

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 23 JULY 2013

1.30 PM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. **Apologies for Absence**

2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Development Control and Enforcement Matters**

- | | | |
|-----|---|----------------|
| 3.1 | 13/00849/WCPP - Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough, PE3 6LU | 5 - 12 |
| 3.2 | 13/00656/HHFUL - 294 Cromwell Road, Millfield, Peterborough, PE1 2HR | 13 - 18 |
| 3.3 | 13/00789/HHFUL - 20 Grange Road, West Town, Peterborough, PE3 9DR | 19 - 26 |
| 3.4 | 13/00695/FUL - Gladstone Park Community Centre, Bourges Boulevard, Peterborough, PE1 2AU | 27 - 46 |

4. **Three Month Appeal Performance Report**

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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 as soon as possible.

Committee Members:

Councillors: Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Simons, Todd, Shabbir, Sylvester, Lane and Harrington

Substitutes: Councillors: Kreling, Martin and Ash

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – gemma.george@peterborough.gov.uk

CASE OFFICERS:

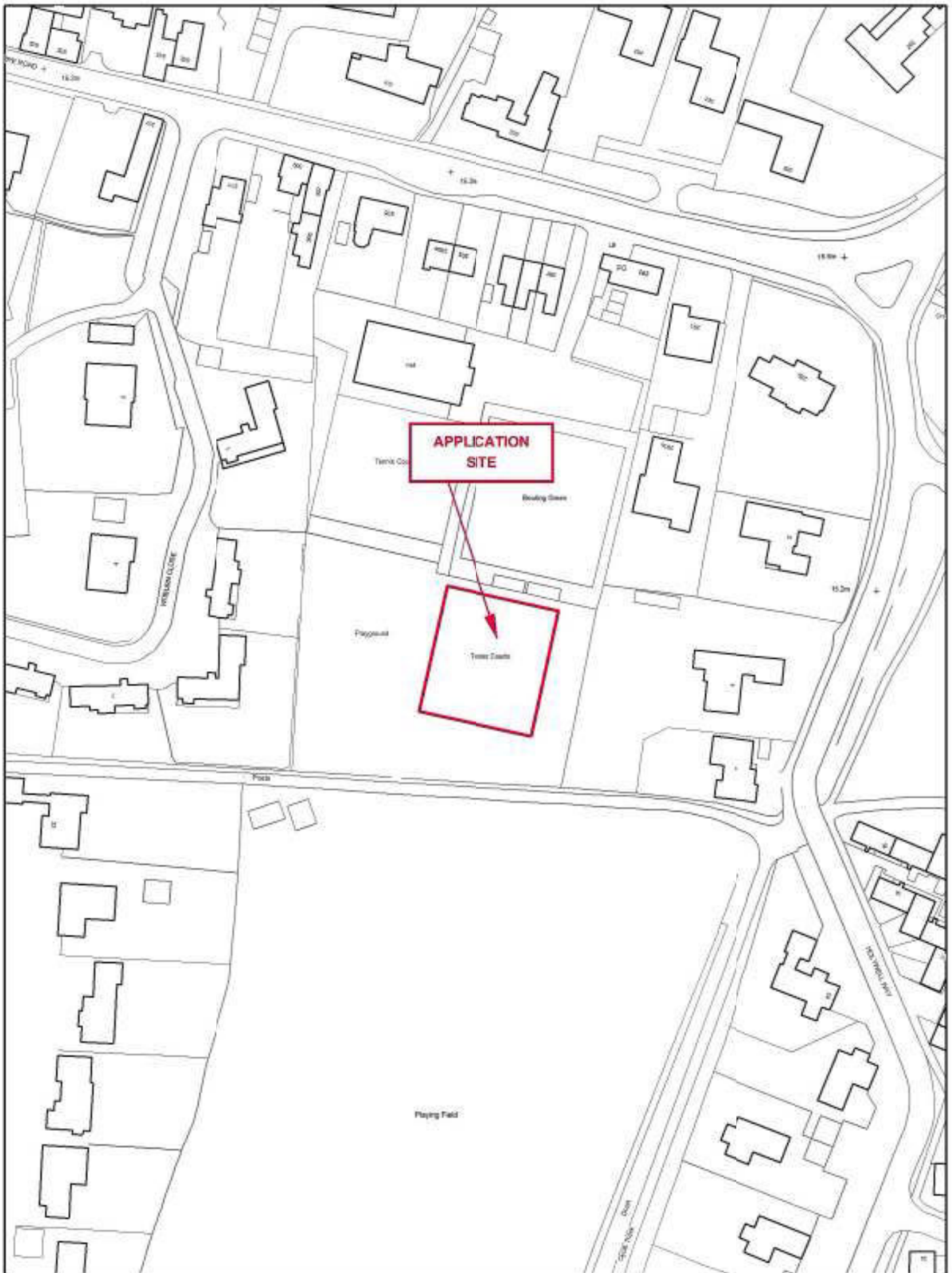
Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

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, Transport and Engineering Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.



LOCATION PLAN 13/00849/WCPP

Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough PE3 6LU

Scale NTS **Date** 11/7/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/00849/WCPP

Proposal: Variation of condition C2 (Operational Hours) of planning permission 10/01598/FUL - Installation of external downlighting to tennis courts 3 and 4

Site: Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough, PE3 6LU
Applicant: Longthorpe Lawn Tennis Club

Agent: Mr Graham Walker

Referred by: Head of Planning, Transport and Engineering Services
Reason: Previous application considered by Members
Site visit: 09.07.2013

Case officer: Miss L C Lovegrove
Telephone No. 01733 454439
E-Mail: louise.lovegrove@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The courts are situated within the Longthorpe Memorial Hall grounds which comprise a community centre, car park, four no. tennis courts, a bowls green, play area and playing fields. This complex is situated at the heart of the urban village of Longthorpe, a predominantly residential area of varied character and form. The properties surrounding the site are predominantly large detached two storey dwellings with rear gardens facing on to the site, albeit there are terraced properties facing on to Thorpe Road. The site is located within the identified Longthorpe Conservation Area.

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

Planning permission was granted for the installation of all weather surfacing on Courts 1 and 2 (retrospectively) and Courts 3 and 4 to allow usage of the courts throughout the year under application reference 09/01435/FUL.

Proposal

The application seeks planning permission to vary Condition C2 of planning permission reference 01/01598/FUL which granted permission for the installation of external downlights to tennis courts 3 and 4. Condition 2 states:

C 2 Prior to first use of the floodlights hereby approved, a schedule of operational hours shall be submitted to and approved in writing by the Local Planning Authority. The lights shall only be operated within these times unless otherwise agreed in writing by the Local Planning Authority (see Informative 1).

Reason: In the interests of protecting the amenity of the surrounding area in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005.

In association with this condition, the following informative note was also included on the formal decision notice:

In relation to Condition C2 above, the floodlights hereby approved should not be illuminated before 09.00 and after 20.30 Monday to Saturday; and before 09.00 and after 18.00 on Sundays and Bank Holidays. The floodlights may be illuminated up to 21.30 on any one day once per week (between Monday and Saturday).

To date, the floodlights which are in operation at the site have strictly adhered to the following hours: not before 09.00 and after 20.30 on Mondays, Tuesdays, Thursdays, Fridays and Saturdays; not before 09.00 and after 21.30 on Wednesdays; and not before 09.00 and after 18.00 on Sundays and Bank Holidays.

The proposed variation seeks to increase the hours of use of the floodlights by re-wording the condition as follows:

The floodlights hereby approved shall not be illuminated before 09.00 and after 20.30 on Tuesdays, Thursdays and Saturdays; before 09.00 and after 21.30 on Mondays, Wednesdays and Fridays; and not before 09.00 and after 18.00 on Sundays and Bank Holidays.

2 Planning History

Reference	Proposal	Decision	Date
10/01598/FUL	Installation of external downlighting to tennis courts 3 and 4	Application Permitted	10/02/2011
09/01435/FUL	Construction of all weather surface for tennis courts 1-2 - retrospective. Construction of all weather surface to lawn tennis courts 3-4. Movement of fence to enlarge court to LTA standard. Removal of shrubs and one Cherry tree	Application Permitted	22/01/2010

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 8 - Social, Cultural and Recreational Facilities

Developments should plan for the provision and use of shared space, community services and other local services; guard against the unnecessary loss of valued services/facilities; allow established shops, facilities and services to develop/modernise; and ensure an integrated approach to the location of housing, economic uses and communities facilities and services.

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

Section 11 - Light Pollution

Lighting should be designed to limit pollution on local amenity, intrinsically dark landscapes and areas of nature conservation.

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

CS18 - Culture, Leisure and Tourism

Development of new cultural, leisure and tourism facilities will be encouraged particularly in the city centre.

