

NOTICE OF MEETING

MEETING	PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE:	TUESDAY 26 JULY 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>18 July 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**
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 - 4.4 **11/00879/FUL - R And P Meats Ltd, 55 Cherry Orton Road, Orton Waterville, Peterborough** **37 - 44**
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There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

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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.

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11/00720/FUL: CONSTRUCTION OF ALL WEATHER ARTIFICIAL PITCH WITH FLOODLIGHTING AND ACCOMPANYING EXTERNAL WORKS AT ARTHUR MELLOWS VILLAGE COLLEGE, GLINTON, PETERBOROUGH

VALID: 18TH MAY 2011

APPLICANT: THE SCHOOL GOVERNORS, ARTHUR MELLOWS VILLAGE COLLEGE

AGENT: MR C BARTRAM, PDG ARCHITECTS

REFERRED BY: GLINTON PARISH COUNCIL

REASON: LIGHT POLLUTION AND TRAFFIC

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;
- Light pollution
- 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)

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.

CS21 Biodiversity and Geological Conservation: The City Council, working in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the area.

Peterborough Local Plan (First Replacement) (2005)

LNE1 Development in the Countryside: Development in the countryside will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation or public utility services.

LNE9 Landscaping Implications of Development Proposals: Planning permission will not be granted for development unless it makes adequate provision for landscaping of the site an integral part of the development.

LT10 Development of Sports Facilities: The City Council will give favourable consideration to any proposal which would provide new or additional types of sports facilities in accordance with the City Councils Sports Strategy.

LT12 Sports in the Countryside: Planning permission will not be granted for sports development in the countryside unless ... development is ancillary to an existing sports facility and would not harm the character and appearance of the countryside, quality of the landscape or conservation interests, and would not give rise to noise, traffic generation, or concentrations of people or highway safety.

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

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 7: Sustainable Development in Rural Areas

The Governments objectives for rural areas that are relevant to this Planning Policy are to raise the quality of life and environment in rural areas through the promotion of thriving, inclusive and sustainable rural communities, promote more sustainable patterns of development focusing development in or next to existing towns and villages and promoting a range of uses.

Planning Policy Guidance 24: Planning and Noise

The impact of noise can be a material consideration in the determination of planning applications. The planning system has the task of guiding development to the most appropriate locations. It will be hard to reconcile some land uses, such as housing, hospitals or schools, with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise-sensitive developments are separated from major sources of noise (such as road, rail and air transport and certain types of industrial development). It is equally important that new development involving noisy activities should, if possible, be sited away from noise-sensitive land uses ... Where it is not possible to achieve such a separation of land uses, local planning authorities should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise, through the use of conditions or planning obligations.

Other

A Sports Strategy for Peterborough (2009-2014) – The strategy aims for a 1% increase in population of the city in respect of participation in sport within the city year on year; Peterborough has a higher

proportion of children and teenagers than England and a lower proportion of those ages 50 and over. Following the Active People Survey, which interviewed a sample of 1,000 people, only 1 in 5 adults in Peterborough participate in Sport and active recreation (3x 30 minute sessions per week).

The provision of high quality, accessible, fit for purpose and well located sports facilities is critical to improving local quality of life, and facilitating opportunities for increased participation in sport.

The development of new sports facilities can act as a catalyst for other regeneration and investment in Peterborough. The provision of new sports facilities adds to the desirability of the city as somewhere to live and can send out a message that growth and investment is taking place in the city. This can make the city of interest to developers and businesses looking for new or expanding markets.

Peterborough wants to raise its profile both as a place to live and visit, and to potential investors and employers. A good range of sports facilities and a varied and well supported programme of sports activities and events will contribute to the image and attractiveness of the city. This can attract new residents and will also be attractive to employers and investors looking for new locations with a diverse workforce, where people want to live and that it has a dynamic and vibrant culture.

The Strategy identifies there is a need to improve community access to school sports facilities – currently there are sufficient sports halls in the city to meet the needs of the population however demand is not being met because much provision is not accessible on school sites to the public.

Policy KP5 aims to maximise opportunities for all through shared use of facilities on new or existing school sites and encourage schools to make school sports facilities accessible outside of curriculum hours.

3 DESCRIPTION OF PROPOSAL

The proposal seeks permission to;

- Construct an all weather artificial pitch
- Erect 8 x 15m high columns with 28 floodlights (not to be used after 9.30PM Monday-Friday or after 8.30PM Saturday, Sunday or Bank Holidays)
- Erection of surrounding fences standing at 3.06m and 4.5m; and
- Accompanying external works

Use will be made of the existing temporary access off Lincoln Road to construct the development (the access has been used in conjunction with recently completed works on the site)

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site forms part of the existing school playing field, which is an area in the region of 2.7ha, screened by mature hedgerows and trees to the North, East, South and West respectively.

The School itself is situated to the immediate East, separated by a dedicated car parking area. To the North are residential properties, and to the South and West circa 90m is the A15.

5 PLANNING HISTORY

10/00470/FUL - Retention of existing access with new steel lockable gates and fencing (Refused)

09/01521/FUL - Retention of temporary access for use by emergency purposes (Withdrawn)

09/00313/FUL - Construction of new gym and refurbishment of existing gym to innovation centre on school campus site (Approved)

08/01167/FUL - First floor extension to create 5 classrooms adjacent to the Information Technology Suite (Approved)

07/00327/FUL - Erection of new science block, including ICT facilities, auditorium, media rooms, refectory and various ancillary rooms, minor extension to drama studio, PE classroom and textiles room

06/00829/FUL - Courtyard infill to form 6 offices and store (Approved)

06/00367/WCPP – Variation of C2 of planning permission 04/00553/FUL (Extension to sports hall to provide health and fitness suite) to arrange opening hours to 16.00 hrs to 22.00 hrs Monday - Friday and 09.00 hrs to 16.30 hrs Saturday and Sunday (Approved)

06/00961/WCPP - Variation of C2 of planning permission 04/00553/FUL (health and fitness suite) to allow opening times Monday - Friday between 1600 to 2200, Saturdays between 0900 to 1630 and Sundays, ten times a year only, between 0900 to 1630 - all hours term time and non term time (Approved)

05/00865/FUL - Extension in courtyard to provide IT classroom (Approved)

04/01623/FUL - Extension to provide machine room store (Approved)

04/01622/FUL - Single storey extension for meeting room (Approved)

04/00553/FUL - Single storey extension to existing sports hall to provide health and fitness suite for use by school and community (Approved)

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – No objections. Recommended conditions in relation to impact and avoidance of lighting on highway users, cleaning of departing construction vehicles, removal of temporary access on the completion of development, provision of construction compound.

Environmental Health – Recommended a condition regarding lighting levels, to ensure the development accords with “Guidance Notes for the Reduction of Light Pollution (Revised)” and requested a noise survey.

At the time of writing this report a Noise Survey is being produced; results will be confirmed in the update report to committee.

Lighting Engineer - The only lighting design information is contained within the Design and Access Statement. This provides some indication of the likely light spill from the scheme, providing it is installed exactly as the design. Based on this information, the illumination levels will be less than 1 lux at the edge of the playing field adjacent to the nearest residential property. This is an acceptable level. Given that the operation of this lighting will be at restricted times and not during the whole night, I do not foresee a problem from light spill at ground level.

Direct viewing of the light source will be possible due to the height of the columns proposed (15m) which may provide some perception of glare, but the luminaires chosen are some of the best available to control the light distribution and limit any disabling glare. This should have no significant adverse effect on the highway, or properties in any direction, though the site illumination levels will be very high in contrast to the unlit surroundings. The scheme provides 500 lux average, which is a very high level appropriate for competitive sport of this type.

If you wish to add a condition to ensure that the installation matches the design, then I would suggest that illumination readings are to be taken to confirm the specific levels provided at the property boundary at least, to confirm that it is below 1 lux within the zone around the pitch indicated by the design.

Environment Agency – No objection

Police Architectural Liaison Officer – No objection

Landscape Officer – No objection

Wildlife Officer - I welcome the proposal to plant 20 new Oak saplings along the western and southern boundaries of the pitch. I would also be happy to discuss with the college any opportunities for additional planting on the site, as referred to in the Ecology section of the Design & Access Statement. The Ecological Survey submitted by Hiller Ecology (July 2011) is acceptable; no further comments.

Sport England – Awaiting Comments

EXTERNAL

Parish – Objections,

The lighting scheme is unacceptable due to its excessive height of 15m columns supporting 28 lights that would cause unacceptable harm to the character and appearance of the area and quality of the flat landscape contrary to Policy LT12 of the Peterborough Local Plan 2005 (First Replacement) which provides that permission will not be granted for sports development in the countryside (*it is outside the village envelope*) unless it has a specific requirement for a rural location. Whilst the proposed facility is primarily for use by students at the college the proposed out of school opening hours are clearly a *commercial* venture. The floodlighting would also have an adverse impact on the amenity of nearby residents of Farthingstones, Helpston Rd, the adjacent A15 by-pass and the village in general. It is questionable whether floodlighting is needed if it was for the sole use of students.

We are also concerned with the adverse impact of noise, traffic generation and concentration of large numbers of people on the amenity of nearby residents during out of school hours contrary to Policy LT12 of the Peterborough Local Plan 2005 (First Replacement) and would wish that the hours of operation are restricted to 0900 to 2000 Mon to Sat and 1000 to 1600 on Sundays.

NEIGHBOURS – A single letter of objection has been received, regarding;

- Noise & Hours of use; and
- Illumination from floodlights

Others

Campaign to Protect Rural England (CPRE) Cambridgeshire & Peterborough - Object

- Light Pollution & Spill - further details of the floodlighting required; and
- Proposal does not satisfy Policy CS10 and no attempt at addressing sustainability issues

Glinton & Peakirk Green Programme (GPGP) – Object

- The Design Statement and Supplementary Document lodged with the application are misleading and deficient in necessary detail;
- No Local Consultation as stated under the Statement of Community Involvement;
- No noise assessment submitted;
- The proposal appears to be contrary to sections LT12 (e, g and h) and/or LT10/ LT9 (b) of the Peterborough Development Plan 2005 policies carried forward, and policy CS10 of the LDF Core Strategy; and
- Should the application be approved, we would request that a planning condition be made to require mitigation of the extra energy consumption of 56Kw by provision of suitable “green” energy generation of around 10Kw.

7 REASONING

A) Introduction

The proposal is to create an all weather pitch, which proposes to be illuminated by 8 x 15m high columns. The pitch will be surrounded by 3m – 4.5m high wire mesh fencing. The surface has three dedicated types of layout; 1 hockey pitch, 2 medium 5-a-side pitches or 3 small 5-a-side pitches.

B) Policy context and the principle of development

The site of application is outside the village boundary of Glinton; however it forms part of the school's established playing field therefore the principle must be considered under Policies LNE1 and LT10 of the Peterborough Local Plan (First Replacement) (2005). Policy LT10 specifically states schemes which

provide additional types of sports facilities will be considered favourable. The Peterborough Sports Strategy (2009-2014) promotes the shared use of educational sports facilities for community use.

The Parish has raised that Policy LT12 of the Peterborough Local Plan (First Replacement) (2005) is considered relevant; the school in itself should be considered as an existing facility, providing both education and sport, therefore the principle of development is considered acceptable as it is ancillary to an existing facility. However, this policy requires any such proposal should not harm the character and appearance of the countryside or landscape, which is discussed in detail below.

C) Design, Layout and impact on the Landscape.

The proposed pitch will have a maximum floor area of 101.5m x 63m and will be surrounded by a green (RAL6005) wire mesh fencing standing at 3m, rising to 4.5m at the North and Southern ends. An external, porous bitumen spectator's area and footpath will be created to the immediate East and West of the proposed pitch. The pitch will be illuminated by 8 x 15m high light columns, constructed out of galvanised steel.

The pitch will be located 22.5m from an existing car parking area and 60m from the main school. The pitch is located on an established school playing field which is used throughout the football season. The proposal is considered to be appropriately located in close proximity to the existing school and associated facilities, and would not appear visually detached from the school. Further, the surrounding boundary treatment, a combination of mature hedgerows and trees, combined with the proposed planting of 20 Oaks, the proposal is not considered to detract from the character and appearance of the landscape.

