. A construction management plan was submitted with the planning application although there are outstanding matters that remain to be addressed before approval can be given.

Archaeologist – No archaeological implications

Landscape Officer – No objections to the Landscape Master Plan. A detailed planting and maintenance specification should be provided and there should be a condition applied to require the replacement of all

tree losses for the first five years of the occupation of the new school. The tree protection details should cover the whole site. Where development is to encroach into the root protection area of trees the 'no-dig' construction techniques will be acceptable alongside a detailed method statement. The method statement should also include the details of the works within the root protection areas of trees that already have hard landscaping adjacent to them.

Environmental Health – Awaited

Recreation Officer (Enterprise) – No comments

EXTERNAL

Sport England – No objections. The proposal would result in the reduction in the size of a large publically accessible area of open space (playing field) between two schools. This area usually contains one mini football pitch for use by the Welland Primary School as well as a running track in the summer months. There is also evidence to suggest that the area has, in the past contained two mini-football pitches. This area is thus used by the school for its pitch requirements and also as a general amenity use by the local community. The proposal will reduce the schools pitch provisions to one mini-football pitch and a straight running track area. The proposal will result in the closing off of the site to public access for general amenity use. It is understood that a replacement playing pitch is to be provided for both school and community use on land within Woodfield Park approximately 400m south-east of the school site as compensation. The provision of this community pitch will not only compensate for the loss of a potential pitch in Welland but will to a certain extent also compensate for the loss of public access to the pitches in Welland as the element of general public access to the existing pitches would be lost to within the new school site. Sport England is therefore satisfied that the provision of the additional community pitch in Woodfield Park is adequate compensatory provision for the reduction in playing fields at Welland Primary School. This playing pitch should be secured by condition. However, given the open access to the existing playing field to the east of the existing school it is critical to Sport England that community access to the proposed pitch within the curtilage of the proposed replacement school is secured for community use by way of a Community Use agreement. A condition should therefore be imposed requiring this. The proposals will still result in the loss of amenity space at Welland, for activities such as dog walking and informal recreation. However, Sport England's remit is specifically in relation to sports pitch provision and it is of the view that the 'package' put forward will satisfy its policy requirements.

Senior Police Architectural Liaison Officer – No objections to the proposal. The applicant has undertaken pre-application discussion with the aim achieving a Secure by Design accreditation which it is anticipated to be achievable.

NEIGHBOURS

Two extensive neighbour notification exercises were undertaken and no representations have been received. The applicant has confirmed that in addition a pre-application consultation exercise did take place.

COUNCILLORS

No comments from Councillors have been received.

7 REASONING

a) The need for a new replacement school

The need for a new school has become necessary due to the increasing demand for Primary School places in the locality due to an increased birth rate and the quite recent closure of the John Mansfield School. In 5 years time the capacity of the school would be required to be more than double that of the existing school. There is a requirement for the school to accommodate a two form entry per year as opposed to the one form entry that has been the norm. One option considered the merits and value of extending the existing school but this was dismissed due to the constraints of the existing building, poor capacity to provide the necessary additional parking

spaces and the disruption that would be caused to the school during potential construction works for example. The option for a replacement school has been the preferred as it would enable a school to have modern facilities throughout, a proper planned development without having to make allowances to design into the existing school, better parking arrangements, a school that would have energy efficiency to the forefront and a pleasant and secure external environment for the children.

b) The impact of the new school upon the character of the area

The proposed development will have a noticeable impact upon the general character and appearance of the immediate locality due to the scale of the proposal and by reason of the school and its curtilage resulting in a loss of a substantial area of public open space. The school itself will have a greater dominance than the existing school building not least because the existing school is flat roofed throughout. However, its increased set back from Salford Drive will reduce the impact from that direction and the design of the school will have a greater architectural merit than the existing school. In this regard there will be an increased openness within which the new car park and retained trees would dominate. Whilst of a good size footprint the school is to be set centrally within the site such that there will be extensive areas of landscaping to the north and south elevations which will afford a pleasing appearance to its general setting. The popular walk/cycle ride along Redmile Walk would remain a pleasant experience.

c) The loss of an area of public open space

The proposal will result in the loss of approximately 1.3 hectare of dual use public open space to accommodate the new school and its curtilage. The open space area is used mostly by the public for dog walking and general exercise although in the summer months it is shared with sporting activities of the two adjacent schools. The area of open space, by way of its size and location is considered an important amenity asset within the local community. However the most recent survey of the types of, and amount of, open space within the Dogsthorpe Ward found that the Ward has an over provision informal parkland area, which the open space can be characterised as, and its loss would not undermine the overall provision in terms of the requirements of the Peterborough Local Plan (First Replacement) 2005. Particularly two other large areas of open space are found within the Ward i.e. the 'Bluebell land to the north-west area and Woodfield Park which lies 400m away to the east. This area has areas set aside for children's play, areas for active recreation, walking/running trails and areas of woodland and overall is a very pleasant public amenity that is readily accessible to the local community.

The fact that the proposal would result in the loss of such a significant area of open space is considered regrettable but there are significant areas of open space that will remain available to the community that provide, and will continue to provide, a good amenity. However, this loss has to be weighed against the urgent need, that has quite recently arisen, to provide for a major increase in pupil numbers of the Welland Primary School which is expected to have to more than double its existing capacity within the next 5 years. The chosen option to build a new school rather than extend has been both an economic and a quality of education provision consideration. To extend the existing school would cause disruption to the operation of the school during construction works, which would be significant with a likelihood that the works would take a year to complete. Further the existing school does not meet modern standards and the proposed new school represents the opportunity to provide a school that functions to the needs of a modern educational establishment. Therefore the needs for a new school are significant and given the existing good provision of open informal areas of open space in the Ward that will remain its considered that that the loss of open space in this instance is considered acceptable.