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

Peterborough Planning Policies DPD (2012)

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

4 Consultations/Representations

Pollution Team (03.07.13)

No objections - there are no complaints on record regarding the existing use of the facility and the common curfew for sport floodlighting is between 21.00 and 22.00 (approximate summer twilight). The floodlighting should still accord with the Institute of Lighting Engineer's guidance (2011).

Local Residents/Interested Parties

Initial consultations: 31
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

The consultation period ends on the 18th July 2013 and any representations made after completion of this report will be provided to Members in the Update Report.

5 Assessment of the planning issues

The main considerations are:

- Impact upon neighbour amenity
- Design and impact upon the character and appearance of the Conservation Area
- Highway implications and car parking
- Ecology

a) **Impact upon neighbour amenity**

Noise impact

At present, tennis is played on all courts during throughout the year with games/practice either finishing when light fades or the restrictive operational hours for the approved floodlighting come in to force. It is noted that the Applicant has diligently adhered to these restrictions and the floodlights are programmed to automatically turn off at the correct time. The application proposal would allow tennis to continue being played throughout the year until 21.30 on three days per week (currently there is only one day per week when the lights can be used until 21.30). Whilst it is acknowledged that the surrounding residential properties are sited in close proximity to Courts 3 and 4 (the nearest residential property is approximately 30 metres from the courts to the rear elevation), it is considered that there is sufficient separation distance to prevent a statutory noise disturbance from arising. It is therefore considered that the extended hours of operation are unlikely to give rise to any significant increase in noise disturbance and the proposal will therefore not result in any unacceptable impact upon the amenity of neighbouring residents in this regard.

Light spillage and intrusion

The lighting columns which are in situ on the site stand to a maximum height of 6.7 metres, with luminaires set to the horizontal and fitted with side and rear baffle plates to prevent outward light spillage to the surrounding area. The original application for the erection of the lighting was accompanied by a detailed Lighting Assessment and associated light spillage diagram (Annex 2) which demonstrated the indicative light spillage out of the site. This diagram demonstrated that the level of lighting that would reach neighbouring residential properties would be limited to only 0.3 Lux or lower (brightness of a full moon on a clear night). Following installation of the lighting columns, the Applicant submitted a further assessment to the Local Planning Authority which demonstrated that the lighting installed was in accordance with the predictions.

The light spillage from the installed floodlights is in accordance with the standards set out in the Institute of British Lighting Engineers (ILE) guidance document for light intrusion into residential properties. Whilst the development lights up an area which has traditionally been intrinsically dark and unlit, at the time of the previous application it was considered that the lighting scheme would not result in any unacceptable harm to the amenities of neighbouring occupants.

It is noted that the previous assessment of the application scheme considered that permitting the lights to be on up to 21.30 for more than one night per week would be unacceptable. This conclusion was made at the time, as Officers sought to ensure that the impact of the proposal would not result in any unacceptable harm to neighbour amenity. It is considered that the

Applicant has reasonably demonstrated that restrictive conditions have been and will be diligently adhered to and that the external lighting does not result in any significant harm to neighbour amenity. Whilst the proposal would result in additional nights of floodlighting to the rear of dwellings, the time limit of 21.30 falls significantly short of the accepted curfew of 23.00 set out in the ILE best practice guidance and within the commonly accepted curfew of between 21.00 and 22.00 which is set out in 'Lighting in the Countryside: Towards Good Practice 1997'. Furthermore, Officers consider that the benefit of allowing increased participation in sport which offers opportunity to the wider City area, outweighs any harm that may result.

On this basis, it is considered that the proposal accords with the National Planning Policy Framework (2012), Policies CS16 and CS18 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

b) Design and impact upon the character and appearance of the Conservation Area

At the time of granting planning permission for the floodlights, it was considered that the visual impact of the lights would be kept to a minimum owing to the design of the lights themselves and the context of the site being shielded by existing mature landscaping. Furthermore, the Conservation Officer concluded that the lighting was set a sufficient distance from the streetscene along Thorpe Road (approximately 70 metres) so as to have no discernable impact upon the character, appearance or setting of the Conservation Area. Whilst this application would increase the usage of the lights, this would only be by 2 hours per week and accordingly, it is considered that the proposal will not result in any increased impact in this respect. The proposal is therefore considered to be in accordance with the National Planning Policy Framework (2012), Policy CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

c) Highway implications and car parking

At present, car parking is provided in a car park to the front of the site shared between the Memorial Hall, bowls club and Tennis Club. This is accessed from Thorpe Road via a narrow access at the side of the Post Office. At the time of granting permission for the lights, It was considered that the floodlighting would not significantly intensify the use of the site or generate significant additional demand for car parking. The current proposed increase in operating hours will not in itself generate any further significant demand for car parking, or increased vehicular movements to and from the site. As such, it is not considered that the proposal will result in any harmful impact to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

d) Ecology

As part of the original application for the installation of the floodlights, an Ecology Report was submitted which assess the impact of the lights on the local bat population. It was concluded that the application site and immediately surrounding area was unlikely to be used either as a commuting route or foraging area. Those bats which were detected along the southern boundary hedge line and open grass area beyond were common Pipistrelle and as such, were considered unlikely to be affected by the Lux levels generated by the floodlights.

The proposed increase in hours to 21.30 on 3 nights per week will not result in any further impact from the approved scheme in terms of ecology and is therefore, in accordance with the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

6 Conclusions

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 proposed increase in usage of the lights will not result in any unacceptable impact upon

neighbour amenity, either by virtue of noise disturbance or light intrusion, in accordance with the National Planning Policy Framework (2012), Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);

- the proposal will allow an existing sport/recreational facility within the City to expand and develop, in accordance with the National Planning Policy Framework (2012) and Policy CS18 of the Peterborough Core Strategy DPD (2011);
- the proposal will not result in any unacceptable impact upon the visual amenity of the surrounding area or the character, appearance or setting of the Longthorpe Conservation Area, in accordance with the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012);
- the proposed increase in operating hours will not in itself generate any further significant demand for car parking, or increased vehicular movements to and from the site and as such, no harm will result to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012); and
- the proposal will not result in any additional impact upon the ecology of the site and its surroundings, in accordance with the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 The floodlights shall not be illuminated before 09.00 and after 20.30 on Tuesdays, Thursdays and Saturdays; before 09.00 and after 21.30 on Mondays, Wednesdays and Fridays; and not before 09.00 and after 18.00 on Sundays and Bank Holidays.

Reason: In the interests of protecting the amenity of the surrounding area and local residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C 2 The use of the lighting columns shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in environmental zone E2 in the Institution of Lighting Engineers document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. In the event of any reasonable complaint to the Local Planning Authority in respect of light intrusion to neighbouring properties, the Applicant (or their successors in title) will be required to demonstrate compliance with these limits.

Reason: In the interests of protecting the amenity of local residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors: N Arculus, M Dalton, Y Maqbool



LOCATION PLAN 13/00656/HHFUL

294 Cromwell Road, Millfield, Peterborough PE1 2HR

Scale NTS **Date** 11/7/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/00656/HHFUL

Proposal: Construction of a first floor rear extension and alterations to the existing roof to form a hipped roofline, with eaves height raised to match that of adjacent pitched roof to the main house

Site: 294 Cromwell Road, Millfield, Peterborough, PE1 2HR
Applicant: Mr & Mrs Arif

Agent: C W Clarke And Associates

Referred by: Councillor Nadeem
Reason: Considers that the proposal accords with adopted policy

Site visit: 11.06.2013

Case officer: Miss L C Lovegrove
Telephone No. 01733 454439
E-Mail: louise.lovegrove@peterborough.gov.uk

Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises a two storey end-terrace residential property located at the junction of Cromwell Road and Taverners Road. The property occupies a prominent position within the streetscene, with both the front, side and rear elevations clearly visible from the public realm. The property is of traditional Victorian design, with an existing two storey rear projecting 'wing' with a mono-pitched roof. The dwelling has previously been extended to the rear at single storey beyond the rear wing and to the side, running adjacent to the shared boundary with No. 292 Cromwell Road.

Parking is provided to the rear of the dwelling, within a paved parking area/amenity space. This area is enclosed by 1.8 metre high close boarded fencing and vehicular access is granted via a gated entrance and dropped kerb crossing from Taverners Road. Adjacent to this access sits an existing single storey outbuilding of lean-to construction with poly carbonate roofing.

Proposal

The application seeks planning permission for the construction of a first floor rear extension and reconfiguration of the existing two storey 'wing' to form a single dual-pitched roof along the entire projection.

The current proposal has been revised following refusal of planning application reference 12/01547/FUL which sought planning permission for the construction of a first floor rear extension, including alterations to the existing two storey 'wing' to form a single mono-pitched roofline with raised eaves height. This application was refused for the following reasons:

- R1 *The proposed first floor rear extension would not be subservient to the original size, scale or massing of the original dwelling, and would result in a large, incongruous and visually prominent structure that would have an unacceptable adverse impact on the character and appearance of the street scene. The proposal is not in accordance with Policy CS16 of the Peterborough Core Strategy (2011) and emerging Policy PP2 of the Peterborough Planning DPD (Submission Version incorporating the modifications recommended by the Inspector*

following examination).