By virtue of size, scale, juxtaposition and appearance the proposed pitch is not considered to form an incongruous, out of keeping feature that would detract from the character or appearance of the landscape, and is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policies LNE1 and LT10 of the Peterborough Local Plan (First Replacement) (2005), the Peterborough Sports Strategy (2009-2014).

D) Light, Noise and impact to neighbouring Amenity

No.6 Farthingstones has raised concerns to the proposal regarding noise and illumination from the proposed floodlighting. The nearest columns will be located in excess of 35m from No.6. Environmental Health and the Lighting Engineer have raised no objection to the proposed floodlights as the light spill drops to street light level (10-5lux) 25m from the pitch and 1lux at No.6 Farthingstones boundary hedge.

Environmental Health have also recommended a noise survey be submitted, however have agreed in principle to the hours of operation. The results of the survey shall be confirmed in the update report at the committee meeting.

E) Community Use

The All Weather Pitch is for school and community use however, the details of the community use have not been provided at this stage (this information is not essential for the consideration of the scheme). The Peterborough Sports Strategy (2009-2014) promotes the use of school facilities for community use and will help the School generate additional income. A condition shall be attached requesting details of how the proposal will benefit the community.

It should be highlighted a Health & Fitness Suite is currently available for community uses on site (04/00553/FUL), which is part of the existing sports hall.

F) Highway Safety

There is an existing hard standing car park for 65 vehicles to the East, with a gravel overflow car park to the immediate South. Highways have raised no objection to the proposal. The proposal is not considered to result in a Highway safety hazard and there is sufficient capacity on site for parking; the proposal is considered to be in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy T10 of the Peterborough Local Plan (First Replacement) (2005).

G) Travel Plan/Transport Assessment

As highlighted by the Glington and Peakirk Green Programme (GPGP), the Agent has referred to each Local Area Requirement, confirming why certain information may or may not be required to the type of application. The GPGP have questioned the statement, whether the response is correct and that the floodlights would not be used in the evenings.

This has been put to the Agent and at the time of writing this report and the officer is awaiting a response.

H) Sustainability & Mitigating Carbon Footprint

The application site has an established use; it will improve the facilities available to both students and wider community. Both CPRE and GPGP objections state the scheme does not fully address mitigating its carbon footprint as it does not, for example, propose renewable energies.

Policy CS10 of the Peterborough Core Strategy identifies dwellings of 1 or more or development over 100m², for example commercial development, to demonstrate how they contribute to the Sustainable Community Strategy for Peterborough. Whilst the proposal is over 100m², its nature is such that Policy CS10 cannot be reasonably applied as its energy consumption is restricted to floodlighting only.

I) Ecology & Landscaping

A bat survey submitted with the application found that 2 species of bats did use the hedgerow to the North as a corridor. As the proposal is some 35m from the hedge it is not considered the proposal will affect the bats. The proposed planting of 20 Oak trees to the site is welcomed.

The proposal is considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy LNE9 of the Peterborough Local Plan (First Replacement) (2005).

J) Health & Safety Executive

The GPGP letter of objection state the proposal will be sited close to a high pressure gas line; to confirm the pipeline travels North/South in excess of 170m from the site of application to the West, and therefore outside the risk area associated with the gas line. In any event, the site is already an educational/recreational use.

K) Drainage

Surface water from the pitch will discharge into an existing ditch under control of Welland and Deepings Internal Drainage board, to be agreed with them.

8 CONCLUSIONS

The proposed all weather pitch is considered to improve the facilities available to Arthur Mellows Village College, and contributes to the Peterborough Sports Strategy (2009-2014) by providing a community use.

By virtue of size, scale, juxtaposition and appearance the proposal is not considered to detract from the character or appearance of the landscape, and through conditions the proposal will not detract neighbour amenity through privacy, light or noise. The proposal will not affect any protected species and introduces a tree planting scheme to compliment existing boundary treatment. The proposal is considered to be in accordance with Policies CS14, CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies LNE1, LNE9, LT10, LT12 and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 7 (2004) and the Peterborough Sports Strategy (2009-2014).

9 RECOMMENDATION

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 All Weather Pitch is considered of appropriate size, scale, juxtaposition and appearance which will not detract from the character or appearance of the area or landscape;
- the proposal is not considered to have significant impact to neighbour amenity, by virtue of light, privacy or noise;
- the proposal is considered to provide satisfactory parking and would not result in a highway safety hazard; and
- the proposal is considered not to detract protected species and introduces an improved planting scheme.

Hence the proposal accords Policies CS14, CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies LNE1, LNE9, LT10, LT12 and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 7 (2004) and the Peterborough Sports Strategy (2009-2014).

Policy CS10 of the Peterborough Core Strategy DPD (2011) cannot be reasonably applied to this development as it will not significantly contribute to the Environmental Capital Agenda.

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. Prior to commencement of development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. 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 Community Use Scheme shall be implemented in accordance with the approved details and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport in accordance with Policy LT10 and the Peterborough Sports Strategy (2009-2014).

- 3. The approved floodlights shall not be used between the following curfew times: 21:30 and 08.00 Monday to Friday or between 20.30 and 08.00 on Saturdays, Sundays or Bank Holidays and use of the All Weather Pitch shall stop 20 minutes before the curfew time commencing.**

Reason: To ensure the development is in accordance with Policy CS16 of the Peterborough Core Strategy and Policies LNE1, LT10 and LT12 of the Peterborough Local Plan (First Replacement) (2005).

- 4. Lighting shall be arranged so that no danger or inconvenience is caused to users of the adjoining public highway. Details of the proposed lighting shall be submitted to the Local Planning Authority and approved in writing prior to its first use.**

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- 5. The all-weather artificial pitch shall not be brought into use until the temporary construction access has been removed and the land returned to its former use, including removal of the vehicular access and reinstatement of the full height kerb and verge.**

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- 6. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- 7. Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- 8. The use of the columns for lighting the All Weather Pitch shall not exceed the obtrusive light limitations for sky glow, light into windows and source intensity specified in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Light Pollution (Revised) (2005). The Applicant, Agent or successor in title shall demonstrate compliance with this condition, e.g. by measurement or calculation, in circumstances where reasonable concern arises from resultant lighting levels.**

Reason: In order to protect the amenity of local residents and highway safety and to accord with Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011).

Informatives:

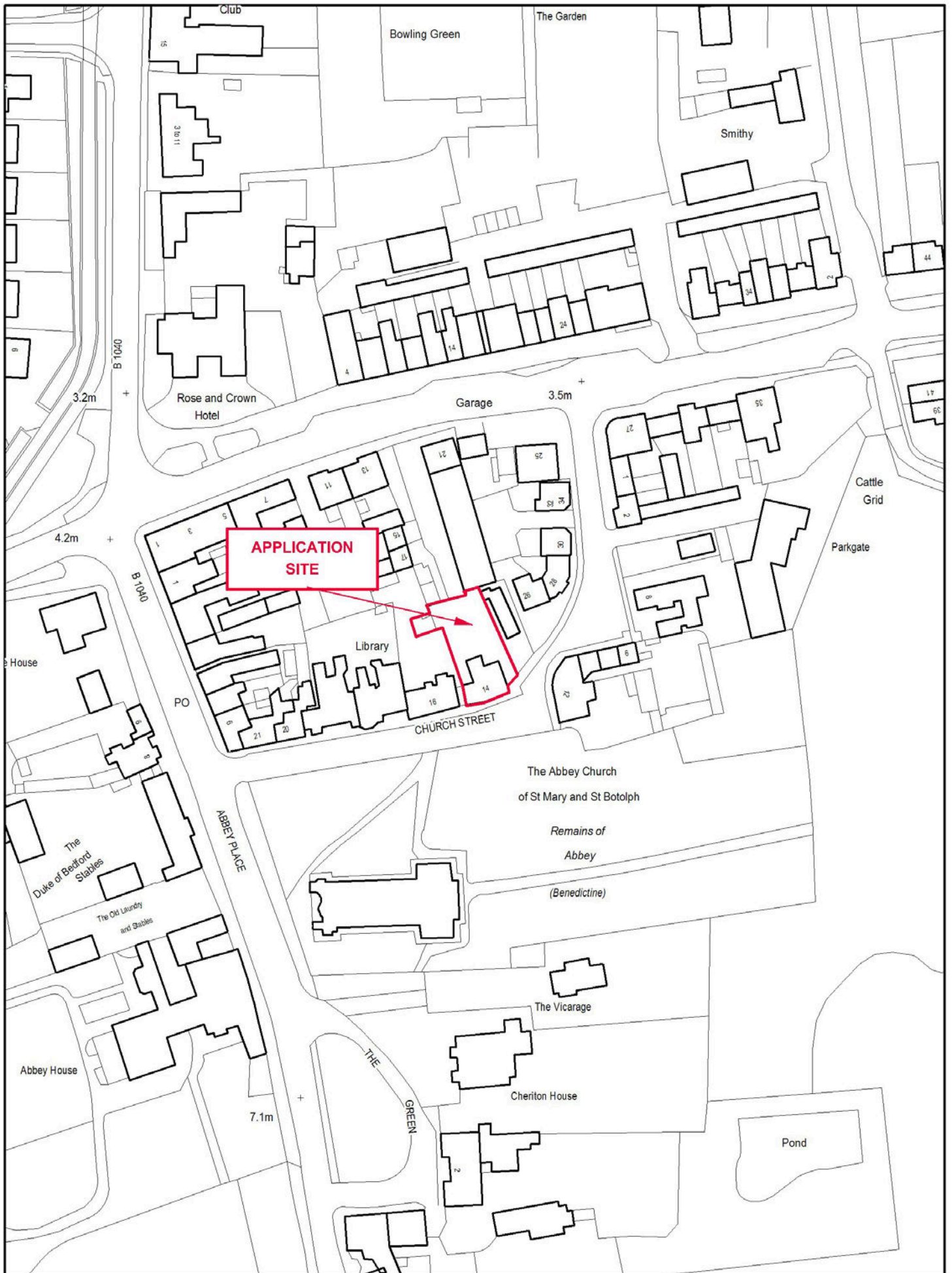
1. Building Regulation approval is required for this development. For further information contact the Building Control Section on 01733 453422 or email buildingcontrol@peterborough.gov.uk.
2. This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway. These works **MUST** be carried out in accordance with details specified by Peterborough City Council. Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee. Contact is to be made with Vladimir Demcak of the Highway Control Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.
3. The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
4. It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility

of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

5. If any thing is so deposited on a highway as to constitute a nuisance, the local authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Copies to Councillors J Holdich OBE and D Lamb.

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LOCATION PLAN 11/00730/LBC

14 Church Street, Thorney

PCC GIS



Scale 1:1250 Date 13/7/2011 Name AH Department Planning Services

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11/00730/FUL &
11/00731/LBC:

AMENDMENTS TO PREVIOUS PLANNING PERMISSION AND LISTED BUILDING CONSENT (REFS:- 10/00060/FUL & 10/00070/LBC) FOR THE CONSTRUCTION OF A TWO STOREY REAR EXTENSION AND TWO SINGLE STOREY SIDE EXTENSIONS AND THE INSULATION AND RE-FACING OF NORTH ELEVATION AND CHANGE TO A WINDOW SIZE (NO LEAD GLAZING) AT 14 CHURCH STREET, THORNEY

VALID: 18 MAY 2011
APPLICANT: MRS S FALCO
AGENT: N/A
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: THE APPLICANT'S SON IS EMPLOYED BY PETERBOROUGH CITY COUNCIL IN THE PLANNING SERVICES DEPARTMENT.
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 consideration is:

- The impact of the proposed works upon the appearance of the Grade II listed building and the character of the Thorney Conservation area.

The Head of Planning Services recommends that these applications are **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

Peterborough Core Strategy

CS17 The Historic Environment – The authority are to protect, conserve and enhance the historic environment through protection afforded to listed buildings, conservation areas and schedule ancient monuments through careful control of development.

3 DESCRIPTION OF PROPOSALS

The proposals seek to amend two aspects of a 2010 grant of planning permission and a listed building consent for the erection of a two storey rear extension and two single storey rear/side extensions. The proposal is to bring rearwards an existing recessed two storey rear element of the dwelling by 2.8m to be in line with the principle gable to the rear elevation of the dwelling.