Sport England is satisfied that provided that a replacement mini football pitch is to be provided to off-set against the loss of a pitch within the open space area that it would not object to the proposal. To comply with this there is to be a marked out 50m by 30m football pitch located centrally within Woodfield Park to the east. This will be available to the community. The replacement school will have its own mini-football pitch and there is to be space for a straight athletics track for summer use.

d) The impact of the school upon highway safety

It is considered that in principle the redevelopment of the school site and with it the greater school pupil numbers can be satisfactorily accommodated within the existing immediate highway network. The increased pupil capacity of the school will give rise to increased vehicle movements to and from the school, particularly, it is envisaged parents dropping off and collecting their children which will mean the necessity for a pedestrian crossing close to the school access road. The car parking provision is considered to be acceptable for the number of full-time staff for the school along with the implementation of measures to encourage the staff to travel to work by other means, such as a car share and cycle for example. A Travel Plan will be required. Sufficient cycle parking provision is to be secured. The vehicular access and the parking layout are to accommodate the movements of a bus which the applicant has advised will be the largest vehicle that will be required to use the car park. To ensure this vehicle tracking plans have been requested which may require the parking layout to be amended accordingly. A revised Construction Management Plan to include the routes that the construction vehicles will travel to and from the site will be required.

e) The impact of the school upon residential amenity

The applicant has confirmed that an extensive consultation exercise was undertaken with the local community prior to the submission of the planning application. Care has been taken in the siting of the replacement school to minimise its impact upon the amenities by siting the school quite central within the site area. The dwellings in Eastern Avenue to the south will be a minimum of 56m from the school and the nearest dwellings in Redmile Walk would be 25m away with the majority being approximately 38m away. Despite the significant increase in the height and mass of the new building these distances are considered to be far enough away to avoid any potential adverse overbearing impacts or loss of sunlight/daylight. The external areas will naturally generate noise from the children at break times in particular but again the separation distances from the nearby residential properties are considered to be adequate in minimising the likelihood of disturbance to residential amenity.

f) The sustainability implications of the development

Development will accord wholly with the ambitions of Peterborough City Council in its aim to become an Environmental Capital and would comply with policies CS10 and CS11 the Peterborough Core Strategy DPD 2011. The building is to be an exemplar low carbon school. The development will incorporate a host of renewable sources of energy to include photovoltaic cells to power a suite of classrooms, wind turbines, a passive non mechanical ventilation system, air source heat pumps and a biomass boiler that will be fuelled by wood pellets from sustainably managed woodland. It is expected that biomass boiler would only provide heating in the morning until the classrooms are occupied. Thereafter the school would be heated by way of the passive ventilation system that requires the provision of the ridge located ventilation towers. The passive ventilation system will also manage the air quality within the school. It is anticipated that any surplus electricity generated at the school would be sold to the National Grid. All roofs are to be insulated by sedum planting.

8 CONCLUSIONS

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

- The replacement school is 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 will 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 has been designed to achieve a good level of sustainability.

- the proposal is 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.

9 RECOMMENDATION

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

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 Prior to the first occupation of the new school hereby approved a Community User Scheme shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed outdoor sports facilities at Welland Primary School. The scheme shall include details of pricing policy, hours of use, access by non-school users/non members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the use of the development for educational purposes and shall thereafter be retained in accordance with the approved details.

Reason: To secure a well managed safe community access to the sports facility to ensure sufficient benefit to the development of sport in accordance with policy CS19 of the Peterborough Core Strategy DPD 2011.

C3 Prior to the commencement of the completion of development (or by an alternative date to be agreed with the Local Planning Authority a compensatory 50m x 30m marked out mini-football pitch shall be provided at Woodfield Park, Peterborough, as indicated on the submitted aerial plan dated 20 April 2011. This pitch shall thereafter be retained and maintained and made available for use by Welland School and for community use.

Reason: To ensure that adequate replacement sports pitch provision is secured for the playing field to be lost at Welland Primary School in accordance with policy CS19 of the Peterborough Core Strategy DPD 2011.

C4 Prior to the progression of the school above floor level details of all external materials to be used in the external surfaces of the new school building to include walls, roofs, external windows, doors, rainwater goods, solar panels and the sedum roof specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance in accordance with policy CS16 of the Peterborough Core Strategy DPD 2011.

C5 Prior to the first occupation of the school hereby approved a scheme for the soft landscaping of the site and its future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details:

- **Proposed finished, ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) and policy CS21 of the adopted Peterborough Core Strategy DPD.

C6 Within 4 months of the date of this planning permission unless otherwise agreed in writing a scheme for the hard landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved

prior to the first occupation of the school hereby approved. The information to be provided shall include details of all areas to be hard surfaced including the car parking areas, playgrounds and seating areas, canopies, paths, fencing, sports pitches and sun sails.

Reason: In the interests of the visual appearance of the development in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement)

- C7 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C8 No development or other operations, including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving motorised vehicles or construction machinery shall commence, unless otherwise agreed in writing, until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the Approved Method Statement. Such Method Statement shall include full details of the following:**

- Implementation, supervision and monitoring of the approved tree work
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
- Timing and phasing of Arboricultural works in relation to the approved development.
- Works within the root protection areas of trees that are already have hard landscaping adjacent to them.
- No dig construction information for works that would be undertaken within the root protection areas of all trees.

The development shall proceed wholly in accordance with the approved method statement