- R2 *The proposed first floor rear extension, by reason of its height, depth and proximity to No.292 Cromwell Road, would have an unacceptable adverse impact on the occupants of the attached property. Specifically the resulting extension would have an overbearing and thus a detrimental impact on the affected property. The proposal does not accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and emerging Policy PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).*

2 Planning History

Reference	Proposal	Decision	Date
12/01547/HHFUL	Construction of a first floor rear extension and alterations to the existing roof to form a single mono-pitch roofline with eaves height raised to match that of the adjacent pitched roof to the main house	Application Refused	27/11/2012

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

4 Consultations/Representations

Local Residents/Interested Parties

Initial consultations: 7

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No neighbour representations have been received.

5 Assessment of the planning issues

The main considerations are:

- Design and impact upon the character and appearance of the surrounding area
- Impact upon neighbour amenity

a) **Design and impact upon the character and appearance of the surrounding area**

The proposed first floor extension would result in an overall two storey projection from the main bulk of the original dwellinghouse of some 7.3 metres. Whilst it is acknowledged that the Applicant has sought to reduce the overall mass and bulk of the resultant two storey element by reconfiguring the entire roof form to a hipped design with reduced ridge height, it is considered that this would still result in an unacceptable impact upon the character and appearance of the surrounding area. As detailed above, the site is situated in a prominent position within the streetscene and is clearly visible within the public realm. At present, the facing side elevation to Taveners Road has a stepped effect with a mixture of the original two storey and the extended single storey elements. This ensures that the property does not appear overly dominant within the streetscene.

The proposed first floor rear extension would effectively fill in this stepped appearance, creating a bulky and obtrusive block along Taveners Road. It is considered that the resultant form of the dwelling would result in an unduly dominant and overbearing feature in the streetscene, which is at odds with the scale and massing of the existing built form along Taveners Road. Accordingly, the proposal would result in an unacceptably harmful impact upon the character, appearance and visual amenity of the surrounding area which is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

b) **Impact upon neighbour amenity**

Whilst the proposal is situated due north of the neighbouring dwelling, No.292 Cromwell Road and would not significantly reduce the level of natural daylight or direct sunlight received by occupants, it is considered that the resultant form of the dwelling would cause an unacceptable level of harm to occupant amenity. The proposed extension and reconfiguration of the roof design would result in a significant overbearing impact to the neighbouring dwelling. The development would create a 'closed in' effect to not only the immediate outdoor amenity area of the adjacent dwelling but would also introduce a significant bulk and mass of development when viewed from primary habitable rooms. On this basis, the proposal would result in an unacceptably harmful impact upon the amenity of neighbouring occupants and is therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The case officer recommends that planning permission is **REFUSED** for the following reasons:

- R 1 The proposed first floor rear extension and resultant two storey form of the dwelling, would result in an unduly dominant and overbearing feature within the streetscene, at odds with the scale and massing of the existing built form along Taveners Road. Accordingly, the proposal would result in an unacceptably harmful impact upon the character, appearance and visual amenity of the surrounding area and is therefore contrary to Policy CS16 of the

Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- R 2 The proposed first floor rear extension, by virtue of its height, depth and proximity to the shared boundary, will result in an unacceptably overbearing impact upon both the private outdoor amenity area and primary habitable rooms of the neighbouring dwelling, No.292 Cromwell Road. As such, the proposal will result in an unacceptably harmful impact to the amenities of neighbouring occupants and is therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors: M Nadeem, N Khan MBE, M Jamil



LOCATION PLAN 13/00789/HHFUL
 20 Grange Road, West Town, Peterborough PE3 9DR

Scale NTS **Date** 11/7/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/00789/HHFUL

Proposal: Construction of two storey side and rear extensions, first floor side extension, single storey rear extension and canopy at front - retrospective

Site: 20 Grange Road, West Town, Peterborough, PE3 9DR

Applicant: Mr M Farooq

Agent: G R Merchant Ltd

Referred by: Cllr Nawaz

Reason: The extensions do not have an adverse impact on the character of the area or neighbour amenity.

Site visit: Various site visits undertaken by Local Authority staff

Case officer: Mrs A Walker

Telephone No. 01733 454418

E-Mail: astrid.walker@peterborough.gov.uk

Recommendation: REFUSE

1 Description of the site and surroundings and Summary of the proposal

Site Description

The application site comprises a 2 storey semi detached dwelling of brick and tile construction. A low rise brick wall flanks the blocked paved front garden. This area provides off road parking for 2 vehicles. The rear garden is fully enclosed by close boarded timber fencing. The surrounding character is residential in nature comprising a mixture of two storey semi detached and detached dwellings. It is noted that a number of the nearby properties have 2 storey side extensions.

Proposal

Background

Planning permission for a two storey side, two storey rear and single storey rear extension was granted under application number 12/00383/HHFUL. The development has been built out on site. However, the development has not been constructed in accordance with the approved permission and a subsequent application reference 13/00240/HHFUL was submitted in an attempt to regularise the development as built. This application was refused under delegated authority for two reasons;

- The negative impact of the development on the character of the area.
- The adverse impact of the development on neighbour amenity.

The applicant submitted an appeal against the refusal of 13/00240/HHFUL on 20 June 2013. The outcome of which is awaited.

Current application

This retrospective application remains exactly the same as the earlier refused application reference 13/00240/HHFUL. The applicant has submitted this application in order to obtain planning permission for the extensions as built, thereby regularising the development.

Retrospective permission is sought for the erection of a two storey and single storey rear extension. The two storey rear extension projects 4.7 metres from the rear of the dwelling house, with a width of 8.1 metres and a dual pitch roof 5.2 metres above ground level at the eaves and 8.1 metres at the apex. The single storey rear extension measures 5.5 metres deep by 4.7 metres wide with a dual pitch roof measuring 2.3 metres above ground level at the eaves and 4.2 metres

at the apex.

The differences from the approved application reference 12/00383/HHFUL are:

- 1) The two storey rear extension has been built approximately 700 mm longer than shown on the approved plan.
- 2) The total ground floor projection as built is approximately 10.1m long, approximately 1.1 m longer than shown on the approved plan.
- 3) The roof on the side extension has been built higher so that it is flush with the existing ridge line, rather than being subservient to the existing roof, as shown on the approved plans.
- 4) The introduction of a front canopy that extends across the full width of the property; above the bay window, front door and French doors.
- 5) The use of different fenestration including the introduction of French doors to the front of the side extension rather than the garage doors shown on the approved plans.

2 Planning History

Reference	Proposal	Decision	Date
10/00881/FUL	Construction of a two storey and single storey rear extension and first floor side extension	Application Refused	02/09/2010
12/00383/HHFUL	Construction of two storey side and rear extension and single storey rear extension	Application Permitted	04/05/2012
13/00240/HHFUL	Construction of two storey side and rear extensions and single storey rear extension	Application Refused	12/04/2013

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

4 Consultations/Representations

No statutory consultations required.

Local Residents/Interested Parties

Initial consultations: 4

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

5 Assessment of the planning issues

The main considerations are:

- The impact of the development on the character of the area
- The impact of the development on neighbour amenity

The impact of the development on the character of the area

The application dwelling sits within a mature residential street scene, comprising properties of a similar appearance and with broadly the same architectural detailing. Whilst a number of the properties have been extended and altered it is considered that the extensions to the application dwelling are unsympathetic and out of keeping with the character of the host dwelling and the street scene.

When viewed from the frontage the failure of the applicant to build the side extension with a lowered ridge height has resulted in a pronounced terracing effect giving the impression that the semi detached pair and its detached neighbour are a terrace of three. The lack of a subservient extension has resulted in the dwelling appearing overly wide, bulky and unbalanced.

The construction of a canopy across the entire frontage of the property is considered to be incongruous and the architectural symmetry of the application site and its attached neighbour has been lost, to the detriment of the character of the area.

The inclusion of double French doors in the front elevation of the extension has resulted in a dwelling with no clearly defined main entrance; this is considered to be an incongruous feature, at odds with the symmetry of the pair of semis and the character of the area. The approved scheme included an integral garage and garage doors which would appear more in keeping with the character of the area.

The extension has removed the parking that existed to the side of the dwelling however, it is considered that if the front boundary wall was removed sufficient space for 2 cars to park on site could be provided, which would meet the adopted Peterborough Local Planning Policies DPD parking standards. In addition on street parking is also available hence it would be difficult to refuse the application on parking grounds. It is also noted that whilst an integral garage was provided on the approved scheme it was of a substandard size. It is not therefore considered that what has been built has actually altered the available parking provision from that which was available as part of the previously approved application.