Two single storey side extensions are proposed on either side of the existing rear flank walls to the dwelling. The eastern side ground floor extension is to have a depth of 4m and a width of 2.5m with a mono-pitched roof. The western side single storey ground floor extension is to be accessed off the kitchen and is to have depth of 5m with a width of 1.5m to form a WC and shower room.

Timber casement windows are proposed in the extensions to replace the originally approved leaded lights fenestration. A window in the rear elevation is to be made independent of a proposed door in that elevation. The rainwater goods are proposed to be of cast iron.

The rear gable wall of the existing dwelling is to have a single 'brick skin' added rearwards to provide a layer of insulation whilst also providing a uniform brick finish to the elevation.

There are no alterations in the current applications to the scale, general proportions and footprint of the previously approved extensions.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application dwelling dates back to the 18th century and is of brick construction with a pantiled roof throughout. The dwelling previously had a thatched roof. The footprint of the dwelling is 'T' shaped and is part two storey, to the rear with a prominent gable end, and part one and half storey to the front facing Church Street. The current appearance of the rear and west elevation is poor due to contrasting brick types and poorly maintained rendering.

The property lies at a prominent corner within Church Street at the eastern end of a row of terraced housing and Thorney Library. Immediately to the east of the dwelling is a Pharmacy business within a small building that was formerly a telephone exchange. The Pharmacy has a large forecourt area and is set slightly rearwards of the application dwelling. A curved style 1.8m high fence forms the eastern boundary with the Pharmacy. To the rear of the site is a car repair business and to the west a part attached dwelling with a substantial curtilage. To the south of the site lies the grounds of Thorney Abbey.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
10/00060/FUL	Construction of a two storey and a single storey rear extension	10.03.2010	APPROVAL
10/00070/LBC	Construction of a two storey and a single storey rear extension	10.03.2010	APPROVAL

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Conservation Officer: No objections to the amendments to the glazing patterns of the French doors and windows on the rear elevation. Their simplification by the omission of the leaded lights is appropriate for a relatively humble cottage. The windows on the north elevation are not visible from the public realm. No objections to either the external insulation or the new brick skin on the forward most section of the north elevation (bedroom 4 and kitchen). Samples of the external materials and joinery will be required for approval. The dwelling is a Grade II listed building with the listing being for its group value.

EXTERNAL

No comments received

NEIGHBOURS

No comments received

COUNCILLORS

No comments received

7 REASONING

The impact of the proposed works upon the appearance of the Grade II listed building and upon the character of the Thorney Conservation Area.

The revised proposal would further improve the appearance of the property when compared to the originally approved scheme. The original proposal, if implemented, would have resulted in the existing various brick types and poor quality rendering being retained to the rear elevation of the existing rearmost two storey gable end. The current proposal would, by way of the use of a single brick type, match the older bricks of the dwelling, screen the unsatisfactory appearance of the existing two storey rear elements of the dwelling and would provide for a very satisfactory external appearance to the dwelling that would enhance its relationship to the Thorney Conservation Area and the group of listed buildings. There are no alterations to the footprint of the various extensions and given that there have been no change in the circumstances relating to the determination of the application the extensions remain acceptable in having no adverse impacts upon neighbour amenity and due to their satisfactory relationship to the dwelling.

The fenestration to the rear and side of the dwelling is wholly of a 1960's style that does not relate at all to that of the age of the dwelling. Whilst planning permission was originally granted for the fenestration to comprise of leaded light windows to match that of the windows in the front elevation of the dwelling, following discussions with the applicant, it was considered that such windows would be overtly 'fussy' and 'busy' in appearance. The age and general appearance of what is a 'humble' cottage would in hindsight be best suited to have simple, less cluttered fenestration which would be the case with the revised timber casements. These would improve the appearance of the cottage in terms of its listed building status and also would improve the character of the dwelling within the Thorney Conservation Area. The use of cast iron rainwater goods will be wholly in keeping with the general character and appearance of the dwelling as will the use of reclaim bricks to match those of the original dwelling.

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 proposed works would positively improve upon the character or appearance of the listed building and hence the Conservation Area in accordance with policy CS17 of the Peterborough Core Strategy DPD.

9 RECOMMENDATION

The Head of Planning Services recommends that these applications are **APPROVED** subject to the following conditions:

1. Planning application ref:- 11/00730/FUL

C1 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)

C2 The materials to be used in the construction of the extensions hereby approved shall match those of the original historical external surfaces of the dwelling house.

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

C3 The rainwater goods shall be of a black painted cast iron construction on rise and fall brackets.

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

- C4 The joinery for the fenestration to the extensions hereby approved shall be timber casement construction to accord with the approved details dated 20 and 21 July 2011.**

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

2. Listed Building application ref:- 11/00731/LBC

- C1 Works to which this consent relates shall be begun no later than the expiration of five years beginning with the date of the decision notice.**

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- C2 The materials to be used in the construction of the extensions hereby approved shall match those of the original historical external surfaces of the dwelling house.**

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

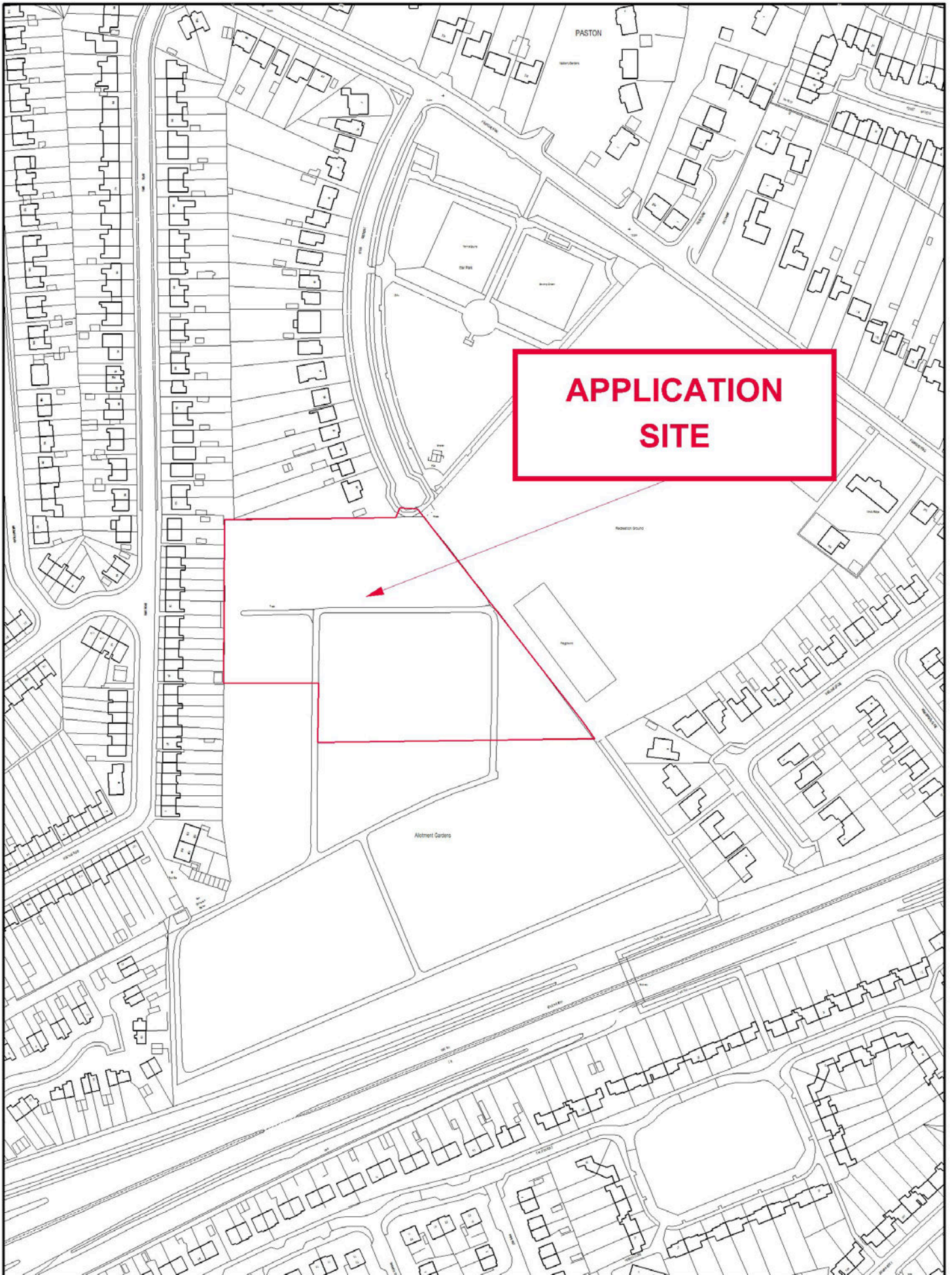
- C3 The rainwater goods shall be of a black painted cast iron construction on rise and fall brackets.**

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

- C4 The joinery for the fenestration to the extensions hereby approved shall be timber casement construction to accord with the approved details dated 20 and 21 July 2011.**

Reason: In order to ensure a satisfactory external appearance of the property in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD

Copy to Councillors D Sanders and R Dobbs



**APPLICATION
SITE**

LOCATION PLAN 11/00836/FUL

Itter Crescent, Walton

PCC GIS



PETERBOROUGH



Scale 1:2500 **Date** 12/7/2011 **Name** AH **Department** Planning Services

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11/00836/FUL: RESIDENTIAL DEVELOPMENT COMPRISING 34 NO. DWELLINGS, ASSOCIATED ACCESS, LANDSCAPING AND ANCILLARY WORKS AT ALLOTMENTS 1 ITTER CRESCENT, WALTON, PETERBOROUGH

VALID: 7 JUNE 2011

APPLICANT: BELLWAY HOMES EAST MIDLANDS

REFERRED BY: HEAD OF PLANNING, TRANSPORT AND ENGINEERING SERVICES

REASON: COUNCIL OWNED LAND

DEPARTURE: NO

CASE OFFICER: MRS J MACLENNAN

TELEPHONE: 01733 454438

E-MAIL: janet.maclennan@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development
- Design and Amenity
- Impact on Neighbouring Amenity
- Residential Amenity
- Highway Implications
- Meeting Housing Needs
- Open Space Provision
- Landscape 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.

Development Plan Policies

Key policies highlighted below.

The Peterborough Local Plan (First Replacement) (2005)

- H3 Allocation of Housing Land: Urban Area** – Sites allocated primarily for residential use
- H15 Residential Density** - Seeks the Highest residential density compatible with the character of an area, the living conditions of local residents, that is of good standard of design and that provides open space.
- H16 Residential design and amenity** - Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- LNE9 Landscaping implications of development proposals** - Seeks retention and protection of trees and other natural features that make a positive contribution to an area; and adequate provision of landscaping of sites.

- LNE10 Detailed elements of landscaping schemes** - Seeks provision of a landscaping scheme suitable for the development, which should include where appropriate, the retention of landscape or ecological features, suitable new planting, protection and management of scheme, provision for natural ecological regeneration and the completion of planting by first occupation or development completion, whichever is sooner.
- LT1 Open space in new residential development** - Seeks provision of open space for developments of 9 or more dwellings.
- T10 Car and motorcycle parking requirements** - Planning permission will only be granted for development outside the city centre if it is in accordance with approved parking standards.