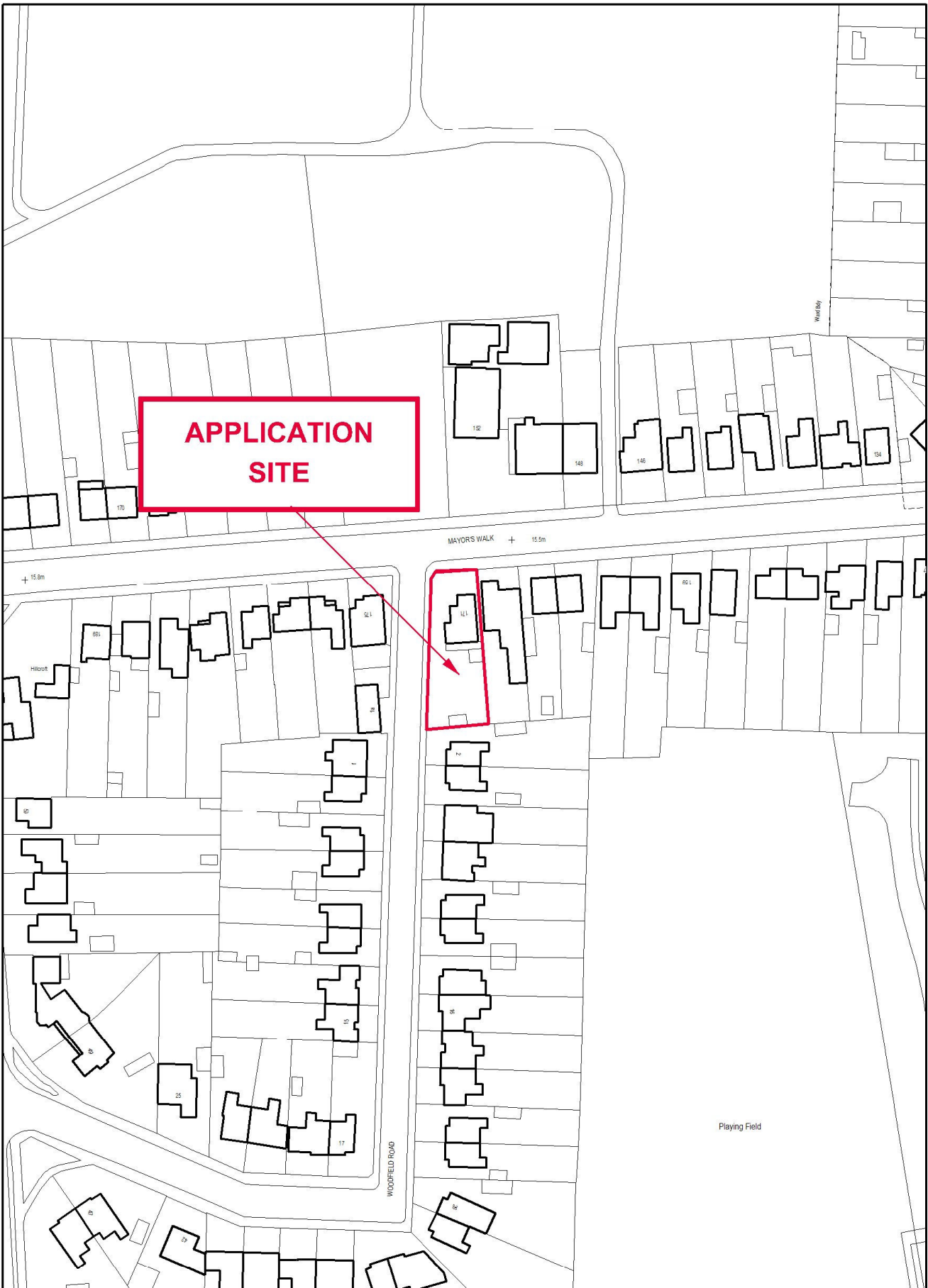
Reason: In order to protect and safeguard the visual amenities of the area in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C9 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.**

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

Copies to Councillors A Miners, C Saltmarsh, C Ash

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LOCATION PLAN 11/00477/FUL

171 Mayors Walk, West Town

PCC GIS



Scale NTS **Date** 16/5/2011 **Name** MKB **Department** Planning Services

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11/00477/FUL: CONSTRUCTION OF 3 BED DETACHED DWELLING AT 171 MAYORS WALK, PETERBOROUGH, PE3 6HB
 VALID: 28th APRIL 2011
 APPLICANT: MR A PIERRI
 AGENT: JANICE KENDRICK DESIGN SERVICE
 REFERRED BY: COUNCILLOR S DALTON
 REASON: THIS AREA IS CROWDED AND VEHICLE PARKING ON THE JUNCTION OF WOODFIELD ROAD AND MAYORS WALK MAKES THIS A DIFFICULT AREA TO NEGOTIATE FOR DRIVERS AND PEDESTRIANS
 DEPARTURE: NO
 CASE OFFICER: MATT THOMSON
 TELEPHONE: 01733 453478
 E-MAIL: matt.thomson@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development;
- Design and visual amenity;
- Impact to neighbouring residents
- Amenity of future occupiers
- Highway Implications

The Head of Planning, Transport and 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.

Peterborough Core Strategy DPD (2011)

CS2 Spatial Strategy for the Location of Residential Development: The spatial strategy makes provision for housing growth at a wide variety of places across the local authority area, but with a distinct emphasis on locations within and adjoining the urban area of the city. These are generally the most sustainable and help to maximise the use of previously developed land. The spatial strategy proposes that approximately 4,400 additional dwellings (including 1,634 dwellings already committed) will be provided from the existing built-up area of the city of Peterborough, outside the city and district centres. The figure is based on evidence from capacity work, in particular the Peterborough Strategic Housing Land Availability Assessment. Dwellings will be delivered from mixed-use schemes as well as wholly residential developments. In order to make the most efficient use of land, net residential densities will be expected to average approximately 50 dwellings per hectare, but the Council will seek a range of densities and dwelling types and sizes, in accordance with policy CS8.

CS8 Meeting Housing Needs: The strategy will be to secure a wide choice of high quality new homes that meet the needs of all members of the community, widening the range of property sizes available in response to future needs and demand, providing houses that will help to encourage employees to live locally rather than commute into Peterborough from elsewhere, and supporting the economic development strategy of this Core Strategy. Developers will be encouraged to bring forward proposals for housing which will provide a mix of housing types and size that will meet the identified need for Peterborough in order to secure mixed communities.

CS10 Environmental Capital: All development proposals of one dwelling or more, and other non-dwelling proposals concerning 100 square metres or more, should explicitly demonstrate what contribution the development will make to the Environment Capital agenda over and above that which would be required by the Building Regulations in force at the time, other development plan policies or any other consents as required through regional and national legislation.

CS13 Developer Contributions to Infrastructure Provision: Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge. Subject to arrangements as set out in a separate Planning Obligations Implementation Scheme SPD, contributions received via this standard charge may be assembled into pools at an authority-wide level and to the relevant Neighbourhood Management Area (as described in policy CS6).

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: 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.

Peterborough Local Plan (First Replacement (2005))

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, livable and mixed communities with good access to jobs and key services for all members of the community.

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

Planning Policy Statement (PPS) 3: Housing

Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed'

Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

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

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

In addition Circular 05/2005 states the following principles:

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

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

Planning Obligations Implementation Scheme – The Peterborough Planning Obligations Implementation Scheme (POIS) Supplementary Planning Document (SPD) was adopted on 8th February 2010 Prior to adoption, the POIS was the subject of a 6 week public consultation period between March and April 2009. The POIS sets out the Council's approach to the negotiation of planning obligations in association with the grant of planning permission. A planning obligation is a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended).

Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council's policies: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city's growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured 'wish-lists', instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area's economic performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The late 2009 review adds to the

programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from the East of England Development Agency (EEDA) and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such as the emerging City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

3 DESCRIPTION OF PROPOSAL

The proposal is to erect a two storey, 3 bed detached dwelling. The site will be accessed off Woodfield Road, proposes a single off street parking space and small rear amenity space (20m²). The scheme will also include a dedicated parking space for the existing dwelling 171 Mayors Walk.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The proposed site of application has a 2m high brick wall abutting Woodfield Road, with a single detached garage situated at the Southern most point with a space for a single vehicle to front.

To the North is 171 Mayors Walk, which I understand is a House of Multiple Occupation (HMO).

Two side windows face onto the site from 2 Woodfield Road.

There are no trees on site that contribute to the street scene.

5 PLANNING HISTORY

08/00662/FUL - Construction of two flats with off-road parking and amenity space (Refused)

- R1 With the extension of the adjacent flat development, which articulates some cues from the surrounding street scene, Woodfield Road is made up of attractive semi detached properties with bay windows. The bland appearance of the proposed development would create an incongruous feature within the street scene and would be out of keeping with the appearance with the established form and character of the area.
- R2 The proposed development would be sited within 9.5m of No.171 Mayors Walk, and 2.5m of the garden area of 169 Mayors Walk. The limited separation distance would cause the proposal to create an overbearing feature in relation to No.171 and would unduly harm the residential amenities of the occupiers of the dwelling. It is also considered the proposal would cause an unacceptable level of overshadowing o the rear garden of 169 Mayors Walk.
- R3 The cramped nature of the plot would fail to provide an adequate level of private amenity space for the occupants of the new units. The poor quality of the space would be compounded by its limited depth and relation to the proposed building, the dwelling to the south and the boundary treatment to the east which would lead to an excessive level of overshadowing.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – At the time of writing this report Highways have requested further details of parking arrangements. Further details will be reported in the update report.

Archaeology Services – No objection - The proposed development is unlikely to impact on important archaeological remains.

Environmental Health – No objection. A condition should be attached in case contaminated land is found.

S106 Officer – A S106 contribution of £6,000 is sought using POIS for this proposed 3 bed dwelling. A 2% Monitoring Fee of £120 also applies.

Education – Requests £6,140 for Primary and Secondary education

Waste – No comments received at the time of writing this report

EXTERNAL

NEIGHBOURS

8 letters of objection have been received; concerns include;

- lack of garden
- parking
- overcrowding
- out of keeping
- detrimental impact on character of the neighbourhood
- paving rear garden – flood risk
- overlooking and overshadowing to 169 Mayors Walk
- the proposed development would create another incongruous feature within the street scene which would be out of keeping with the appearance and with the established form and character of the area
- intensified use
- the garden/open space left to these properties is small, irregular and totally out of proportion to the houses
- proposal will further exacerbate the negative impact of 1A Woodfield Road on existing and adjacent neighbours
- design utilises square bay not rounded
- proposal does not provide parking for No.171
- overbearing on No.2 Woodfield Road
- loss of trees (2008) and new building will channel and exacerbate noise into Mayors Walk
- garden/plot size is out of keeping with surrounding gardens and general layout of the area
- loss of light and overlooking to No 2's kitchen and second bedroom
- by permitting the proposal, this will prevent No.171 from becoming an independent dwelling
- overdevelopment of the site
- detrimental impact on character and appearance of the area
- Woodfield Road does not need a bookend, it already has one with 171 Mayors Walk and its garden.

7 REASONING

a) Introduction

In 2008 an application 08/00662/FUL for a two storey building with front and rear pedestrian access, and dedicated parking located between the proposal and No.171 Mayors Walk. The 2008 site layout is similar to what is proposed. The application was refused for the following reasons:

1. Proposal fails to respect the character and appearance of the street scene
2. Impact to neighbour amenity including proximity to 171 Mayors Walk and overshadowing of garden to 169 Mayors Walk
3. Fails to provide adequate amenity space

This is discussed in more detail under Section 7(c) and 7(d), below.

b) Policy context and the principle of development

The site of application is within the urban area of the city, therefore the principle of development can be considered under Policy CS1, CS2, CS8 and CS16 of the Peterborough Core Strategy DPD (2011).

A letter of representation from 1 Woodfield Road, A (vii) queries whether the Council's policy has changed relating to dwellings in gardens. PPS3 – Housing (2010) has been adopted, which states the principle of a proposal should not be considered acceptable because it is located on garden land.

c) Design and Layout

The proposed dwelling will have a floor area of 9.4m x 5.4m, with a rear projecting element of 2.6m and will stand at 4.9m to eaves and 7m to ridge.

Reason 1 of the 2008 refusal stated the proposal fails to respect the character and appearance of the street scene. With regards to the current submission local residents are still of the view that the new design is detrimental to the character and appearance of the area.

With the exception of 1A Woodfield Road, the wider street scene is characterised by 1930's inter war development, comprising of semi detached, two storey dwellings with bay windows over two stories, gable fronted with overhanging eaves. It is considered the design of the proposal better represents the architectural character of the area and is sited in accordance with the historic building line. However the width and depth of the proposal and plot is considered at odds with the context of Woodfield Road. The following measurements have been taken from the submitted Site Location Plan 1:500.

	Frontage	Depth	Footprint	Plot Size (m ²)
Proposal	9.4m	8m	61.79m ²	169m ²
2 Woodfield Road	5.75	7m	52.25m	184m ²
4 Woodfield Road	5.75	7m	52.25m	223.25m ²

From the submitted information the proposal is indicated to have a ground floor area of 58m² on a 198m² plot, however from the submitted Site Location plan 1:500 the proposal will have a footprint of 61.79m² on a plot of 169m² with a frontage of 9.4 metres. The above table can be used as a comparison of the local context and street scene character.

Given the juxtaposition of the proposal it is considered it will have sufficient space around the dwelling (1m to Southern boundary, 3m to Northern boundary). Other properties on Woodfield Road generally have a distance of 3m between boundaries, with the exception of properties which have extended to side. However, these properties benefit from being sited on larger plots and as a direct result have larger rear amenity spaces (discussed below).