In conclusion the extensions as built are contrary to Policy CS16 of the Adopted Peterborough Core Strategy (DPD) 2011 and Policy PP2 of the Adopted Peterborough Planning Policies (DPD) 2012 as they result in a detrimental impact on the character of the area.

The impact of the development on neighbour amenity

The 4.7 metre projection of the two storey rear extension is considered be unacceptably overbearing to the occupants of the attached neighbour, number 18 Grange Road. In particular the extension results in a poor outlook and overbearing impact on the adjoining property's first floor window, closest to the extension.

The level of development approved at the shared boundary of 4.0 metres under application 12/00383/HHFUL was considered to be the absolute maximum permissible projection. This was

allowed due to the unique circumstances of the site; namely the orientation of the dwellings and the level of ground floor development at 18 Grange Road. The additional 70cm is considered to result in unacceptable harm to the neighbour through overbearing.

The total ground floor projection as constructed is 10.1 metres. 1.1 metres in excess of the development approved under 12/00383/HHFUL it is considered that this 1.1 metres of additional projection result in unacceptable overshadowing of the northern neighbours amenity space (number 22 Grange Road) and is overbearing to the occupiers of this property.

The development is therefore contrary to Policy CS16 of the Adopted Peterborough Core Strategy (DPD) 2011 and Policy PP3 of the Adopted Peterborough Planning Policies (DPD) 2012.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **REFUSED** for the following reasons:

R 1 The two storey rear extension by reason of its depth and massing results in an unacceptable overbearing impact upon the neighbouring dwellings, numbers 18 and 22 Grange Road. In particular it results in unacceptable harm to the outlook of number 18, and creates a sense of enclosure. Furthermore, the proposal results in unacceptable overshadowing of the amenity space and primary habitable room windows of number 22 Grange Road. This is contrary to Policy CS16 of the Adopted Peterborough Core Strategy (DPD) 2011 and Policy PP3 of the Adopted Peterborough Planning Policies (DPD) 2012 which State;

CS16 - New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties

PP3 - Planning permission will not be granted for development which would result in unacceptable;

- (d) Loss of light or overshadowing of any nearby property
- (e) Overbearing impact on any nearby property

R 2 The first floor side extension is not subservient to the existing dwelling, and given its relationship to the existing dwelling number 22 Grange Road creates a terracing effect within the streetscene which would be harmful to the character of the area. The full width canopy and front facing french doors are considered to be incongruous features and have resulted in a cluttered confusing frontage with no main entrance to the dwelling, to the detriment of the character of the area. This is contrary to Policy CS16 of the Peterborough Core Strategy (DPD) 2011 and Policy PP2 of the Peterborough Planning Policies (DPD) 2012 which state;

CS16 - New development should respond to the particular character of the site and its surroundings, enhance local distinctiveness and make use of appropriate materials and architectural features.

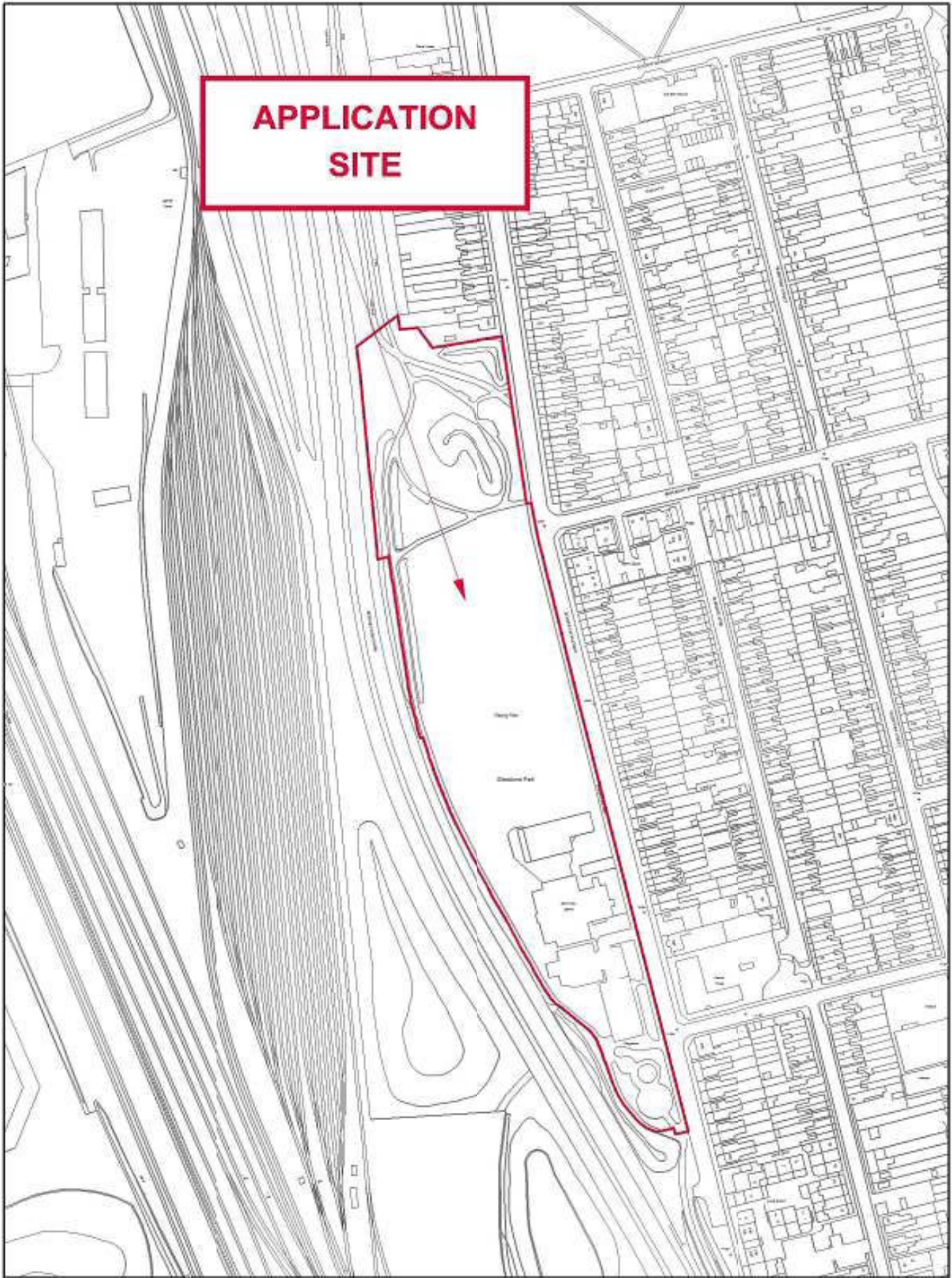
PP2 - Development will only be granted for development where the layout, design and appearance of the proposal;

(a) would make a positive contribution to the quality of the natural and built environment (In terms of its location, size, scale, massing, density, proportions, materials and design); and

(b) would not have a detrimental effect on the character of any immediately adjoining properties or the surrounding area.

Copies to Councillors: E Murphy, G Nawaz

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**APPLICATION
SITE**

LOCATION PLAN 13/00695/FUL

Gladstone Park Community Centre, Bourges Boulevard, Peterborough PE1 2AU

Scale NTS Date 11/7/2013 Name AA Department Planning Services



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Application Ref: 13/00695/FUL

Proposal: Construction of a new-build two storey primary school, works include refurbishment of the existing Veranda Centre and Community Centre in addition to two new build link buildings. Change of use of part of the public open space to a dual use of school playing facilities (during school hours only) and community sports facilities. Laying out of sports facilities including a Multi Use Games Area and construction of Weldmesh fencing. Closure of section of the existing off-road cycleway, and upgrading of footway to provide shared foot/cycleway. Relocation of children’s play area.

Site: Gladstone Park Community Centre, Bourges Boulevard, Peterborough, PE1 2AU

Applicant: Carillion Plc

Agent: Ryder Architecture

Referred by: Head of Planning Transport and Engineering

Reason: Significant development of a PCC asset

Site visit: 31.5.2013

Case officer: Ms L Lewis

Telephone No. 01733 454412

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

Recommendation: **GRANT** subject to relevant conditions

1 Description of the site and surroundings and Summary of the proposal

For the avoidance of doubt, in this report Bourges Boulevard refers to “Old Bourges Boulevard”. The dual carriageway to the west of the site will be referred to as “New Bourges Boulevard”.

The site is a long strip of land between Bourges Boulevard and New Bourges Boulevard. It is about 80m wide at the widest point, tapering to 15m wide at the southern end. The site is 320m north to south, with a further 100m or so of Gladstone Park beyond to the north. Part of the site is on Gladstone Park. The park overall, including the part which forms the application site, is fairly open, with trees to the sides and along some of the paths. Most of the park is a flat playing field, but the part at the northern end, which is outside the application site, is contoured and includes tables and seats.