The Adopted Peterborough Core Strategy DPD

- CS1 The Settlement Hierarchy and the Countryside** – Decisions on investment in services and facilities and on the location and scale of development will be taken on the basis of a Peterborough Settlement hierarchy.
- CS2 Spatial Strategy for the Location of Residential Development** – The overall development strategy is to focus the majority of new development in and around the urban area of the City of Peterborough, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most efficient and effective use of previously developed land, and enabling a larger number of people to access services and facilities locally.
- CS8 Meeting Housing Need** – 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. Affordable housing shall be provided on the development site, unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution (of broadly equivalent value) to the Council to enable some housing need to be met elsewhere.
- CS10 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 the development proposals of any scale must not compromise the ability of the City to achieve such a status. All development proposal must demonstrate what contribution will be made over and above that which would be required by the Building Regulations.
- CS13 Developer Contributions and Infrastructure Provision** - 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). The use of a standard charge approach will ensure that any contribution is reasonably related to the scale and type of development that is proposed.
- CS14 Transport** - The transport strategy for Peterborough is to: (i) reduce the need to travel, especially by private car; (ii) deliver a sustainable transport package capable of supporting a bigger and better Peterborough; (iii) support our UK Environment Capital aspirations; and (iv) assist in improving the quality of life of people.
- 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 be designed in a way that is accessible to all potential users and by a range of modes of transport, taking into account the transport user hierarchy of the Peterborough Local Transport Plan. There should be good connections with the wider area and a clear network of legible routes through the site for pedestrians and cyclists, supported by a network of open space and green corridors, where justified by the scale of the development....New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

CS17 The Historic Environment - The Council will protect, conserve and enhance the historic environment throughout Peterborough, through the special protection afforded to listed buildings, conservation areas and scheduled ancient monuments and through careful control of development that might adversely affect non-scheduled, nationally important archaeological remains; other areas of archaeological potential or importance; historic features and their settings; buildings of local importance; and areas of historic landscape or parkland (including, but not limited to, those on the English Heritage Register of Parks and Gardens of Special Historic Interest).

CS19 Open Space and Green Infrastructure – All new development will make appropriate provision for or improvements to, public green space, indoor and outdoor sports facilities and play facilities.

CS21 Biodiversity and Geological Conservation – The City Council, working in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the area.

Material planning considerations

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, liveable 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

The PPS states 'The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live.' The Government is seeking to 'achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community; to widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need; to improve affordability across the housing market, including by increasing the supply of housing and to create sustainable, inclusive, mixed communities in all areas, both urban and

rural.’ The outcomes for the planning system are ‘to deliver high quality housing that is well-designed and built to a high standard, to provide a mix of housing both market and affordable, to provide a sufficient quantity of housing taking into account need and demand and seeking to improve choice, to provide housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure and have a flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.’

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

The PPS5 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.’

PPS5 contains policies that seek to conserve and exploit the benefits of the historic environment. Policy HE8 advises that “the effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application.”

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 (Cabinet Decision). Prior to adoption, the POIS was subject to 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 by Section 12(1) of the Planning and Compensation Act 1991).

Policy 42 of Peterborough Tree and Woodlands Strategy (Sept 1998)
Peterborough City Councils Planning Guidance ‘Trees on Development Sites’

3 DESCRIPTION OF PROPOSAL

The application seeks permission for residential development comprising 1 x 3-bed, 15 x 4-bed and 18 x 5-bed properties. The dwellings would be two and two and a half storey set on relatively large plots. The site would be accessed off Itter Crescent.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site area is approximately 1.38 ha and is part of a site allocated for residential development under policy H3 (ref 3.21) of the Adopted Peterborough Local Plan (First Replacement) (2005). The site was former allotment land located to the southern end of Itter Crescent and overlooks Itter Park Recreation Ground to the east and is separated from it by a public footpath/right of way. The site is currently overgrown with scrub, grass and a number of trees. The site is bounded to the north (Itter Crescent) and west (Fane Road) by established residential properties and allotment land to the south. The character of Itter Crescent comprises primarily detached single storey and two storey properties circa 1950s with large rearward gardens. Each dwelling along the Crescent is of individual design. Properties located in Fane Road are primarily two storey terraced properties with rear gardens extending some 22 metres. The site lies adjacent to Itter Park which has been awarded the Green Flag Status; the national standard for the parks of England and Wales. It is divided into two sections by a hedge and includes a playing field and a small formal garden

5 PLANNING HISTORY

- a) No recent history on site
- b) Relevant history at No 40 Itter Crescent:
 - 10/00308/FUL Construction of 4 bed dwelling Allowed at Appeal 09.12.2010

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways: No objections. Minor amendments have been made to the proposal in accordance with advice provided by the Local Highways Authority (LHA). The LHA raised no objections to the proposal subject to conditions and informatives.

Landscape Officer: – No objections. None of the trees are worthy of a TPO, this has been confirmed by the assessment carried out within the tree survey. The Landscape Officer requested that the Root Protection Areas (RPAs) be plotted for the retained trees. A revised drawing was submitted with the RPAs plotted and the Landscape Officer raises no further objection.

Police Architectural Liaison Officer: No objections. The site appears to accommodate the number of homes proposed without compromising safety or security to any great extent. The majority of the development has been designed with the principles of Crime Prevention Through Environmental Design (CPTED) in mind. Raises concern that there is poor surveillance of external drives and garage doors from 'Active' windows from owners homes. The applicant should consider adding additional (preferably ground floor) windows to overlook driveways. The parking places to the sides of a number of homes should also be illuminated at night by lights which have a photocell (dusk to dawn) switch.

Environmental Health: No objections. A noise assessment has been submitted given the proximity to Soke Parkway. The recommendations in the appraisal are considered sufficient to confirm that a design solution for the application site is feasible. The details of the acoustic ventilators to be installed should be provided for agreement. As an alternative whole house ventilation systems with similar acoustic properties would be acceptable. Details of such schemes should also be provided for agreement.

Archaeological Officer: No objections. The proposed development encroaches upon the historic Itter Park and is located within an area that has produced Iron Age and Roman finds. Requests conditions seeking a programme of Archaeological work including a written statement of investigation in accordance with policy H12.3 of Planning Policy Statement 5.

Rights of Way Officer: No objections. The proposal does not affect the public right of way.

Wildlife Officer: No objection. Recommends additional enhancements to achieve biological gain.

NEIGHBOURS

5 letters of objection have been received from neighbouring properties. The main issues are summarised as follows:

- No thought has been given to occupiers of the elegant houses in Itter Crescent, the value of which will drop – [This is not a material planning consideration]
- No thought has been given to how the traffic will be controlled in and out of the site
- Concern regarding parked cars along Itter Crescent by people using the park
- How are the young, old and disabled people to cross this busy road to get to the park
- It is a long way to walk down Itter Crescent to the bus stop where the service is infrequent
- What is the purpose of the dead end road leading to the remaining allotments, are these to disappear?
- Concern regarding the threat of future development on Itter Park Playing fields
- Insufficient parking and there is no capacity on Itter Crescent for any overspill
- Concern that houses will be turned into bed-sits
- Traffic and volume will increase making accessing the Park difficult
- Is there sufficient capacity at nearby schools
- The density appears to be very cramped. Is it in keeping with Itter Crescent?
- There was no sign of the application in the Evening Telegraph – [the application was published in the Evening Telegraph on Friday 17th June 2011]
- The Site Allocations DPD states 25 dwellings, was this ignored?
- How are the dwellings 'in keeping' with the area?
- What will happen with the provision of services? Recent gas leak revealed pipes in need of replacement – [Not a material planning consideration]
- Access route to new development via Itter Crescent is not fit for purpose
- The road surface in Itter Crescent is poor, this will be worsened by construction traffic – [This is a highway maintenance issue]
- Has consideration been given to reducing the speed along Itter Crescent? – [not a material planning consideration]
- There is a waiting list for allotments in Peterborough
- None of the properties bear any similarity to existing properties in Itter Crescent
- The 9 dwellings fronting the site should have individual designs with some resemblance to properties in Itter Crescent
- The 9 dwellings are very close to the road unlike properties in Itter Crescent
- The proposal would result in more cars parked along the Crescent, could this become 'resident parking only' – [not a material planning consideration]
- The new road should be made the same width as the current road

7 REASONING

a) Policy context and the principle of development

The site has been allocated for housing development since the adoption of the Adopted Peterborough Local Plan (First Replacement) 2005 (ref. H3.21) and has been carried forward to the Local Development Framework Site Allocations DPD 'proposed submission' (ref. SA3.38). The site area has been reduced from the original Local Plan submission as it is intended that part of the former allocation would be taken back as allotment land. The principle of residential development on this site and the loss of allotments has been established and the proposal would accord with the spatial strategy for the location of residential development as required by policy CS2 of the Adopted Peterborough Core Strategy.

b) Design and Amenity

The site is situated at the far end of Itter Crescent. Itter Crescent is an attractive tree-lined cul de sac with a spacious feel provided by wide pavements with grassed verges. The built form along the crescent is mixed, comprising predominantly two storey detached properties of individual styles and there is no one uniform style of development. Due to the line of the crescent the site is not directly visible from the entrance to the street and glimpses of the development would become apparent on approach along the

Crescent. It is accepted that the proposed development would break with the existing building line of properties in Itter Crescent and would have its own identity capturing the modern style of its time. Although the development would be a continuation of the crescent, it should be considered as a stand alone development with its own 'sense of place'. The development would have a variety of design styles. In some properties dormers have been added to create a variation in roof height and in roof-scape, in others subservient elements have been added. The materials would consist of a mixture of red and buff facing brick.

The majority of the dwellings have 4 and 5 bedrooms and benefit by large gardens with adequate provision of parking. The dwellings are considered as executive style homes. Attention has been given to the layout of the development, interest is provided within the elevations of corner turn properties and larger dwellings have been located to form vistas into the development. Although the dwellings would be two and two and a half storey the heights are consistent with nearby dwellings.

An indicative figure of 25 dwellings on this site is given within the Site Allocations submission document. The scheme proposes a total of 34 dwellings and the increase in dwellings has been questioned through representations made by neighbouring residents. The explanatory text in the evidence report to the submission document makes clear that the indicative figure is intended as an estimate or guide to the appropriate level of housing that could be delivered. It does not identify the exact number of dwellings that the site should provide which would be determined through the planning application stage and may result in a higher or lower number of dwellings actually being delivered. Policy H15 of the Adopted Peterborough Local Plan (First Replacement) 2005 places emphasis on making full and effective use of land without compromising the character and appearance of the surrounding area. A balance has to be struck between achieving a development which assimilates with existing development and one which makes the most efficient use of the land.

PPS3 makes clear that 'the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.' It would be neither possible nor desirable to mirror existing plot sizes and house styles along Itter Crescent due to limited available land and those properties being of a design of their time. The proposal would provide a density of 24 dwellings per hectare which, albeit higher than the existing density within Itter Crescent, is considered to be a relatively low density for an urban area development. It is considered that the proposal would provide a high quality development and accords with policy H15 of the Adopted Peterborough Local Plan (First Replacement) 2005, Policy CS16 of the Adopted Peterborough Core Strategy and PPS3.

c) Impact on neighbouring amenity

The development would be situated close to existing properties and the impact on the amenity of these properties is an important planning consideration. The properties to the west of the site would be separated from properties in Fane Road by a minimum of 28.8m. The orientation and siting of dwellings along the northern boundary (plots 1, 3 & 4) and abutting the garden of no. 40 Itter Crescent/approved dwelling (ref. 10/00308/FUL) have been carefully considered. The rear garden of no. 40 Itter Crescent extends some 60 metres. Plot 4 would have a first floor window within the side elevation serving a bathroom adjacent to the boundary. Plot 3 is positioned approximately 25 metres from the rear elevation of no. 40 and has a rear garden depth of 10.3 metres. This is considered to be an acceptable separation distance to avoid overlooking and overbearing impact. Plot 1 and Plot 2 have been positioned further into the site to avoid overbearing impact on the new dwelling within the garden of No. 40 Itter Crescent. This dwelling was allowed at appeal on 09.12.2010 (ref APP/J0540/A/10/2128328) and would have side facing windows overlooking the application site. It is accepted that the positioning of Plot 1 is close to the shared boundary and there would be some overshadowing to the rear patio area to the new dwelling for a short period of the day, which would be worse during the winter months, however the relationship is not considered unreasonable. There are no windows within the site elevation of Plot 1 and hence there would be no loss of privacy or overlooking to the future occupiers of the new dwelling. It is considered that the development would not unduly impact on the amenity of the occupiers of the existing dwellings surrounding the site and accords with policy CS16 of the Adopted Peterborough Core Strategy.

d) Residential Amenity

The development comprises large dwellings set on large plots with rear gardens areas averaging 150m². Each garden has a depth of a minimum of 10m. The only exception is plot 34 which has a smaller rear garden however, benefits by having a grassed area to the side and front. A defensible bounding comprising a 1.2m railing is provided to the front of plots 30 to 34. Back to back and back to side positioning of the dwellings is sufficient to provide an appropriate level of privacy and avoiding any overbearing impact.