Materials

Details of materials have been highlighted as 'to be decided'; if the proposal is recommended for approval a condition should be attached requesting material samples prior to commencement of development.

Bin Storage

Peterborough City Council currently has 3x waste collection bins and it is anticipated that a 4th will be introduced in the near future; therefore it is important that the design of new dwellings provide adequate room to store bins that will not create detrimental smells to future occupiers or neighbours. A dedicated bin store has not been indicated on the plans however it is anticipated that bins could be stored to the side or rear of the plot, hidden from the public realm. It is possible a bin store could reduce dedicated off-street parking or private amenity space. If the scheme is recommended for approval, a condition should be attached to indicate bin storage to ensure bins are not stored to front.

Garden Sizes

The 2008 refusal reason No.4 highlighted that the proposal did not provide sufficient rear amenity space. Objections received also state the garden space is not suitable for a family. To confirm the previously refused scheme, for 2x apartments, indicated a private amenity space of 25m². This scheme will create 20m² of what is considered usable private amenity space.

Based on the 2008 reasons for refusal it is considered the proposal fails to provide adequate rear amenity space for a 3 bedroom dwelling as the area which is private and not overlooked is not considered to be proportionate to the size of the proposal. Further, it is considered this area will be overshadowed for the majority of the day given its juxtaposition between the proposal and No.2 Woodfield, and is an unreasonably narrow part of the site.

By virtue of size, scale, design, layout and appearance the proposal is considered to detract from the character and appearance of the street scene and fails to provide adequate amenity space for future occupiers, and is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) (2005), PPS1 (2005) and PPS3 (2010)

d) Impact to neighbouring Amenity

Refusal reason No.2 of the 2008 application considered the proposed height and juxtaposition of the building at a distance of 9.5m from principle rear windows to 171 would detract the amenity of these occupiers by reducing their outlook. It is further considered the juxtaposition and height of the proposed building would be overbearing when the occupiers of 171's use their remaining private rear amenity space. Further, as the proposal is situated in almost exactly the same position as the previous 2008 application, it is considered the proposal will result in overshadowing of 169 Mayors Walk.

Whilst the proposed dwelling will not result in any overlooking to 169, 171 Mayors Walk or 2 Woodfield Road, the proposal is considered to create an overbearing form of development that would detract neighbouring amenity by way of loss of light and outlook, and is considered to be contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011).

e) Highway Safety

At the time of writing this report Highways have requested additional details regarding parking. Further details will be included in the update report.

f) S106

The S106 contribution required by the Planning Obligations and Implementations Scheme (POIS) has been agreed by the Applicants Solicitors. Subject to the granting of Planning Permission a S106 contribution of £6,000 will be sought and a 2% Monitoring Fee of £120 also applies.

Education have requested a contribution of £6,140 towards Primary and Secondary Education. Having discussed the matter with the S106 Officer, POIS includes a contribution towards Education; therefore the POIS calculation should be used in this instance.

g) Archaeology

The Archaeology officer responded with no objections to the proposal, stating the proposed development is unlikely to cause significant damage to important archaeological remains.

h) Other Issues

Flood Risk – Having reviewed the Environment Agency website, the application site is not shown as at risk of flooding.

Paving – The Guidance on the permeable surfacing of front gardens (2008) strives to ensure new development, or development which replaces existing hard surfacing, mitigates surface run off. If the application is put forward for approval, a condition should be attached to ensure any hard surfacing is constructed utilising permeable methods.

Buy to Let/HMO's – A letter of objection highlights that the area has become synonymous with Houses of Multiple Occupation and Buy to Let properties. Planning is not allowed to control whether or not the property is rented out or owner occupied but permitted development rights could be withdrawn preventing it for being used as a small scale HMO (3 to 6 unrelated persons), however, there is no evidence to suggest that small scale HMO use of the property would be unsatisfactory.

8 CONCLUSIONS

Whilst the design, height, juxtaposition and appearance of the proposed dwelling will follow the spirit of the character of the area, the proposal is considered to detract neighbouring amenity by creating an overbearing form of development that will result in the loss of light and outlook to Neighbours 169 and 171 Mayors Walk, and fails to provide adequate private amenity space for a 3 bedroom dwelling.

By virtue of size, scale, design and layout the proposal is considered to create an overbearing form of development that would detract neighbouring amenity by way of loss and outlook, and fails to provide adequate private amenity space for a 3 bedroom dwelling. The proposal is considered to be contrary to Policies CS1, CS2, CS8, CS13, CS14 and CS16 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) and Planning Policy Statement 3 (2010).

9 RECOMMENDATION

The Head of Planning, Transport and Engineering Services recommends that this application is REFUSED for the following reason:

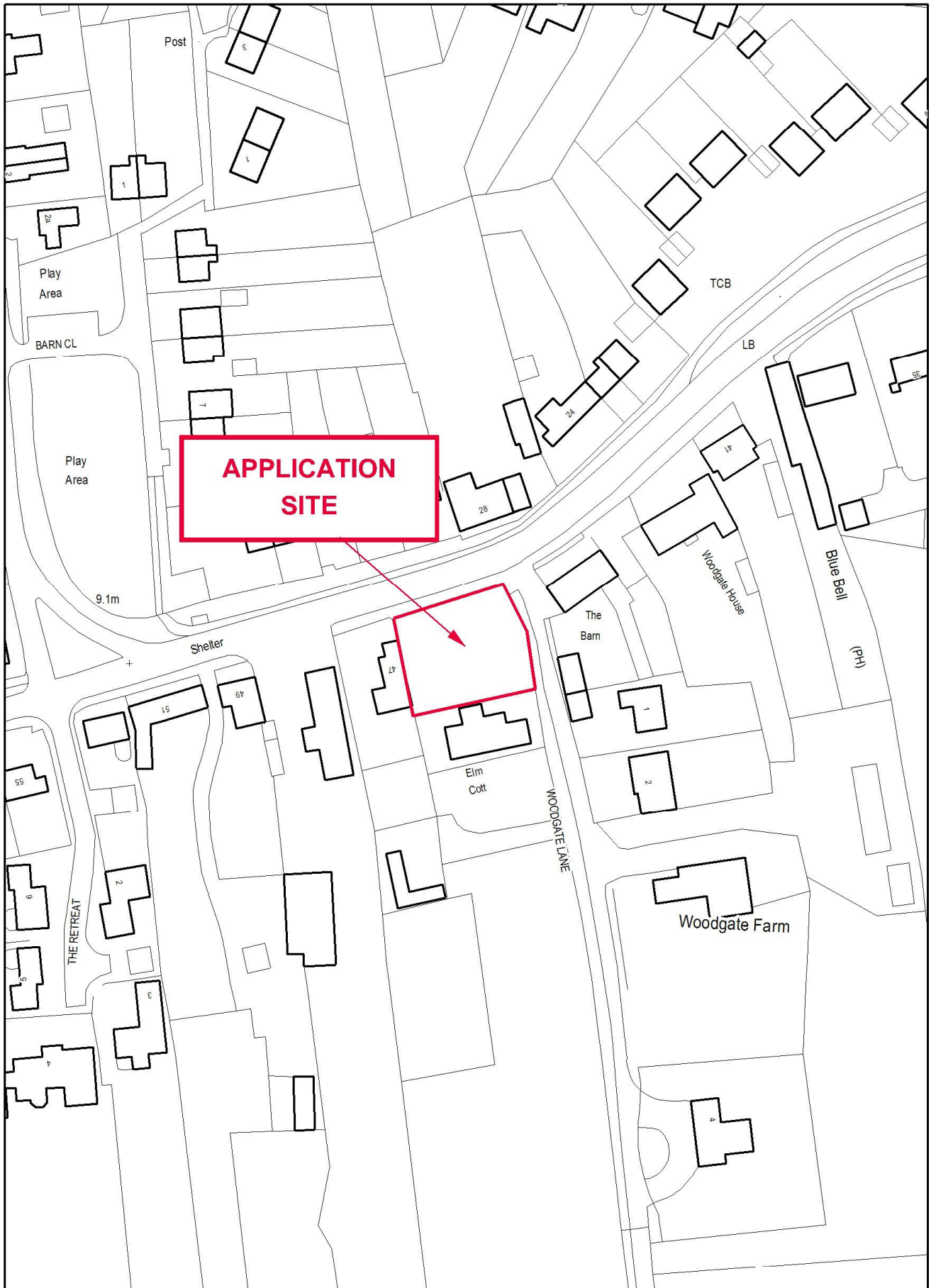
R1. The form of development is at odds with the established pattern of development locally and consequently:

- the proposal will create an overbearing form of development that will result in a detrimental loss of light and outlook to neighbour occupiers
- the proposal fails to provide adequate rear amenity space for a 3 bedroom dwelling

The proposal is contrary to Policies CS16 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) and Planning Policy Statement 3 (2010).

R2. No legal agreement has been entered into to mitigate the demands that the development would have on social and physical infrastructure. The proposal is therefore contrary to Policy CS13 of the Peterborough Core Strategy DPD (2011)

Copies to Councillors S Dalton, N Arculus, M Dalton



LOCATION PLAN 11/00608/FUL

45 High Street, Maxey

PCC GIS

Scale NTS **Date** 16/5/2011 **Name** MKB **Department** Planning Services



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11/00608/FUL: CONSTRUCTION OF 2 SEMI-DETACHED AND 1 LINK DETACHED HOUSES (1 X 3 BED AND 2 X 4 BED) WITH PARKING AT 45 HIGH STREET, MAXEY (27th APRIL 2011)

VALID: 27th APRIL 2011

APPLICANT: SEAGATE HOMES LTD

AGENT: ROBERT DOUGHTY CONSULTANCY LIMITED

REFERRED BY: COUNCILLOR HILLER

REASON: PREVIOUS APPLICATION 10/01648/FUL WAS REFUSED AT PLANNING COMMITTEE ON 15TH FEBRUARY 2011.

DEPARTURE: NO

CASE OFFICER: MATT THOMSON

TELEPHONE: 01733 453478

E-MAIL: matt.thomson@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development;
- Design and visual amenity
- Whether the proposal will impact on the Historic Environment; and
- Highway Implications

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.

Peterborough Core Strategy DPD (2011)

CS1 Settlement Hierarchy: Maxey is designated as a Small Village. In Small Villages, no new sites or development will be formally allocated in the Peterborough Site Allocations DPD and residential development of any windfall site will be limited in scale to infilling or a group of no more than nine dwellings.

CS10 Environmental Capital: All development proposals of one dwelling or more, and other non-dwelling proposals concerning 100 square metres or more, should explicitly demonstrate what contribution the development will make to the Environment Capital agenda over and above that which would be required by the Building Regulations in force at the time, other development plan policies or any other consents as required through regional and national legislation.

CS13 Developer Contributions to Infrastructure Provision: Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge. Subject to arrangements as set out in a separate Planning Obligations Implementation Scheme SPD, contributions received via this standard charge may be assembled into pools at an authority-wide level and to the relevant Neighbourhood Management Area (as described in policy CS6).

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: 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.

CS17 The Historic Environment: All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas of high heritage value

Peterborough Local Plan (First Replacement (2005))

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

Government Policy/Advice

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

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- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
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Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed' Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

Planning Policy Guidance (PPS) 5: Planning and the Historic Environment (2010)

The PPS states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns,

villages and countryside. The historic environment is also of immense importance for leisure and recreation.'

'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area.'

'the setting of a building may....often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration....Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building'.

'The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest'.

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

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;
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Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.

- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council's policies: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city's growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured 'wish-lists', instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area's economic performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The 2009 review adds to the programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from the East Midlands Development Agency (EEDA) and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such as the Core Strategy, City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

Other Guidance

Maxey Conservation Area Appraisal (2007)

3 DESCRIPTION OF PROPOSAL

The proposal is to erect 2 no. 4 bed dwellings. Each dwelling has a double garage served off Woodgate Lane, and its own dedicated rear amenity spaces.

Further, amendments have been requested following Highways and Conservation Comments. Additional plans have 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.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site has 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 have been constructed on site, however these were not in accordance with a previous approved scheme and work has 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 is cordoned off by security fencing and is effectively rough ground.

The site is within Maxey's conservation area and is a key feature in the village street scene. The surrounding land uses are 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 are Grade 2 listed buildings.