The site includes the existing community centre building (to be retained) and Veranda Centre (currently used as a nursery), the car parking area to the south of the community centre, and an equipped children’s play area.

The east side of Bourges Boulevard is residential, mostly Victorian terraces and semi-detached houses, with one small modern flatted development (Berry Court) and one corner development known as Marcus House which has recently been granted consent for use as student housing.

There is an existing cycleway which runs along the west side of the site/park. This is part of the city-wide cycle network and forms a key part of the route into the city centre from areas to the north.

The proposal includes the following key elements:

- A new two-storey teaching block set across the site, between the existing Veranda Centre and the playing field
- This will provide an additional 480 school places, to take 8-11 year olds from Gladstone School. 5-7 year olds will remain at the existing Gladstone Street site
- Conversion of the Veranda Centre to school use
- Two new single storey links, one between the community centre and the Veranda Centre, one between that and the new teaching block. A joint entrance/reception will be provided leading to the community centre and to the school. The enclosed playing field/sports facilities will be access-controlled from this point
- Some internal works to the Community Centre, to allow part of the existing hall to be used by the school for dining and inside activity during school hours. The remainder of the Community Centre will be available for community use at all times
- An extension to the Community Centre to provide a dedicated school kitchen and storage
- Enclosure of part of the existing playing field to provide for school sports facilities, with community use outside school hours
- Additional car parking spaces within the existing car park and an extension to it. There are currently 48 parking spaces and an additional 42 will be provided
- Relocation of the existing children's play area from the south of the site to the north of the site, where it will be part of the retained area of public open space
- Closure of the cycle path to the west of the site, upgrading of the footway to the east of the site to provide a shared foot/cycleway
- Solar panels on roofs (exact location to be clarified)
- Associated landscaping, boundary treatments, cycle parking, lighting and so on.

At the time of writing this report clarification/comment is awaited on the following points, and will be explained in the Update Report.

- Location of solar panels
- Location and design of roof vents and flues
- Status of the submitted Travel Plan
- Clarification on timing of closure of cycle route and provision of new route
- Use for basketball
- Location of MUGA

2 Planning History

P0387/87/R	Community centre, changing rooms, toilets and car park (outline)	PER	16.04.1987	04.06.1987
P0144/88/R	Erection of community centre, changing rooms, toilets and car park	PER	03.02.1988	03.03.1988

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Section 8 - Open Space

Existing open space, sports and recreational buildings/land (including playing fields) should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements; the open space would be replaced by an equivalent or better provision; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

Section 8 - School Development

Great weight should be given to the need to create, expand or alter schools.

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

Section 11 - Contamination

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

Policy Statement – Planning For School Development

Issued by the Secretary of State for Communities and Local Government, and the Secretary of State for Education.

This statement sets out that the development of state-funded schools is strongly in the national interest. Planning decision-makers should support that objective, in a manner consistent with their statutory obligations. All parties should work together proactively from an early stage to ensure that approval is given wherever possible.

Refusals, and the imposition of conditions, must be clearly justified. Appeals against refusal should be treated as a priority, and may be called in by the Secretary of State.

Peterborough Core Strategy DPD (2011)

CS10 - Environment Capital

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for

residents.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS18 - Culture, Leisure and Tourism

Development of new cultural, leisure and tourism facilities will be encouraged particularly in the city centre.

CS19 - Open Space and Green Infrastructure

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

CS22 - Flood Risk

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

PP20 - Development on Land affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

4 Consultations/Representations

S106 Planning Obligations Officer

No comments received

Rights of Way Officer

No comments received

Peterborough Local Access Forum

No comments received

Landscape Officer (18.06.13)

No objection. Conditions recommended relating to landscaping and tree protection.

Property Services

No comments received

Police Architectural Liaison Officer (11.06.13)

No objection. The proposal appears adequately to address child safety issues and vulnerability to crime. Suitable conditions relating to Boundary Treatments (particularly the 'Green Wall'), Landscaping, Cycle Security, Lighting, CCTV, and Access Control, may be appropriate.

Travel Choice

Further comments are awaited and will be included in the Update Report.

Wildlife Officer (07.06.13)

No objection.

Comments re nesting birds and landscaping. Conditions recommended.

Sport England (18.06.13)

No objection. Although there will be loss of playing field in terms of area, there will be an improvement in standard of available facilities. A community use agreement, and details of the technical specification for the pitch and multi-use games area, must be agreed by condition. If these conditions are not imposed, Sport England would maintain a statutory objection.

Pollution Team (09.07.13)

No objection in principle. Contaminated land report shows that there is low risk of contamination.

Construction Management Plan is acceptable.

Use of basketball courts could give rise to a noise nuisance and should be re-considered/relocated.

Section 106 Major Group

No comments received

Transport & Engineering Services (02.06.13)

No objection. Request conditions relating to construction details of visibility splays, accesses, new cycleway.

Access and parking arrangements are acceptable.

Archaeological Officer (30.05.13)

No objection.

A desk-based assessment has been submitted and approved, and a programme of evaluation by trial trenching agreed. The results from the evaluation will inform the possible next course of action.

Drainage Team (07.06.13)

No objection.

Proposals acceptable subject to confirmation from Anglian Water (this was received on the 8.7.13)

Environment Agency (18.06.13)

No objection.

Millfield & New England Residents Planning Sub Group (MANERP) (18.06.13)

- Loss of green space is a concern. Works to the sports area are welcomed, however the community centre is not promoted to the whole community. Concern that the new sports facilities also might not be available to the whole community.
- No mention has been made of the existing traffic problems in the area. Parking means that many of the roads are effectively single-track, and there is a mosque between the existing and proposed Gladstone School sites which at certain times attracts additional traffic.
- Construction traffic will add to the problems.
- The Travel Plan is not a convincing document, merely a best guess. Experience shows that more cars will be used than are planned for.
- In the community consultation, those in favour are mainly parents. Other long-standing residents have concerns about the application.
- Before planning approval is given:
 - Mitigation should be secured for the loss of open space and feely accessible sports area for the whole, wider community
 - A traffic system and travel plan that takes into account the reality of narrow streets and current traffic problems should be in place.

Building Control Surveyor (29.05.13)

No objection.

Civic Society:

Recognise the need for additional school places in central Peterborough.

Gladstone area is deficient in Public Open Space and the community is a major user of its Open Space. The application site was created in the 1980's as part of major investment in the area to address a number of housing condition and need issues, parking and circulation problems and open space and other play deficiencies. To see this area reduced and ready access to it curtailed by fencing is clearly a retrogressive step.

Urge that more the done to compensate for the loss of open space. We urge that in addition to the new play area at the northern end of the site, that the existing heavily used toddler play area at the southern end be retained with alternative arrangements being made for parking (perhaps beneath the school building).

Failing that, other open space beside Bourges Blvd should be explored for replacement.

Conditions should be imposed to ensure that the open space on the site remain readily available both for school and community uses.

Gladstone School:

Not much consideration has been paid to the inclusion of traffic calming measures. We are anticipating greater numbers of vehicles than at present. A pedestrian crossing and/or other traffic calming measures will make the area much safer for pedestrians.

Local Residents/Interested Parties

Initial consultations: 142

Total number of responses: 3

Total number of objections: 1

Total number in support: 0

Neighbours have been reconsulted with a change to the description, to make explicit reference to the works in the Park. Any comments will be in the Update Report

Neighbour comments:

Traffic problems - danger to children from traffic

Parents stopping cars on the street will cause problems

Already experience traffic problems, especially Fridays

Ambulance and Fire Brigade might not be able to get through

Children won't have space to play

Pre-application Public consultation by Applicant

Before this application was provided the applicant carried out a public consultation. The comments made have been provided with the application. The following issues were raised.

20 comments raised objections, as follows:

- More parking spaces needed
- Should be speed humps on the road
- Should be a lay-by on the far side so there is no parking problem
- Should ensure that there is still somewhere for the elderly to go sit and relax
- Compensation required or double glazing for the front windows
- Object to all the green area being taken
- Security in the car park at night to prevent mis use and residential parking
- Impact of parking on local residents during weddings. Houses opposite get their driveways blocked.
- Health visitors are facing losing offices
- No provision has been made for year September 13-14. Services provided (currently in Veranda Centre) include midwifery, baby clinic, contact centre for families
- CCTV should be installed on Bourges Boulevard
- A pedestrian crossing on Bourges Boulevard so children can cross safely
- Concerned that noise will travel from community side of hall to school side.
- My business (running classes in community centre) has been running for 10 years and I do not want my times changed
- Concerns with bollards, yellow lines, white zig-zags, there might not be any space to park outside own house
- Community access to community centre must take priority
- Concerns about school timings because my children will be split up.