The proposed layout has been considered by the Architectural Liaison Officer and the development allows for an acceptable level of natural surveillance and crime prevention. The Officer has raised some concern in relation to poor surveillance of external drives and garage doors from 'active' windows from owners homes. Ideally, residents should be capable of viewing their vehicle from within their home. The applicant should consider adding additional (preferably ground floor) windows to overlook driveways. This has not been achieved in all dwellings however, the addition of dusk to dawn lighting would help achieve additional security and a condition regarding lighting shall be appended to the decision notice.

An Acoustics report has been undertaken to assess the noise implications from road traffic on the Soke Parkway (A47) which lies approximately 150m to the south of the site. The Environmental Health Officer has assessed the report and considers that the recommendations within the report confirm that a design solution for the site is feasible. Details shall be secured by condition regarding acoustic ventilators and window design. It is suggested that the boundary treatment to plots abutting the southern boundary of the site are increased in height to 2m to provide noise attenuation for the outdoor amenity space.

The layout of the proposed development, the aspect of individual dwellings and the relationship of dwellings would provide a satisfactory level of amenity to the future occupiers of the development and the proposal therefore accords with policy H16 of the Adopted Peterborough Local Plan (First Replacement).

e) Highway Implications

A new access road into the development would be formed off Itter Crescent. The access conforms to highway standards and provides appropriate visibility splays. The surfacing to the entrance of the site will delineate a change in character and a build out opposite plot 17 will control the speed of vehicles. A 0.5m verge between 'Road 1' and adjacent public right of way/footpath to the front of the site is provided. The two areas would be separated with a knee rail fence to discourage vehicles from parking on the verge. Each dwelling is provided with parking provision which accord with the maximum parking standards under policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005. The proposal would not result in any detriment to users of the public highway and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

f) Meeting Housing Needs

In accordance with policy CS8 of the Adopted Peterborough Core Strategy new development proposals should provide 30% of affordable dwellings on site. Policy CS8 also identifies a need for more prestige homes in the city. The officer is mindful of the history of the site and in particular the considerable amount of representations made by local residents and local councillors when the site was first allocated for housing development within the Adopted Peterborough Local Plan (First Replacement) 2005. At that time, concern was raised over the density and whether this would be in keeping with the existing development along Itter Crescent. The (LDF) site allocations document identifies the site as being suitable for lower density development, which may include prestige homes and proposes a total number of dwellings as 25 dwellings. Whilst there is a need for affordable units, it is also recognised that there is a need to provide for all members of the community, including executive style homes to encourage members of the community to live locally rather than commuting from villages, offering a more sustainable location within the urban area. The proposal is consistent with this objective.

Furthermore, the provision of onsite affordable housing would not make the scheme viable given the aspirations of achieving a low density development. Notwithstanding the relaxation of the on site provision of affordable housing in this case, a commuted sum is currently being negotiated with the developer to provide off-site affordable housing provision. The commuted sum that has been offered is £840,000. This is in no way to set a precedent for future residential schemes on other sites but is taking into account the history of the site and the original views of the local residents/community. It is

considered that the proposal therefore would meet an identifiable housing need in accordance with the provisions of policy CS8 of the Adopted Peterborough Core Strategy DPD.

g) Open Space

Policy LT1 of the Adopted Peterborough Local Plan (First Replacement) 2005 requires new residential development comprising 9 units or more to be provided with on-site open space provision in accordance with the open space standards. The primary purpose of the open space standards is to ensure adequate provision is provided for all new residential developments. In this instance it is considered unreasonable to seek on site open space provision given the close proximity of the site with Itter Park. However, it is accepted that the new development would put additional pressure and the existing provision through additional use and therefore a contribution is sought for enhancements to Itter Park, in the form of new seating. This is considered to be reasonable and accords with the tests as set out in circular 05/05.

h) Landscaping Implications

The site was a former allotment site and has been left unattended for a number of years. The site contains grassed areas, herbaceous plant species and a number of mature trees including Walnut, Crab Apple, Norway Maple and Sycamore. A tree survey has been undertaken and submitted in support of the application. The survey found all trees to be worthy of no more than the 'C' retention category; trees whose retention should not be allowed to constrain development. None of the trees within the site are worthy of a TPO. The Landscape Officer agrees with the conclusions of the tree survey. However, in the original submission no information was provided on the root protection zones for trees on the site boundary shown as being retained. This information has subsequently been provided and the Landscape Officer raises no further objection to the proposal. A landscaping condition shall be appended to the decision notice requiring details of replacement trees and landscaping within the site in accordance with policies LNE9 and LNE10 of the Adopted Peterborough Local Plan (First Replacement).

i) Ecological implications

An ecological assessment of the site has been undertaken by FPCR Environment and Design Ltd in order to identify any potential ecological constraints relating to the proposed development. The assessment followed on from an extended phase 1 habitat survey technique as recommended by Natural England. The assessment concluded that the majority of the site comprised species poor semi-improved grassland. Other habitats included patches of bare ground and individual trees. The botanical species present were considered to be common and typical of the habitats present and their loss would not be a constraint to development. No sites designated for their nature conservation interest would be impacted on by the proposed development. No protected or notable species were recorded on site and there are no further surveys required. The assessment recommended that woody vegetation should be removed outside the bird nesting season and habitat enhancements in the form of bat/bird boxes and a strengthened boundary habitat is recommended to enhance the site's biodiversity for flora and fauna interest. Replacement trees should be of native species. The Wildlife Officer has no objections to the proposal subject to enhancements as set out in sections 4.7 and 4.8 of the report. The proposal accords with policy CS21 of the Adopted Peterborough Core Strategy DPD.

j) Impact on the historic environment

The site lies within an area that has produced Iron Age and Roman finds, their presence indicating the likely existence of settlements which have not yet been identified. In accordance with policy HE6.1 of PPS5 where an application site includes, or could potentially include, heritage assets with archaeological interest, local planning authorities should require developers to carry out a desk-based assessment and a field evaluation by trial trenching. An archaeological desk-based assessment has been submitted in support of the application which has not ruled out the possibility of the presence of prehistoric archaeological remains within the site. In accordance with policy CS17 of the Adopted Peterborough Core Strategy and PPS5 a condition shall be appended to the decision notice requiring a Written Scheme of Investigation to be carried out prior to development commencing.

k) S106 contribution

In accordance with the Planning Obligations Implementations Scheme the proposal would give rise to a S106 contribution of £288,000 plus monitoring fee.

In addition:

- £10,000 is sought for enhancements to Itter Park
- The developer is to provide residential travel packs to residents upon first occupation. A contribution of £360 is sought
- The development would produce an increase in the amount of people using public transport in the area. A contribution is sought towards upgrading the nearest bus stop to the development. The typical cost for this would be about £15,000.
- A commuted sum of £840,000 is sought for off-site provision of Affordable Housing

The contributions are considered to be reasonably related to the development and accord with the tests as set out under circular 05/05.

I) Miscellaneous items not covered within this report

- What is the purpose of the dead end road leading to the remaining allotments, are these to disappear? [It is intended that the remaining part of the allocations site (H3.21) will be returned to allotment land. However, the road has been designed in this way to avoid having a ransom strip, in the event that the allotment land becomes surplus to requirements at some time in the future.]
- Concern regarding the threat of future development on Itter Park Playing fields – [this is a nationally recognised park and there is no threat of future development arising as a result of this development.]
- Concern that houses will be turned into bed-sits – [this would result in the creation of separate planning units and would require the benefit of planning permission.]
- Roads are too narrow/will be too busy. [The existing and proposed roads are of the right width and alignment to carry the traffic and traffic flows will not be such that crossing the road will be difficult.]

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:

- This is an allocated housing site and would provide efficient and effective use of land and accords with the spatial strategy for the location of residential development;
- The proposal would provide a high quality development and meet the requirement for a need for executive homes;
- The scale and design of the development would respect the character and appearance of the surrounding area;
- the development makes adequate provision for the residential amenity of the future occupiers of the properties;
- the development would not result in any adverse impact on the amenity of occupiers of existing neighbouring dwellings;
- the proposal provides adequate parking provision for the occupiers of the dwellings and visitors and will not result in any adverse highway implications;
- the proposal does not have an unsatisfactory impact on any ecological feature, trees of significant value or archaeological feature; and
- the proposal makes satisfactory and justified off site provision for affordable housing, public transport, open space by way of a financial contribution. The proposal also makes a contribution towards the social and physical infrastructure demands that it will place on the city.

Hence the proposal accords with policies H3, H15, H16, LNE9, LNE10 and T10 of the Adopted Peterborough Local Plan (First Replacement), policies CS8, CS10, CS13, CS14, CS16, CS17 of the Adopted Peterborough Core Strategy and PPS1, PPS3, PPS5.

9 RECOMMENDATION

Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the social and physical infrastructural needs of the area, the Head of Planning, Transportation and Engineering Services be authorised to grant planning permission 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 Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until details of the materials to be used in the external elevations of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.
- C 3 The buildings shall not be occupied until the garages shown on the approved plans has/have been constructed, in accordance with the approved plans. The garages shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the buildings.**
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011 and Policies T9 and T10 of the Adopted Peterborough Local Plan (First Replacement).
- C 4 The buildings shall not be occupied until the areas shown for parking on the approved plan have been drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the buildings.**
Reason: In the interest of Highway safety, in accordance with Policies T9, T10 and T11 of the Adopted Peterborough Local Plan (First Replacement).
- C 5 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**
Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011.
- C 6 Development shall not commence before details of access to the site, the layout of the site including highways and buildings, highway construction, highway drainage and street lighting have been submitted to and approved in writing by the Local Planning Authority.**
Reason: In the interests of Highway safety and to ensure that the new highways are adequately constructed, drained and lighted, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011.
- C 7 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**
Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011
- C 8 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing.**

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Planning Policy Statement 5 Planning for the Historic Environment and Policy CS17 of the adopted Peterborough Core Strategy DPD.

C 9 No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 8.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Planning Policy Statement 5 Planning for the Historic Environment and Policy CS17 of the adopted Peterborough Core Strategy DPD.

C10 Notwithstanding the details hereby approved details of the surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

Reason: In order to manage surface water run off and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

C11 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy.

C12 Notwithstanding the details hereby approved and in accordance with the recommendations provided in sections 4.7 to 4.8 enhancement shall be made to encourage biological gain within the site. The enhancements shall include:

*** a range of bird and bat boxes**

*** the planting of locally native species or more ornamental species known to attract wildlife. This should include additional hedge-planting to the boundary of the development, particularly alongside the existing allotment site and the park**

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy and PPS9

C13 No development shall commence until details of the acoustic ventilators to be used in the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in accordance with the approved details prior to the dwellings being occupied.

Reason: In order to attenuation any noise pollution as recommended in the Acoustic Report by RPS dated 15 April 2011 and in accordance with Planning Policy PPG24 'Planning and Noise'.

C14 Notwithstanding the details hereby approved the height of the boundary treatment to the south of plots 8, 9, 10, 24, 25, 26, 28, 33 and 34 shall be 2m.

Reason: In order to protect against noise pollution form the A47 and in accordance with Planning Policy Guidance 24

C15 The development shall achieve as a minimum, an energy efficiency of 10% above the Building Regulations standard at the time of Building Regulations being approved for the development, unless this requires a zero carbon development.

As an alternative to the above energy efficiency requirement, a proposal which exceeds other requirements in policies CS10 and CS11 of the Adopted Peterborough Core Strategy and which is considered by the Local Planning Authority to be of greater benefit in achieving those policy objectives may be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to deliver energy efficiencies in accordance with Policies CS10 and CS11 of the Adopted Peterborough Core Strategy DPD.

C16 Notwithstanding the details hereby approved prior to the first occupation of each dwelling dawn to dusk lighting shall be provided within its parking area in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the security of the dwellings in accordance with policy CS16 of the Adopted Peterborough Core Strategy.