5 PLANNING HISTORY

05/00535/FUL - Demolition of bungalow and erection of two dwellings with detached double garages (Withdrawn)

06/01923/FUL - Demolition of existing bungalow and erection of two dwellings (Approved)

10/01648/FUL – Erection of 2 semi detached and 1 detached dwelling (1x3 bed and 2x4 bed) with parking.

- R 1 The proposal is considered to represent over-development of the site which is located within the Maxey Conservation Area. The nature of the traditional built form in the conservation area is typically, wide frontage properties being set in relatively spacious plots whereas the proposed development results in narrow frontages set in small plots. The proposal is therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:
- DA1 – as it is not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.
 - DA2 – as it has an adverse impact on the character of the area
 - CBE3 – as the development fails to preserve or enhance the appearance of the Conservation Area.

And contrary to:

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

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

- R 2 The design of the dwellings themselves (the archway, scale and form in particular), do not reflect the character and appearance of traditional buildings within the Maxey Conservation Area. The proposal is therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:
- a) DA1 – as it is not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.
 - b) DA2 – as it has an adverse impact on the character of the area
 - c) CBE3 – as the development fails to preserve or enhance the appearance of the Conservation Area.

And contrary to:

a) PPS 1 – as it does not provide for a high quality development that protects and enhances the historic environment and character of the area to the benefit of peoples' quality of life.

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

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – The Local Highway Authority request amended plans to correct a boundary error, to show visibility splays and enlarged garage.

Note – amended plans have been received and comments awaited. These will be reported in the update report.

Rights of Way Officer – At the time of writing this report no comments have been received.

Conservation Officer – No Objection - No. 28 High Street (opposite) is positioned close to High Street and provides a sense of enclosure and visual ‘stop’ to the street scene. The Maxey Conservation Area appraisal identifies two other grouping of buildings in High Street where the street scene is enhanced by enclosure of buildings – the gable of the three storey Blue Bell public house and the ‘pinch point’ formed around Manor Farm and 36 High Street.

The approved ‘06’ scheme provided an opportunity through the redevelopment of this site (and the removal of a modest 20th C bungalow) to strengthen the street scene by providing a development which accentuated the ‘pinch point’ in the street and provide a strong focal point building.

The proposed development is broadly a resubmission of the ‘06’ approved scheme. The design creates the appearance of a single building which is angled towards the highway with a forward projection to provide a strong sense of enclosure in association with No. 28 Main Street opposite. The use of natural stone as a facing material with replica Collyweston slate roof and traditional style timber casement windows are appropriate.

The proposal will enhance the townscape by providing a long and relatively low building typical of a former agricultural village and partially resembling a converted barn. The Design and Access Statement sets out the design principles - see 5.3. The building, as shown in the sketch drawing, will be a positive feature in the street scene and enhance the character of the conservation area. (Policy HE7.4 PPS5)

The revised plans (drawing 564-37-02-DD-01 Rev B - Elevations and Floor Plans) illustrating positioning of rain water goods and an increase in height of boundary wall (700mm) are acceptable (20/5/11).

Archaeology Services – No objection - The proposed development is unlikely to cause significant damage to important archaeological remains.

Environmental Health – At the time of writing this report no comments have been received.

S106 Officer – A S106 contribution of £16,000 is sought using POIS. A 2% Monitoring Fee of £320 also applies.

Education – Have requested £24,560 towards Primary and Secondary Education.

EXTERNAL

Parish – No comments have been received, consultation on the amended plans expire on 3/6/11. Note – these will be reported in the update report.

NEIGHBOURS - At the time of writing this report no comments have been received, though consultation on the amended plans expire on 3/6/11. Note – these will be reported in the update report.

7 REASONING

a) Introduction

The proposal was the subject of a pre-application enquiry in 2010, where the principle of development was supported by officers, and an application was submitted on that advice as 10/01648/FUL. The Application was refused at Planning Committee for the following reasons;

- Overdevelopment of the site
- Proposed design did not reflect the character or appearance of traditional buildings in Maxey

The Agents have met with Cllr Hiller, Parish Council and concerned residents and this proposal has been designed to reflect feedback. It was considered 3 dwellings (11 bedrooms) represented overdevelopment and, would detract the conservation area and lead to on-street parking. This scheme is similar to previously approved 2007 design and layout.

The submitted scheme is essentially the same as that previously approved in 2006 under App Ref: 06/01923/FUL.

b) Policy context and the principle of development

The principle of development must be considered under Policy CS1; Maxey has been identified within the Local Plan for limited housing groups and infill. The site is clearly infill as it is a small gap in an otherwise built up frontage.

The site of development is situated within the centre of the village adjacent to High Street.

c) Design, Layout and Impact on the Conservation Area and adjacent Listed Building

The proposed development is for two dwellings which is of a traditional barn design, form, height, arrangement and detailing. This results in the development 'reading' as one uniform building.

Combined the building will have a maximum width of 24.875m x 13.025m depth including the front and rear gables. The main building will stand at 4.1m to eaves and 7.8m to ridge, the front gable proposes to stand at 5m to eaves and 7m to ridge, and the rear gable 5m to eaves and 7.5m to ridge due to a slightly wider width.

The proposal utilises recessed dormer windows, gable fronted porches and chimney detailing. A 600mm high dwarf wall with coping atop bounds the front of the plot which is consistent with the immediate context of the area. Materials proposed are natural limestone and Bradstone conservation slate with timber doors and windows.

The table below shows how the current scheme compares to the previously approved scheme.

	2006 Approval	2010 Refusal	Current Proposal
Frontage Width to High Street	25.1m	23.2m	24.8m
Ridge Height	8m	8.2m / 6.6m / 7.1m	7.8m / 7.5m / 7m

Frontages

The frontage of the development will be similar to the 2006 approval; the frontage onto High Street will be 300mm less, and the frontage onto Woodgate Lane will be 11metres.

Roof Heights

The 2006 permission permitted a ridge height of 8m; the design of which represents a uniform barn style design. This proposal mimics this design standing at 7.8m at the highest point.

The ridge height of The Barn, to the immediate East, has a ridge height of 7.85m.

Materials

The development proposes replica Collyweston slate and Stamford Stone, which is in keeping with the local palette of materials. The Conservation Officer has recommended a condition be attached to ensure a lime-based mortar is utilized in accordance with Cambridgeshire Conservation Note 4.