36 comments were in support, as follows:

- Good plan
- Looks fantastic
- Good for child
- Hope the park is better than Gladstone Street
- Looking forward to taking my daughter to the new school
- Children will get more confident
- Will give the children a better future
- Happy the new school has space. More room and things to play
- Buildings look well thought out and designed.
- Children are looking forward to it.
- Will be fun inside. I am happy that we are having a new school.
- Good decision to move the junior classes to the new building.

- Building plan is very interesting. Children will have more space for extra-curricular activities
- Excellent idea, something new for the children and the community
- Children will have new facilities such as sports hall, playground
- Big field, lots of space. My son is excited
- Engagement was excellent, nice to see parent asking so many questions and being supportive.

5 Assessment of the planning issues

Key Planning Issues

The key planning issues are:

- The principle of development
- Loss of public open space
- Impact on residents
- Highway safety
- Parking – cycles and cars
- Design
- Landscaping and Ecology

1. Principle of development

The Local Education Authority has a statutory requirement to provide school places for all children. The site is within the area where the places are needed, is owned by the City Council, and can be built on at short notice. Development of a school building in an urban area, on a site not allocated for any other use, is acceptable in principle. However the site is Public Open Space, of which there is a local shortfall.

2. Loss of public open space

Central Ward has a shortfall of public open space (POS), and therefore there is a presumption against the loss. Policy CS19 sets out that planning permission should not be granted for the loss of POS unless either the proposed development is ancillary to the use of the POS and benefits to recreation would outweigh the loss, or alternative provision is made that is equivalent to the lost area.

The National Planning Policy Framework refers explicitly to the provision of school places, and gives great weight to this. Local Planning Authorities are required to be proactive and collaborative in order to meet the requirement for school places.

The proposed development would result in about 2,350 sq m of POS being used for the building, immediate surroundings and car parking, and a further 7,000 sq m (approximately) of POS would be redeveloped as managed outside space. This would be used by the school during school hours, and be available for community use at all other times. The remaining 5,500 sq m (approximately) of the park (to the north of the area to be enclosed) would remain open and would accommodate the relocated children's play area.

The area to be enclosed would be upgraded, laid out to accommodate a variety of sports and activities, and enclosed by fencing. A management plan would be agreed under a planning condition, to ensure that the pitches, cricket nets and so on are available to members of the community to use outside school hours. Being enclosed, they would be easier to manage and less vulnerable to vandalism, mis-use and dog-walking.

The nearest alternative area of POS is at Stanley Recreation Ground, which is about 300m north of the site. This site includes a children's play area and there are no major barriers to access as it is directly accessible from further up Bourges Boulevard.

Objections to the loss of POS have been received from the Civic Society and MANERP. It is recognised, and Officers agree, that retention of good quality and well used POS should be a

priority. However this area is not presently managed, and there are no other, better, sites available to provide the school places needed in this area. Loss of the POS has been a concern of all those involved in the project, and it has been agreed that the loss of a small amount of POS is acceptable, taking into account that:

- most of the area will remain, and be available for community use out of school hours on a managed basis
- the children's play area will be relocated to the retained area of the park, and will be open/available at all times
- there is an area of POS with a children's play area about 300m away up Bourges Boulevard.

Sport England has been consulted, and has agreed the loss of POS on the basis that higher quality facilities will be provided. Sport England requires two planning conditions relating to a community management agreement and the installation of the pitch; if these conditions are not imposed then Sport England would maintain a statutory objection and the Local Planning Authority would not be able to issue consent. The conditions are considered to be acceptable, although a slight change in wording will be discussed with Sport England, and are set out below as Conditions 18 and 19.

Upgrading the remaining open area of park, such as levelling out the mounds to allow for better use of the area, has been suggested by Neighbourhoods and discussed with the applicant. These works, beyond relocation of the children's play area/equipment, are not considered necessary to make the development acceptable in planning terms. Discussions may take place outside the planning process. The suggestion from the Civic Society, regarding relocating the parking under the building, is not practical.

Given the over-riding need for school places in the area, and taking into account the mitigation set out above, the loss of POS is on balance considered to be acceptable and is therefore in accordance with Policy CS19.

3. Impact on residents

The residents potentially affected by the proposal will be those in the houses directly opposite the site, and also those in houses to the north of the site on the same side of the street. Houses across Bourges Boulevard are typically 18m from the site boundary; the closest house to the north is about 85m from the site boundary.

The two-storey teaching block has been set out so that main windows face north and south, rather than east to the existing houses. There are some windows on the building facing directly across to the houses, but these are secondary windows, are about 24m from the facing residential windows, and can be obscure glazed – a condition is recommended. The windows on this elevation are an important feature in the design of the building and the light they provide to the inside will be beneficial but the loss of the views will not disadvantage occupants of the building. Given the distances involved and the relative heights and mass of the buildings there will be no overshadowing or overbearing impact.

Impacts in terms of significant changes to noise and disturbance from use of the building as a school should be limited to school hours, and therefore fall within acceptable limits.

Use of the new sports facilities, and the associated floodlighting, will be restricted under the Community Use Agreement. It is however sufficiently clear that use should cease, and the floodlights be turned off, by 9pm, and so a planning condition is recommended to secure this. In order to minimise disturbance, a condition is recommended prohibiting any external sound systems such as public address being used on the site. A lighting scheme is also required by condition, and light spill will be addressed at that time.

There is the potential for noise and disturbance to residents from use of the sports facilities, which include a hard surfaced area (Multi Use Games Area – MUGA) marked out for various sports

including tennis and netball, possibly also basketball and football. The MUGA will be, at the closest point, 23m from the houses opposite. This is closer than would normally be acceptable, and discussions are underway with the applicant about the possibility of moving the MUGA to the opposite side of the site. An all-weather pitch will be provided to accommodate football and hockey.

Use of the site for basketball could give rise to a noise nuisance, because of the nature of the sport. The repeated bouncing of balls, and rattling of the baskets and backboards, has been shown to be particularly disturbing. In order to address this, either the basketball facility could be removed, or limitations could be put on the use in terms of time and number of hours per day/week. The options are being discussed with the applicant and with Sport England, and the conclusion will be set out, along with any necessary conditions, in the Update Report.

Concerns have been raised from several parties about car parking in the area. This is addressed below. Otherwise Officers consider that subject to conditions set out below the impact on neighbour amenity should not be significant and the proposal is therefore in accordance with Policies CS16 and PP3.

4. Highway safety

The proposal has been discussed in detail with the Local Highway Authority (LHA) which has raised no objections to the development in principle subject to conditions relating to design matters.

Several concerns have been raised about parking congestion, mainly via the pre-application public consultation event. About 10 people submitted comments about parking problems. Although these concerns are noted, following discussion with the Local Highway Authority (LHA) Officers are of the view that no traffic restrictions should be imposed although it is recommended that bollards be placed along the edge of the footway to stop people parking their cars partly on the foot/cycleway. The bollards will be spaced to allow for car doors to open at the edge of the foot/cycleway so that people can exit/enter cars which have paused to drop-off/pick-up.

Officers consider that this will balance the need for some parents to park here for a few minutes, and for this length of the street to be used for general parking when safe/suitable, with protection of the foot/cycleway from parked cars. If it becomes apparent at a later stage that there are parking issues then the situation can be reviewed by the LHA under Highways legislation. This could result in the introduction of parking controls by way of a Traffic Regulation Order.

Accident data area shows that there are a significant number of traffic incidents involving children on Gladstone Street. It is possible that some of these accidents maybe related to journeys to/from school. Further assessment of this matter is recommended and if it's shown to be an issue connected with the school then the upgrading of crossing facilities in Gladstone Street maybe appropriate. The assessment, and any appropriate upgrading, can be secured via a condition. If the accidents are not shown to be connected to the school (or travel to/from it) then no upgrades can be required as this development cannot be required to address existing deficiencies.

As part of the development it is proposed to close the cycle route to the west of the site, between the playing fields/community centre and New Bourges Boulevard. The closure of the existing route is recommended following discussion with Council Officers in Planning, Highways, Neighbourhoods and Children's Services and the Police as it is isolated for much of its length behind the Park and is currently substandard in terms of width. It closure would also make the new school site more secure. The cycleway is, however, a well-used route for cyclists from the northern parts of the City to the City Centre. In order to retain the cycle route through the area, and to ensure that residents, cyclists and pedestrians are all safely accommodated, the footway at the front of the site will be upgraded to a shared foot/cycleway and the retained cycleway to the north and south will be linked in and suitably signed. The existing path will be closed at the beginning of works, and the new foot/cycleway provided at the end of works. In the meantime cyclists will be able to use Bourges Boulevard. A condition is recommended to ensure that the

details of the links and signing between retained and new parts of the path are agreed and implemented prior to occupation of the new school buildings.

The additional width required for the upgrading of the footway would be taken from the east edge of the site, where there is currently a landscaping strip along the playing field. It is wide enough that the loss of 300mm or so can be accommodated. New landscaping to the playing field can be secured by a condition.