C17 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 for replacement trees, species, numbers, size and density of planting**

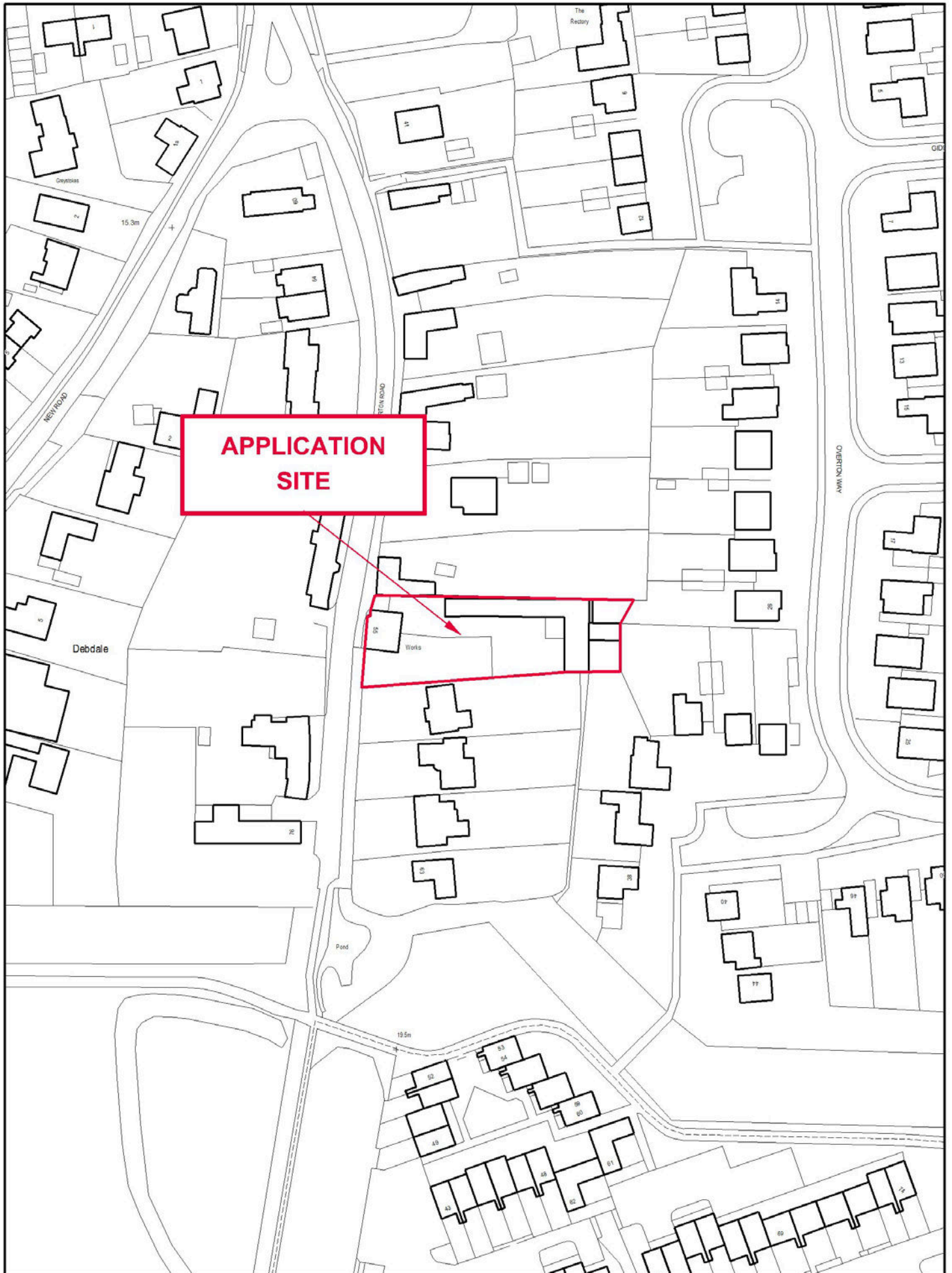
Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) and policy CS21 of the adopted Peterborough Core Strategy DPD.

C18 Prior to the commencement of development, a CDM Construction Phase Plan, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with policy CS14 of the Adopted Peterborough Core Strategy DPD.

Copy to Councillors J N Sandford and A Shaheed

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LOCATION PLAN 11/00879/FUL

55 Cherry Orton Road, Orton Waterville

PCC GIS

Scale 1:1250 Date 12/7/2011 Name AH Department Planning Services



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11/00879/FUL: CHANGE OF USE OF EXISTING RESIDENTIAL STORE TO STORE ROOM FOR BUSINESS USE (PART RETROSPECTIVE), REMOVAL OF EXISTING MONO PITCH ROOF, AND REPLACE WITH FLAT ROOF AND COVERED ACCESS TO STORE ROOM, CHANGE OF USE OF PART OF EXISTING GARAGE TO UPGRADED TOILETS AT 55 CHERRY ORTON ROAD, ORTON WATERVILLE, PETERBOROUGH

VALID: 3 JUNE 2011

APPLICANT: R AND P MEATS LTD

AGENT: MR M WATSON

REFERRED BY: CLLR STOKES

REASON: APPLICATION OF WIDER PUBLIC INTEREST

DEPARTURE: NO

CASE OFFICER: SAM FALCO

TELEPHONE: 01733 454408

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

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

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

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

2 PLANNING POLICY

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

Development Plan Policies

CS16: Urban Design and Public Realm

Planning permission will only be granted if:

- (a) the proposal is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- (b) creates or reinforces a sense of place; and
- (c) does not create an adverse visual impact
- (d) can be satisfactorily accommodated on the site itself; and
- (e) Would not adversely affect the character of the area; and
- (f) Would have no adverse impact on the amenities of occupiers of nearby properties.

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.

OIW7: Employment Uses outside Identified Areas

Within the Urban Area, planning permission for employment uses on sites outside the identified employment area will be granted provided that the proposed development:

- Would not be unacceptable in terms of smell, noise, impact on health and safety, or traffic generation, or otherwise be detrimental to amenity; and
- Is necessary to enable an existing employment use to modernise or expand on site

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.

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

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'.

3 DESCRIPTION OF PROPOSAL

Planning permission is retrospectively sought for the change of use of an existing store, formerly used by a nearby dwelling, to storage for R & P Meats. Also proposed is the removal of the existing mono pitch roof to the toilets and its replacement with a flat roof and creation of a covered access to the store room. Finally, there is a proposal to extend the existing single toilet, using part of an existing residential garage building.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located on the southern edge of the Orton Waterville Conservation Area. The site consists of a dwelling to the front of the site that has been rendered and remodelled over the years and is no longer of historic character. Along the left hand side of the site and to the rear is the meat wholesale premises that has been in operation since the mid 1950's. Along the left hand side of the site these are relatively narrow, single storey brick built outbuildings that are in commercial use. To the rear of the site is a larger modern structure which is in mixed use of commercial, incorporating residential garaging. To the centre of the site there is a garden space and gravel driveway that is used for the parking and turning of the 4 commercial vehicles stored on site.

5 PLANNING HISTORY

11/00340/FUL Proposed canopy to the front of existing building (Retrospective) APPROVED

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Conservation: No Objections as none of the proposals are visible from the public realm or the wider conservation area and I therefore have no objection.

Landscape Officer: No objections as nearby trees are unlikely to be affected

Transport & Engineering: Comments awaited

EXTERNAL

Orton Waterville Parish Council: Objects. The proposed expands an existing business which is not conclusive to the existing infrastructure as:

- Articulated lorry's completely blocking the narrow road whilst unloading
- Resident unable to get out of driveway because exit is blocked by Lorries unloading
- Noise from van's unloading at night after returning to R & P Meats,
- Corner of neighbour's house damaged several times by vehicles
- Two Lorries being unloaded back to back and leaving cooling system running over one hour and it could be heard by resident as lorry was parked right out side house. Over the path

This is a conservation village and over the years this business has expanded from a small business employing about six people and I now understand it employ's about seventeen.

NEIGHBOURS

None received at time of writing

7 REASONING

a) Introduction

The proposal was subject to an enforcement enquiry into unlawful development upon this site and as such, this application is part retrospective, due to the residential store already being used for business purposes. The extension of the existing toilets into part of the residential garage and covering the courtyard area remain as proposals.

b) Policy context and the principle of development

Due to the business premises being within the Orton Waterville Conservation Area in a predominantly residential location, consideration must be given to any detrimental impact that the proposal could have on the historic environment and therefore will be assessed against Policy CS16 and CS17 of the Peterborough Core Strategy DPD 2011.

Furthermore, the extension of the premises on the site must be considered against Policy OIW7 of the Adopted Peterborough local Plan (First Replacement) 2005 (Employment uses outside identified areas).

It must however be considered that the use of the site exists as such and has done for a significant time period and that what is being considered is the acceptability of a residential store room being used for business storage, the extension of existing toilets into part of a residential garage and a roof being placed over a small external courtyard allowing covered access to the new business store. The acceptability of the use of the site as a whole is not being considered within this application.

c) Design and visual amenity

The proposal (part retrospective) is surrounded by existing development on the site and therefore no part of the proposal can be seen from the public realm. This proposal is considered to not pose significant detriment on the character and appearance of the area and therefore is in accordance with the relevant part of Policy CS16 of the Peterborough Core Strategy DPD 2011 and Planning Policy Statement 1.

d) Impact on the Historic Environment:

The proposal is located within the Orton Waterville Village Conservation Area, however, as stated above, the proposal is not considered to have any detrimental effect upon the conservation area or the setting of any listed property in the vicinity. Due to the fact that it is surrounded by existing development and for that reason is in accordance with Policy CS17 of the Peterborough Core Strategy DPD 2011 and Planning Policy Statement 5.

e) Residential Amenity:

Concern has been raised by Orton Waterville Parish Council as to the potential detriment that could be caused to neighbour amenity as a result of this proposal going ahead. The consultation response stated that the Parish Council has received a number of complaints related to the use of the site such as noise and damage caused by goods vehicles entering and leaving the site.

It is the planning officer's view that the proposal would not result in any significant intensification of the R&P Premises. The proposal to extend the current single W/C into a W/C with 2 cubicles taking approximately 5.4m² from a large residential garage would not cause any additional intensification on the site and it is considered that the size premises that already exist do not currently have adequate provision of W/C facilities.

When the case officer visited the site, the store building was being used for general storage of packaging, plastic tubs and unused equipment, as detailed in the design and access statement, rather than an extension to the factory facility. With regard to the small size and the use of the store, it is considered unlikely to have any significant impact on the amenity of the surrounding area, or to exacerbate any of the problems that have been experienced in the past. The application states that the extension will not lead to additional staff being required on site above the 17 already employed.

This proposal is being considered on the works proposed and not the existing use at the site and is therefore deemed in accordance with policy CS16 of the Peterborough Core Strategy DPD 2011 and PPS 1.

8 CONCLUSIONS

The proposal will not impact on the character and appearance of the Conservation area and associated historic fabric. Also, because of the proposed uses and limited size, the proposal is unlikely to cause any significant intensification of business activity on the site and therefore is unlikely to be detrimental to residential amenity or highway safety.

The proposal therefore accords with policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), OIW7 of the Adopted Peterborough Local Plan (First Replacement) 2005 and Planning Policy Statement 1 and 5.

The Head of Planning Services recommends that this application is **APPROVED** with the following conditions attached:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 The store room shall only be used for the storage of dry goods, packaging and plastic tubs and shall not be used for the preparation, processing or storage of food.