Garden Sizes

Both properties will have dedicated amenity spaces, which are proportionate to the size of the dwellings. Including garaging and turning. Please see table below for rear amenity sizes, not including the shared access;

	Garden Sizes
Plot 1	7.2m x 6.5m (46.5m ²)
Plot 2	7m x 5m (35m ²)

Outbuildings

Plot 1 will utilise a detached garage carport for two vehicles. The timber building has a floor area of 5.5m x 5.5m and proposes to stand at 2.4m to eaves and 4.6m to ridge. Whilst the outbuilding considered to be tall, it is located at the rear of the proposed dwellings hidden the street scene.

The development is considered to follow the spirit and context of the area; the proposal will be set close to the front of the site, creating a pinch point along Main Street, the design of which addresses both High Street and Woodgate Lane. The development will utilise Bradstone conservation slate and natural limestone, which is in keeping with the local palette of materials. The design, height and form is considered to heighten visual interest, strengthen the village townscape and maintains the experience of varying spaces and uses when travelling through the village.

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene, and is considered to be in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) 2005, PPS1 (2005), PPS5 (2010) and Maxey Conservation Area Appraisal (2007)

d) Impact to neighbouring Amenity

No. 47 High Street abuts the boundary between the two plots; a dining room window faces onto the proposed rear amenity space of Plot 1. This is a historic relationship that previously existed shared with the 1960's Bungalow. The proposed development is not considered to result in a loss of light or privacy to this window compared to the previous relationship.

By virtue of size, scale and appearance the proposal is not considered to create an overbearing form of development that would detract neighbouring amenity by way of loss of light or privacy, and is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011)

e) Highway Safety

At the time of writing this report comments are awaited on the revised access and parking proposals. Comments will be reported in the update report.

f) S106

The S106 contribution required by the Planning Obligations and Implementations Scheme (POIS) has been agreed by the Applicants Solicitors. Subject to the granting of Planning Permission a S106 contribution of £16,000 will be sought and a 2% Monitoring Fee of £320 also applies.

Education have requested a contribution of £24,560 towards Primary and Secondary Education. Having discussed the matter with the S106 Officer, POIS includes a contribution towards Education; therefore the POIS calculation should be used in this instance.

g) Archaeology

The Archaeology officer responded with no objections to the proposal, stating the proposed development is unlikely to cause significant damage to important archaeological remains.

8 CONCLUSIONS

It is considered the revised layout reflects the grain of development in the vicinity, it creates a pinch point along High Street reinforcing townscape by creating a series of differing spaces and experiences when travelling through the village. The proposal is considered to preserve and enhance the character and appearance of the conservation area and will not detract neighbour amenity.

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene. The proposal is not considered to create an overbearing form of development that would detract neighbouring amenity by way of loss of light or privacy. The proposal is considered to be 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)

The Head of Planning, Transport and Engineering Services recommends that this application is APPROVED for the following reason:

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

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

Hence the proposal accords 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)

Conditions

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

- 2. The Bradstone Conservation Slate shall be laid in diminishing courses and in accordance with the manufacturer's specifications.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 3. All facing masonry shall be carried out using locally sourced natural limestone, laid in level courses and pointed using a lime-based mortar finished in accordance with Cambridgeshire Conservation Note 4. No development shall take place until sample panels of all stone, including quoins, lintels and sills have been inspected on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 4. All windows and external doors shall be of timber with the frames set back a minimum of 60mm behind the face of the masonry. Scaled cross section drawings (1:2) and elevation drawings (1:10), or manufacturers details, of all new windows and doors, including details of glazing bars, sills and lintels shall be submitted to, and agreed in writing by, the Local Planning Authority. Works shall be undertaken on site in accordance with the approved details. The windows shall be side-hung flush fitting casements and have symmetrical elevations, with fixed and opening lights of the same dimensions. Standard storm proofed joinery will not be acceptable.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 5. Notwithstanding the submitted plans hereby approved, details of rooflights shall be submitted to and agreed in writing by the Local Planning Authority. These shall be of**

traditional appearance and include a central glazing bar. Works shall be undertaken on site in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 6. Notwithstanding the submitted plans hereby approved, large scale drawings of the construction of the chimneys shall be submitted to, and agreed in writing by, the Local Planning Authority. Works shall be undertaken on site in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 7. All verges, with the exception of the dormers, shall to be plainly pointed.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 8. Notwithstanding the submitted plans hereby approved, the finish of the dormer cheeks and apex and size and finish of the timber bargeboards shall be submitted to, and agreed in writing by, the Local Planning Authority. Works shall be undertaken on site in accordance with the approved details and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. These should be rendered and in a naturally finish.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 9. Notwithstanding the submitted plans hereby approved, details of rainwater goods, soil vent pipes and means of ventilating the roof space shall be submitted to an approved in writing by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved details and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 10. Details of any services which may be visible on external elevations, particularly pipes and extract or ventilation equipment, shall be submitted to and agreed in writing by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved details and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011)

- 11. Surface water shall be disposed of by means of a soakaway, but if found to be unsuitable by way of a satisfactory percolation test an alternative method shall be used that has been approved by the Local Planning Authority.**

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policies U1 and U2 of the Peterborough Local Plan (First Replacement) 2005.

- 12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), planning permission will be required for extensions, openings and dormer windows, porches, outbuildings, hard surfaces, chimneys, flues or soil and vent pipes, microwave antenna, fences and gates.**

Reason: In order to protect the amenity of the area, in accordance with Policies DA2 and CBE3 of the Peterborough Local Plan (First Replacement) 2005.

- 13. The development shall not commence until details of all boundary walls and fences have been approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, and thereafter such boundary treatment shall be maintained to the satisfaction of the Local Planning Authority.**

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005.

- 14. The vehicular access to Woodgate Lane hereby approved shall be un gated.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011)

- 15. The development shall be constructed so that it achieves a Target Emission Ratio of at least 10% better than building regulations at the time of building regulation approval being sought.**

Reason: To be in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011)

Further Highway conditions to be confirmed in the update report.

Note to Applicant

1. Pursuant to condition 9 all soil vent pipes can be capped off in the bathrooms or roof void with an air admittance valve (for example manufactured by Durco or similar) or alternatively use the Bradstone Conservation Slate vent which is made for this purpose
2. Building Regulations

Copies to Councillor P Hiller

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