In addition to the above changes, it is proposed to introduce a new exit point to the car park, to allow circulation. The new exit will be created approximately at the southern end of the existing car park. Visibility splays can be accommodated (although these are not shown correctly on the current plans). The Local Highway Authority has advised that bellmouth accesses will not be acceptable – dropped crossings will be required to ensure priority for pedestrians and cyclists. Conditions are recommended to secure these changes before the new car park is brought into use.

A Travel Plan has been submitted with the application. It appears however, as if this has been written without input from the school. The situation is being clarified with Travelchoice and the school. Members will be advised further via the Update Report. If a new Travel Plan is required this can be secured via a condition.

Having considered all of the above issues it is considered that appropriate and proportionate measures have been and will be taken to ensure Highway safety and access via non car modes. As such the proposal is considered to accord with Policies CS14 and PP12.

4a. Construction Management

A Construction Management Plan has been submitted which addresses access, parking and facilities on site, working hours and noise. Access has been adequately considered, and parking and facilities for workers will be provided within the site. Control of noise and dust is also adequately addressed, and compliance with the Plan will be required by condition.

5. Cycle parking

The proposal includes 36 cycle parking spaces close to the entrances to the community centre, 24 spaces in the car park and 24 spaces within the school secure line for pupils and staff. The current cycle parking standards would require 80 spaces for school pupils and 5 for staff. There is no standard given for community centre cycle parking. The level of provision proposed has been discussed as part of the pre-application process, and taking into account the current modal split for pupils travelling to school (no pupils cycled to school when surveyed in 2010), it is considered that a lower level of pupil cycle parking is acceptable. This can be reviewed over time via the Travel Plan process, and additional parking provided if required.

There is space within the school site, and around the community centre, for additional cycle parking to be provided.

Given the site specific, and user-specific, circumstances of this case, it is considered that the shortfall of cycle parking against the standard in Policy PP13 is acceptable.

6. Car parking

The site is in an area of 19th century housing; most properties do not have dedicated off-street car parking. Parking congestion is frequent in the area, but it is use of the community centre for events such as weddings and Friday prayers that can result in significant and problematic congestion.

The proposal allows for an additional 42 car parking spaces, to be provided in a southern extension to the existing car park, over the area where the children's play area is currently located. 36 spaces will be restricted to school staff during school hours, but will otherwise be available for visitors to the community centre. It is unlikely that the parking congestion problems in the area will be eradicated, but they should not be made worse, and there might be some improvement. The applicant cannot be required to deal with the pre-existing problems.

Gladstone School, partly because it has such a tight catchment area, has a pupil walk to school rate of over 90%. Notwithstanding this, consideration does have to be given to drop-off and pick-up by car. Currently much of the west side of Bourges Boulevard is unrestricted in terms of parking, and it is not intended to introduce any additional restrictions unless and until it becomes necessary. It is accepted that at school drop-off and pick-up times there might be additional short-term congestion. Given the restrictions of the area it is considered that best efforts have been made to deal with this. Four disabled parking spaces would be laid out at the end of the car park closest to the buildings.

Given that the increase in car parking is sufficient to cater for the school staff, and visitors would be able to park in the general car park (which is often under-used during weekdays), it is considered that adequate provision has been made in accordance with the standards of Policy PP13.

7. Design

The existing Community Centre and Veranda Centre will remain substantially as existing, although glazed links will be added. The design of the new school does not replicate either the features of the Victorian housing or the features of the relatively recent Community centre and Veranda Centre, but insisting on this replication would not have provided a good final design.

The new building is of a modern, efficient design. Factors that had to be considered in the design process include the need to minimise loss of POS, acoustic protection, retention of and connection with existing buildings and protection of neighbour amenity. The proposed new teaching block runs east-west across the site, and has a footprint of about 48m by 18m, in the shape of a slightly kinked rectangle. Classrooms will be clustered in the ends of the block, with primary windows facing north and south, and the centre of the block will accommodate a double-height circulation space, toilets, storage, small group spaces and so on. The end elevations face Old and New Bourges Boulevard, and have windows for light and visual interest.

Externally the building will be of brick to the gable ends, and at ground floor level on the long sides, with a roof of grey cladding which extends down over the first floor long sides. Windows have been designed to balance vertical and horizontal elements, with the gable ends being broken up using long vertical windows. The windows will be broken up with coloured panels, and sets of windows will be surrounded by projecting frames.

The Police Architectural Liaison Officer has commented on the security features and he is content that security and crime prevention have been considered. A condition has been requested, and is recommended below, to ensure that the fine details of the security features can be agreed at a later stage.

Although the design is very different to the existing buildings, the massing of the teaching block balances the mass of the community centre, with the lower Veranda Centre and two glazed links in between. Overall, it is considered that the design of the building is a good and appropriate response to the constraints of the site and the requirements of the project. The proposal is therefore considered to be in accordance with the relevant provisions of Policies CS16 and PP2.

7a. Sustainability

It is proposed to include solar panels, probably on the new teaching block. Other sustainable features of the development include passive ventilation, a high standard of insulation, water saving toilets, and control/management systems to ensure efficient use of energy. Gardens will be laid out for pupils to use, including an allotment garden, which will encourage learning about sustainability.

Taking into account the constraints of the site, it is considered that the development will make a suitable contribution towards the City Council's Environment Capital agenda as required by Policy CS10.

8. Landscaping and Ecology

Gladstone Park has a generously treed boundary, and some trees set more centrally. A survey was carried out and submitted with the application. About 21 trees are proposed for removal overall. This includes 7 category U, 8 category C and 6 category B trees. The loss of some trees has to be accepted in order to facilitate the development, but this has been kept to a minimum. Replacement planting of types and locations more suited to the area will be secured by condition.

An Arboricultural Implications Assessment and Method Statement have been submitted, which set out how development should be carried out so as to avoid harm to retained trees. A condition is recommended to ensure that the recommendations are followed.

A Planting Strategy has been provided which shows that suitable landscaping can be provided, however this can be finally agreed under a condition at a later stage.

Wildlife surveys have been carried out to establish that there are no protected species on site. Nesting birds will be protected by a condition. The planting strategy indicates that planting will support an overall improvement in biodiversity. The proposal is therefore considered to be in accordance with Policies CS21 and PP16.

9. Other matters

Flood Risk and Drainage

The site lies in an area of low flood risk. The drainage system has been designed to link into the existing system, but to reduce the overall amount of surface water runoff by including an underground attenuation system.

Detailed plans have been prepared and consultees and Anglian Water have commented that the scheme as designed. A condition is recommended, requiring that drainage is installed as approved. This is considered to be in accordance with the requirements of Policy CS22.

Contaminated Land

There is a low probability of contamination on the site, resulting from previous use as railway land. An investigation has been carried out and reviewed by the Pollution Control Team. No concerns have arisen. To ensure that any unsuspected contamination will be dealt with, a condition is recommended. This is considered to be in accordance with Policy PP20.

Archaeology

A programme of works has been agreed. Trial Trenching will be carried out before development commences and a Watching Brief will be established. Any further work required cannot be identified until the work has been carried out. It is possible that railway works will have disturbed remains, but the site is in an area of archaeological interest. Because the work has not been carried out pre-determination, there is a risk to the applicant that, if further evaluation and recording work is required, the development could be delayed.

Officers consider that the submitted Written Scheme of Investigation sets out works which would ensure compliance with the relevant sections of Policies CS17 and PP17 and the NPPF.

Comments submitted at public event

Comments were submitted at a public consultation event, relating to various matters such as use of the community centre, a site for health workers who currently work out of the Veranda Centre, noise and loss of green space. Two people mentioned wanting double glazing on the front of their houses. Officers do not consider that this is a necessary response.

Use of the community centre will be left to others to manage appropriately, outside the remit of this application. Likewise, use of the Veranda Centre, although it currently offers valuable services, has to be balanced against the requirement to provide school places. Relocation of the services is being discussed outside the planning process.

The headteacher of the school is aware that parents might have two or more children at the school, and therefore need to drop off/pick up at both of the sites. It is likely that school start and finish

times will be staggered across the two sites, so that parents can conveniently walk children to and from school.

The issue, raised by Millfield and New England Regeneration Partnership, of which parts of the community use the facility, is more a matter for the Neighbourhood team to address. A community management agreement has to be put in place, and this should ensure access for all.