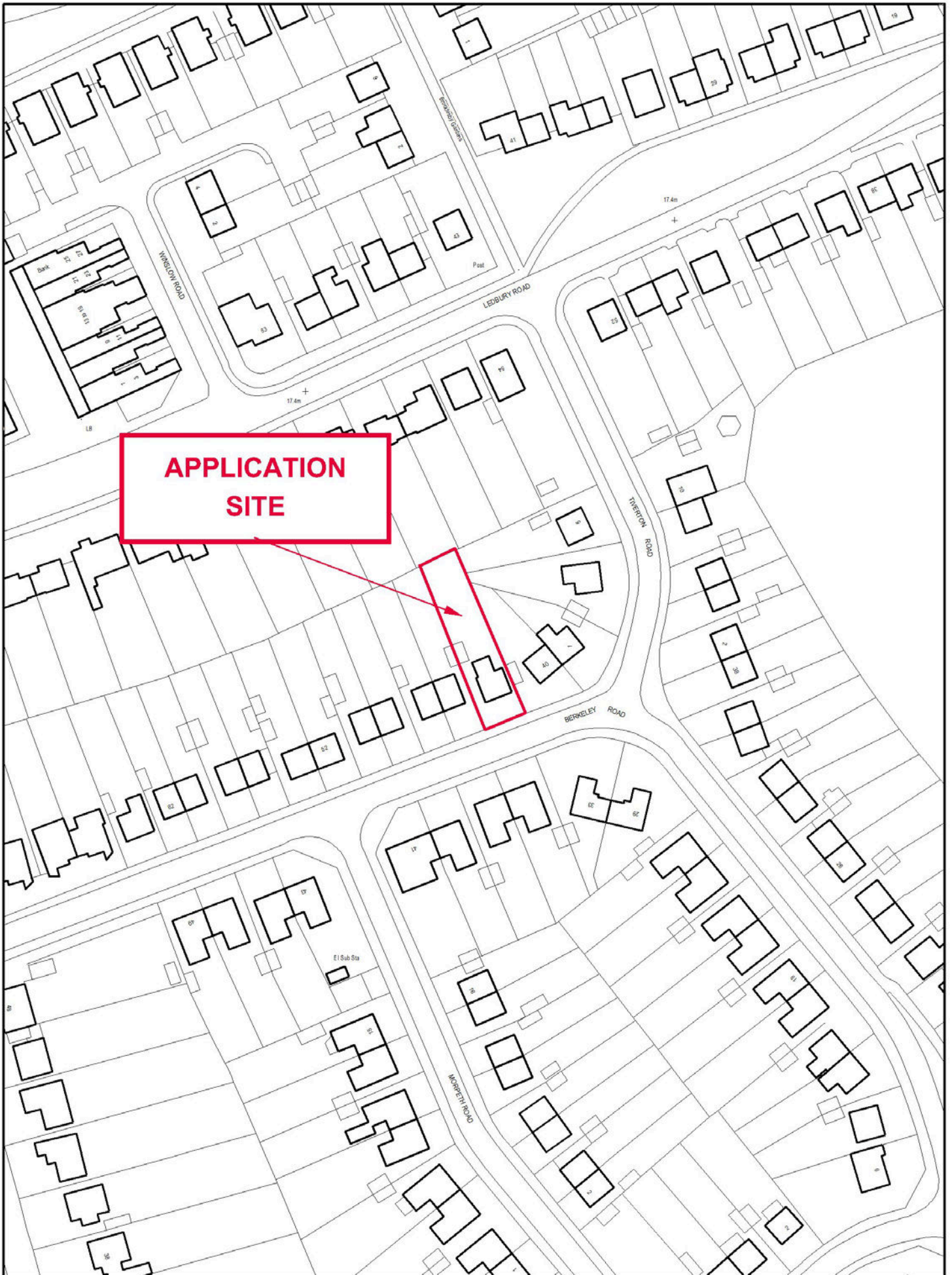
Reason: In order for the Local Authority to protect the amenity of adjoining neighbours, in accordance with policy CS16 of the Peterborough Core Strategy 2011

C3 The materials to be used in the construction of the external surfaces of the proposals hereby permitted shall match those used in the existing building.

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

Copies to Councillor Stokes and Councillor Elsey

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LOCATION PLAN 11/00911/FUL

42 Berkeley Road

PCC GIS



PETERBOROUGH



Scale 1:1250 **Date** 12/7/2011 **Name** AH **Department** Planning Services

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11/00911/FUL: CONSTRUCTION OF FIRST FLOOR EXTENSION TO REAR OF DWELLING (RETROSPECTIVE) AT 42 BERKELEY ROAD, PETERBOROUGH
VALID: 14 JUNE 2011
APPLICANT: MRS M KHAN
AGENT: H A ARCHITECTURAL SERVICES
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: THE APPLICANT'S DAUGHTER-IN-LAW WORKS IN PETERBOROUGH CITY COUNCIL'S PLANNING SERVICES DEPARTMENT
DEPARTURE: NO
CASE OFFICER: MISS ASTRID HAWLEY
TELEPHONE: 01733 454418
E-MAIL: astrid.hawley@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Design and Impact on the character of the area
- Impact of the development on neighbour amenity

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

2 PLANNING POLICY

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

Development Plan Policies

Key policies highlighted below.

The Adopted Peterborough Core Strategy DPD

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. New development should be designed in a way that is accessible to all potential users and by a range of modes of transport, taking into account the transport user hierarchy of the Peterborough Local Transport Plan 3. New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

3 DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the construction of a first floor extension to the rear of the residential property. The extension has been built above an existing single storey rear extension and is of the following dimensions – 3300mm deep x 3500 m wide. The proposal incorporates a gable roof with a ridge height of 5500 mm above ground level. The eaves are 500mm above ground level.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application dwelling is a detached two storey property situated to the north side of Berkeley Road. The property has a gable roof and is constructed from brick and tile with render to the front. The dwelling has an existing two storey rear extension. The property has a detached single garage located to the

north side of the main house. A hard paved driveway is located to the front and side of the dwelling that provides on plot parking for two vehicles. The property has an existing dropped kerb. The front curtilage is flanked by a low rise brick wall.

The application site is located within a mature residential street scene characterised by 2 storey semi detached dwellings of a uniform character to the north side of the highway and bungalows to the south side.

5 PLANNING HISTORY

No recent planning history.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

No internal consultation required.

EXTERNAL

No external consultation required.

NEIGHBOURS

No letters of representation have been received.

Parish Council

No comments have been received

7 REASONING

a) Background

Following the receipt of a complaint to the planning compliance team a visit was undertaken to the property and it was found that the applicant had constructed a first floor rear extension with flat roof above the existing single storey rear extension without seeking formal planning permission. The applicant was advised that it was unlikely that retrospective planning permission would be granted because of its flat roof design. It was suggested that replacing this with a gabled design, which would be in keeping with the design of the existing rear extension, would be likely to be more acceptable. The applicant has since built the suggested design.

This application now seeks retrospective planning permission for the extension that has been constructed on site.

b) Design and Impact of the development on the character of the area

The application dwelling sits at the end of a row of regularly spaced, semi detached dwellings of a uniform design and scale, that front onto Berkeley Road. The neighbouring dwelling to the north east (number 40 Berkeley Road) is positioned at an angle to the application dwelling which enables glimpses through to the rear of the site and means that the development is visible when viewed from the street scene. Notwithstanding this it is considered that the introduction of the duo pitched roof addresses the concerns held about the adverse impact upon the street scene caused by the flat roof. The spacing and open character between the properties is retained. Taking account of the siting of the extension, its design, height and depth, it is not considered that the development appears significantly obtrusive within the street scene or is out of keeping with the residential character of the area. It is considered that the development does not result in an adverse impact on the character of the area. The development is therefore in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

c) Impact of the development on neighbour amenity

The extension results in a 5m high (side elevation) wall being positioned adjacent to the common boundary with number 40 Berkeley Road for a depth of approximately 3.3m. Number 40 Berkeley Road is positioned at an angle to the application dwelling with its detached single garage located between the main house and the common boundary. Taking account of this relationship it is not considered that the development would result in an unacceptable impact on the neighbouring amenity of the occupiers of

this dwelling in terms of loss of outlook/overbearing or daylight. It is however noted that a first floor window has been inserted at the first floor level into the east side elevation that faces onto number 40. This window serves a bathroom. It is recommended that a condition requiring that this window is retained as obscure glazed in perpetuity and can only be opened at a height of 1.7m above the floor of the room in which the window is installed, in order to prevent overlooking of the rear amenity space serving number 40. It is not therefore considered that the development would result in an adverse impact on the amenity of the occupiers of any nearby neighbouring dwellings; hence the development is in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

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 extension by reason of its design, siting, scale and height will not result in a significantly detrimental impact on the character of the area or the amenity of the occupiers of neighbouring dwellings.

The proposal is therefore in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is **APPROVED** subject to the following conditions:

C1 Within 3 months of the date of the planning permission hereby approved the first floor window within the north east side gable shall be obscure glazed, 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 DA2 of the Peterborough Local Plan (First Replacement).

Copy to Councillors SJ Dalton, N Arculus and M J Dalton

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 5
26 JULY 2011	PUBLIC REPORT

Cabinet Members responsible:	Lead Members: - Cllr Hiller (Housing, Neighbourhoods and Planning)	
Contact Officers:	Nick Harding (Area Manager, Development Management)	Tel. 454441
Reporting Officer:	Theresa Nicholl (Development Manager)	Tel. 454442

CHANGES TO LOCAL VALIDATION LIST AND “ONE STOP SHOP” WEBSITE – REPORT FOR INFORMATION PURPOSES

RECOMMENDATIONS	
FROM : Head of Planning Services	Deadline date : October 2011
That Committee note the proposed changes to the Local Validation List (which is to be the subject of public consultation) and note the provisions of the “One Stop Shop”	

1. PURPOSE AND REASON FOR REPORT

1.1 This report is submitted to Committee as on previous occasions changes to the Local Validation List, which sets out what information has to be submitted with planning applications, have been reported to Members for information. The provision of a “One Stop Shop” web based application checklist and guidance is also presented to Members for information purposes.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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3. MAIN BODY OF REPORT

3.1 Planning applications must be accompanied by “standard” information set out in a National List of requirements and by any further information set out in the Council’s Local List of requirements. Peterborough City Council has a Local List of requirements published on its website. We have noted that the presentation of what is required to be submitted could be improved upon and that further clarification on specific requirements for each application type is needed. These improvements are required both for applicants and agents submitting applications and our own technical support staff who are responsible for validation of applications. To this end a bespoke “One Stop Shop” web based checklist has been created which provides further detail and clarity on the requirements. A demonstration of the “One Stop Shop” will be presented at the Committee meeting.

3.2 Many of the improvements made to the current Local List of requirements merely provide further clarification to items that presently appear on the list. However, the review of the current list and preparation of the new lists to be provided in the “One Stop Shop” has highlighted a need in some areas to update the current Local List of Requirements. These updates are as follows;

1. The adoption of the Peterborough Core Strategy has introduced policies CS8 and CS 10. Policy CS8 requires that developments of 15 dwellings or more shall provide 20% of those dwellings to Lifetime Homes Standard. For developments of 50 dwellings or more a further 2% will need to be to wheelchair user standard. Policy CS10 requires that all development of 1 dwelling or more or other development providing 100 square metres or more will need to demonstrate the contribution the development will make to the Council's Environment Capital Agenda over and above that required by building regulations at the time. Therefore it is proposed to update the Local List requirements for full and outline applications (with some or all matters reserved) to reflect these requirements. Submitted applications in these categories will therefore need to demonstrate that they have taken these policy requirements into account via the plans and/or written submissions before the application can be made valid.
 2. No requirements are published on our website with regard to submission requirements for Minerals and Waste applications, including Renewal of Old Mineral Permissions (ROMPS). This will be rectified to meet the requirements of the relevant regulations and will be in line with expected requirements for such applications e.g. Environmental Impact Assessments for certain proposals, details of restoration schemes etc.
 3. Masterplan/parameter plans will be required for all major strategic development (likely to be built in phases). In the case of residential or mixed commercial/residential development we will require a masterplan and parameter plans to be submitted for development containing 500 or more dwellings.
 4. Draft Section 106 Obligations and details of ownership (commonly known as title and title plan) and solicitor name for all applications requiring a planning obligation under the adopted Planning Obligations Implementation Scheme (POIS). This includes application for removal or variation of condition made under Section 73 of the Town and Country Planning Act (1990) as amended, where the parent permission was subject to a legal agreement or where the changes to the proposal in terms of physical and/or policy considerations warrant re-consideration of this issue. Additionally applications made to extend the time period for commencement of development, where the POIS needs to be applied will also require submission of a draft agreement and solicitor/ownership details with the application. Updated templates for planning obligations are to be made available on the website
 5. Applicants will be required to identify which roads (and areas associated land) and open space are to proposed for future adoption by the Council. This will:
 - assist highway officers in commenting on the appropriateness of the road design and smooth the way for the adoption at a later date
 - assist in the planning of future maintenance of the open space areas
- 3.3 In other instances, the "One Stop Shop" checklists expand on and clarify the need for certain requirements that already appear on the Local List of Requirements e.g. the Biodiversity Checklist. Some requirements are re-named e.g. the Conservation Area Appraisal is now called a Heritage Statement, to reflect terminology used in updated Government planning policy/guidance.

4 CONSULTATION

- 4.1 The Communities and Local Government Guidance on Information Requirements and Validation advises that changes to the Local List should go out to public consultation for 8 weeks. We will publish the new "One Stop Shop" on the website for 8 weeks during August and September 2011. We will send out a "flyer" (by email where possible) to the planning agents who regularly submit applications, inviting them to view and comment on the "One Stop Shop" including changes to the Local List. We will then make any necessary changes and "go live" with the "One Stop Shop" in October 2011.

5. ANTICIPATED OUTCOMES

- 5.1 We anticipate that there will be some negative response with regard to the new requirements that have come about because of the adoption of policies CS8 and CS10 of the Core Strategy. However, the consultation will not be an opportunity to review those policies. The new “One Stop Shop” web pages will provide the clarity and precision as to what is required to be submitted with an application that is missing from the current provision. In line with national guidance, it is anticipated that a proportionate response to validation requirements i.e. the more complex the application the more information is needed (and vice versa) will be clear and transparent in the “One Stop Shop”.

6. IMPLICATIONS

- 6.1 **Legal Implications** – The proposed changes have been prepared and will be consulted on in accordance with guidance issued by national government. There are no legal implications arising from the changes.
- 6.2 **Financial Implications** – There are no financial implications. The changes can be delivered within existing budgets.
- 6.3 **Human Rights Act** – No implications
- 6.4 **Human Resources** – Can be delivered within existing resources
- 6.5 **ICT** – Assistance might be required with regard to bringing the project to the website and this can be delivered within existing budgets
- 6.6 **Property** – No implications
- 6.7 **Contract Services** – No implications
- 6.8 **Equality & Diversity** – The changes will enable more people to ‘self serve’ electronically through a single point of contact but will not result in the withdrawal of ‘manual support’ available to customers. The changes therefore do not have a negative impact on any of our customers.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
26 JULY 2011	PUBLIC REPORT

Cabinet Members responsible:	Lead Members: - Cllr Hiller (Housing, Neighbourhoods and Planning)	
Contact Officers:	Nick Harding (Area Manager, Development Management)	Tel. 454441
Reporting Officer:	Andrew Cundy	Tel. 454442

SIX MONTHLY APPEAL PERFORMANCE REPORT

RECOMMENDATIONS	
FROM : Head of Planning Services	Deadline date : October 2011
That the Committee notes past performance and outcomes as attached at Appendix A.	

1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's performance at appeals and identify if there are any lessons to be learnt in terms of appeal outcomes. This will help inform future decisions and potentially reduce costs.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	n/a
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3. MAIN BODY OF REPORT

3.1 The number of appeals received has dropped this last six months from 30 to 15 compared to the previous half year. A total of 20 appeals have been determined which is nine less than the previous six months.

	(01/07/09 – 31/12/09)	(01/01/10 – 30/06/10)	(01/07/10- 31/12/10)	(01/01/11- 30/06/11)
Appeals Received	28	22	30	15
Method of Appeal				
a) Householder	3	6	11	6
b) Written Reps	23	15	19	8
c) Informal Hearing	1	0	0	1
d) Public Inquiry	1	1	0	0

	(01/07/09 – 31/12/09)	(01/01/10 – 30/06/10)	(01/07/10- 31/12/10)	(01/01/11- 30/06/11)
Appeals Determined	27	26	31	20
Appeals Dismissed	18	19	21	12*
Appeals Allowed	8	7	9	8*
Appeals Withdrawn	1	0	1	2
Success Rate	70%	73%	71%	60%
Householder	2	7	7	9
Written Reps	22	16	22	13
Informal Hearing	1	1	0	0
Public Inquiry	2	2	2	0

* One appeal was allowed in part and dismissed in part

In the first six month of 2011, the Council's decision was upheld in 60% of the cases, this is in line with the national average of 60%.

The attached table (Appendix A) gives a summary of the appeal outcomes in the last 6 months with a commentary where there is scope for service improvement.

4. IMPLICATIONS

- 4.1 **Legal Implications** – The proposed changes have been prepared and will be consulted on in accordance with guidance issued by national government. There are no legal implications.
- 4.2 **Financial Implications** – This report itself does not have any financial implications. However, in the event that the Council or appellant has acted unreasonably in terms of the planning decision or appeal, an award of costs may be made against or in favour of the Council.
- 4.3 **Human Rights Act** – This report itself has no human rights implications but the appeals process has due regard to human rights issues.
- 4.4 **Human Resources** – This report itself has no human resources implications.
- 4.5 **ICT** – This report itself has no ICT implications.
- 4.6 **Property** – This report itself has no Property implications.
- 4.7 **Contract Services** – This report itself has no Contract Services implications.
- 4.8 **Equality & Diversity** – This report itself has no Equality and Diversity Implications and it should be noted that there is no evidence that appeal outcomes are influenced by equality and diversity factors.

APPENDIX A

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
1	10/01613/FUL - 349A Lincoln Rd Change of use of office and store building to hairdressing and beauty salon	Delegated	Dismissed	Inspector agreed that the narrow uninviting pedestrian access would increase fear / risk of crime to existing residents, occupiers and future customers	No
2	11/00160/FUL - 24 Lawrence Road Wittering Single storey rear extension	Delegated	Allowed	Inspector concluded that: 1. depth of extension would not result in a loss of outlook from the neighbouring property or be overbearing. 2. enough garden would be left for drying washing and for sitting out and for other normal domestic activities.	No
3	10/01082/FUL - 10 Corfe Avenue, Walton New 1.8m wall and access gates	Delegated	Dismissed	The Inspector agreed that the height and use of metal railings the proposed wall would be out of keeping with the general street scene.	No
4	10/01215/FUL - 69 Eye Road, Dogsthorpe Storage use for business - Part retrospective	Delegated	Dismissed	Inspector agreed that the development was harmful visually and to amenity of neighbours.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
5	10/00787/FUL - 54 Church Street, Northborough Construction of four-bed dwelling and detached garage	Committee (T)	Allowed	The Inspector concluded: 1. the reduction in the size of the host dwelling's rear garden would not interfere with an appreciation of the building's special interest. 2. the modest sized dwelling given its siting and local vernacular design would not intrude upon views of or from the listed building. 3. the development proposed would preserve the character and appearance of the Northborough Conservation Area	No
6	10/01669/FUL - 23 Springfield Road Ground floor rear extensions	Delegated	Dismissed	The inspector agreed that: 1. the proposal would make the house disproportionately large in relation to both the plot and its neighbours. 2. the remaining outside amenity space, already much reduced by previous extensions and the outbuilding, would be inadequate for the size of the extended dwelling. 3. the extension would be overbearing on the neighbouring property.	No
7	10/01171/ADV – 4 Church Street Replacement non-illuminated fascia signage, externally illuminated projecting sign and internally illuminated sign	Delegated	Split decision	The fascia sign was not allowed due to its negative impact on appearance of the Conservation Areas. Other signage considered acceptable.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
8	10/00406/LBC - Granville House, The Green, Glinton Moving of existing entrance and rebuilding of stone boundary wall	Committee	Dismissed	Inspector agreed the proposal would: <ol style="list-style-type: none"> 1. the significance of the wall and detract from the contribution it presently makes to the street scene. 2. harm the special interest of Granville House (Listed Building) and its contribution to the special interest of the conservation area. 	No
9	10/01143/FUL - 10 Peddars Way, Longthorpe Single storey side and rear extensions to bungalow	Delegated	Allowed	The inspector concluded that the extensions would not be prominent in the street scene because of: <ol style="list-style-type: none"> 1. how far set back it was the set back 2. the secluded position and 3. the low profile of the shallow pitched roof 	No
10	10/00872/FUL - The Haven, Second Drift, Wothorpe Erection of dwelling with detached garage and studio above	Committee (T)	Allowed	The revised proposal (alterations to garage design) would not adversely affect the character, appearance or quality of the established residential area or seriously eroding the living conditions and general amenity enjoyed by neighbouring residents.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
11	10/00933/FUL - 194 Crabtree Conversion of a three storey domestic dwelling to three self contained flats	Delegated	Allowed	Inspector thought that: <ol style="list-style-type: none"> 1. Given the characteristics of many families nowadays, with adults and older children often leading more independent lifestyles, the comings and goings from the flats would necessarily be greater or have the potential to cause significant noise and disturbance to neighbouring residents. 2. Subject to the installation of sound insulation the proposal would be unlikely to have an adverse impact on the living conditions and general amenity. 3. A satisfactory solution could be arrived at in respect of bin storage / collection that did not harm amenity Comment – this decision is disappointing as the proposal results in the introduction of flat conversions into a suburban housing estate.	No
12	10/01209/FUL- Floor 1 Midgate Change of use from use class A1 (shops) to use class A2 (betting shop)	Delegated	Allowed	The inspector concluded that: <ol style="list-style-type: none"> 1. Although Local Plan Policy seeks to restrict the amount of non retail development in the main shopping streets, National policy encourages a wide range of uses to promote town centre vitality and viability. 2. Betting shops are an accepted town centre use and not lead to an over-concentration of non-retail uses along the main shopping frontage of Long Causeway. It was also noted that on n unimplemented food permission for the same unit the Council had not restricted the subsequent	No

				change of use to a betting shop. Comment – the last point highlights the importance of checking the need to remove permitted development rights when approving changes of use.	
	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
13	10/00228/FUL - Land Opposite The Nurseries, Green Road, Eye Change of use from agriculture to storage of touring caravans	Delegated	Dismissed	The inspector agreed that the proposal would adversely affect the character and appearance of this rural area of countryside and erode the general amenity of neighbouring residents	No
14	10/01185/FUL - 33 St Martins Road, Newborough Proposed double garage with store room above	Delegated	Dismissed	The inspector agreed that it would appear as an incongruous urbanising development, highly visually intrusive so close to the entrance to the village	No
15	10/01184/FUL - 5 Helpston Road, Glington Demolition of existing outhouses and construction of two storey rear extension and loft conversion	Delegated	Dismissed	The inspector found that the proposal would have an adverse effect on the character and appearance of the original property and the surrounding area and on the living conditions of neighbours	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
16	10/01322/FUL - 18 Lincoln Road, Glington Construction of two storey side and rear extensions	Delegated	Allowed	The inspector: 1. noted there are no policies or guidance which requires 2-storey extensions to be subservient to the host dwelling nor is there any design guidance to this effect. 2. concluded that the proposed development would not have a harmful effect on the character and appearance of the existing dwelling or the area Comment – we are currently preparing design guidance	No
17	10/00767/FUL - 27 Clement Drive Construction of 1.63m high trellis fencing to front and creation of hardstanding – retrospective	Delegated	Allowed	Inspector concluded that: 1. it would not have a harmful effect on the character or appearance of the area. 2. that the amount of surface water running off hardstanding would be minimal Comment: point 2 is disappointing given that the objective is to have sustainable drainage.	No
18	10/01096/FUL - 328a Lincoln Road Installation of new shop window and roller shutter (retrospective)	Delegated	Dismissed	Inspector agreed that the shutter would have a harmful effect on the character and appearance of the area	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
19	10/01059/FUL 1 Western Avenue and 29 Birchtree Avenue Construction of single storey front extension	Delegated	Dismissed	Inspector agreed the design and layout of the proposed extension would have a damaging impact on the street scene	No
20	10/00860/FUL - 8 Kennedy Street, Hampton Vale Construction of first floor balcony to rear with external staircase	Delegated	Dismissed	The inspector found that anyone standing on the balcony would be able to look directly down into the garden of number 10, while anyone climbing the stairs to the balcony from the garden would be able to see into its back windows. The inspector concluded that this would have an unacceptable impact on the privacy of occupants of number 10.	No

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