6 Conclusions

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 need for new school places has to be given significant weight
- there is a presumption against the loss of public open space, however on balance this is considered to be acceptable as the remaining public open space will be upgraded, and taking into account the limited local options for the provision of school places
- the new teaching block has been designed to make an efficient use of land and to make a positive contribution to the streetscene
- impacts on neighbour amenity can be satisfactorily controlled
- the development makes adequate provision for cycle and car parking, and for safe and convenient access to the site
- the loss of trees is acceptable, and will be mitigated by the implementation of a new landscaping scheme which will encourage local biodiversity
- any archaeological remains will be adequately identified and any loss mitigated
- the proposal is therefore in accordance with Policies CS10, CS14, CS16, CS17, CS19, CS21 and CS22 of the adopted Peterborough Core Strategy, Policies PP1, PP2, PP3, PP12, PP13, PP16 and PP17 of the adopted Peterborough Planning Policies DPD, and the relevant provisions of the National Planning Policy Framework, in particular paragraphs 32, 34-36, 61, 70 and 72-74.

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

C2 Development shall take place in accordance with the following plans and documents:

To be completed once final versions are received

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C3 Prior to the commencement of above-ground construction details/samples of the proposed materials shall be 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.

Details of the following shall be submitted:

- Walling and roofing materials
- Doors and windows including frames and colour panels
- Rooflights
- Fascias

- **Glazing and framing to link blocks.**

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C4 Development shall be carried out in accordance with the approved Site Logistics and Traffic Management Plan reference SLTMP/GPS(BBS)/01.

Reason: In the interests of Highway safety and the protection of neighbour amenity, in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the adopted Peterborough Planning Policies DPD.

C5 Development shall be carried out in accordance with the approved Arboricultural Implications Assessment and Arboricultural Method Statement.

Reason: The site contains existing trees which it is desirable to retain as part of the landscaping scheme in accordance with Policy PP14 of the Peterborough Planning Policies DPD (2012).

C6 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

C7 Prior to the teaching block being brought into use, the windows on the east facing gable end shall be obscure glazed to at least Level 3, and shall be non-openable, and shall be so retained in perpetuity.

Reason: In the interests of the amenity of occupiers of neighbouring dwellings, in accordance with Policies CS16 of the adopted Peterborough Core Strategy DPD (2011) and Policy PP3 of the adopted Peterborough Planning Policies DPD.

C8 Prior to the new development being brought into use, a total of 84 cycle parking spaces shall be laid out as shown on the approved plans. The cycle parking shall be retained thereafter.

Reason: In order to encourage travel by sustainable modes, in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD (2011).

C9 Prior to the completion of construction details of the transitions between the retained parts of the existing cycleway and the new foot/cycleway along the eastern side of the site, and details of signing, shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details, and the new foot/cycleway be available for use, prior to the new school building being brought into use.

Reason: In the interests of providing a safe and convenient cycle and walking route in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD (2011) and Policy PP12 of the adopted Peterborough Planning Policies DPD.

C10 Notwithstanding the approved plans, and prior to the new car entrance/exit being laid out, details of visibility splays and dropped crossings (instead of the bellmouth entrance/exit shown) shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of Highway Safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD (2011) and Policy PP12 of the adopted Peterborough Planning Policies DPD.

- C11 Prior to the new development being brought into use, the car parking area shall be provided and laid out in accordance with the approved plans. The car parking shall be retained thereafter.**

Reason: In the interest of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C12 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 Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

- C13 Prior to the new teaching block being brought into use, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall thereafter be implemented in accordance with an agreed timetable. Landscaping details shall include the following:**

- **Visibility splays at entrances/exits as agreed under C10 above**
- **Proposed finished ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting**
- **Hard landscaping including cycle stands, boundary treatments and surfacing materials**
- **An implementation programme.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

- C14 Prior to the new development being brought into use details of any external lighting to be installed, including floodlighting, shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be installed other than in accordance with the approved details.**

Reason: In the interests of Highway safety and the protection of neighbour amenity, in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the adopted Peterborough Planning Policies DPD.

- C15 Prior to the new development being brought into use a scheme of drainage shall be implemented in accordance with the approved drawings as follows:**

Below Ground Drainage Layout Sheet 1 of 3 21749-D01 Rev CP02
Below Ground Drainage Layout Sheet 2 of 3 21749-D02 Rev CP02
Below Ground Drainage Layout Sheet 3 of 3 21749-D03 Rev CP02
Drainage Construction Details Sheet 1 21749-D20 Rev CP01
Drainage Construction Details Sheet 2 21749-D21 Rev CP01
Drainage Construction Details Sheet 3 21749-D22 Rev CP01
Drainage Construction Details Sheet 4 21749-D24 Rev CP01
Below Ground Drainage and Road Construction Notes 21749-D30 Rev CP01
Manhole Schedule 21749-D31 Rev CP02.

Reason: In order to ensure that the development is satisfactorily drained and to reduce the risk of flooding in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C16 The new kitchen shall not be brought into use until extraction and ventilation equipment has been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.**
Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.
- C17 Prior to the new development being brought into use, a children’s play area shall be provided in the retained public open space to the north of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, as a replacement for the play area currently provided to the south of the site.**
Reason: In order to maintain adequate provision of facilities for outdoor recreation in accordance with Policy CS19 of the adopted Peterborough Core Strategy DPD.
- C18 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the proposed new outdoor sports facilities as well as the existing community centre and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.**
Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport in accordance with Policy CS19 of the adopted Peterborough Core Strategy DPD.
- C19 Prior to work commencing on site a full technical specification for the proposed all-weather pitch and multi-use games area shall be submitted to and approved in writing by the local planning authority. The specification shall include details of surfacing, marking, boundary treatment and fencing. Development shall thereafter be carried out in accordance with the approved details prior to the new school being brought into use.**
Reason: To ensure the facilities are built to Sport England/National Governing Body technical specifications, in the interests of recreational provision and in accordance with Policy CS19 of the adopted Peterborough Core Strategy DPD.
- C20 Prior to the first occupation of the development hereby permitted, measures to ensure child safety and to minimise the risk of crime, required to meet the specific security needs of the application site, shall be implemented in accordance with a security strategy previously submitted to and approved in writing by the Local Planning Authority. The measures shall include, but not necessarily be limited to, the following:**
- **Lighting**
 - **CCTV**
 - **Boundary treatments**
 - **Management of accesses.**
- Reason: In order to address crime and disorder and to promote the well-being of the area in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.
- C21 No external public address system or other sound amplification system shall be installed or operated without the written consent of the Local Planning Authority.**
Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C22 The outdoor sports facilities, and the floodlighting, shall not be used between the hours of 9pm and 8am.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

Copies to Councillors: M Nadeem, N Khan MBE, M Jamil

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 4
23 JULY 2013	PUBLIC REPORT

Cabinet Members responsible:	Councillor Cereste – Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer:	Nick Harding (Group Manager, Development Management)	Tel. 454441
Reporting Officer:	Andrew Cundy (Area Manager, Development Management)	Tel. 453470

THREE MONTH APPEAL PERFORMANCE REPORT

RECOMMENDATIONS	
FROM : Head of Planning, Transport and Engineering Services	Deadline date : July 2013
That Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 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.
- 1.2 This report is for the Committee to consider under its terms of reference No. 2.5.1.4 "To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers".

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. APPEAL OVERVIEW

- 3.1 The number of appeals lodged has increased this last three months from 3 to 8 compared to the previous three months. A total of 7 appeals have been determined which is 6 fewer than the previous three months.

	01/07/2012 – 30/09/2012	01/10/2012 – 31/12/2012	01/01/2013 – 31/03/2013	01/04/2013 – 30/06/2013
Appeals Lodged	16	7	3	8
Method of Appeal				
a) Householder	5	1	0	2
b) Written Reps	9	6	2	5
c) Informal Hearing	1	0	1	1
d) Public Inquiry	1	0	0	0

	01/07/2012 – 30/09/2012	01/10/2012 – 31/12/2012	01/01/2013 – 31/03/2013	01/04/2013 – 30/06/2013
Appeals Determined	17	7	13	7
Appeals Dismissed	13	4	9	4
Appeals Allowed	4	2	3	2
Split Decision	0	1	1	0
Appeals Withdrawn	0	0	0	1
Success Rate	77%	57%	69%	67%
Householder	2	4	1	0
Written Reps	13	2	10	5
Informal Hearing	2	1	2	1
Public Inquiry	0	0	0	1

3.2 In the last three months the Council's decision was upheld in 67% of the cases.

3.3 The table at **Appendix 1** gives a summary of the appeal outcomes in the last 3 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 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.

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
1	11/01711/MMFUL - Thornhaugh Quarry Leicester Road Thornhaugh Peterborough Importation of inert material for recycling and infill to achieve a beneficial restoration to agricultural land	Delegated	Allowed	The inspector concluded that: <ul style="list-style-type: none"> the proposal would not prejudice future mineral extraction or waste management operations with improvements to the scheme in the north-western corner of the site, to enable it to better integrate with the wider quarry, it need not prejudice future quarry restoration operations in the area the proposal would protect and enhance local biodiversity and safeguard the area's landscape character. 	No
2	12/00898/FUL - Winchester Place - Ground Floor 80 Thorpe Road Change of use of ground floor to Class A1 (retail) use, front and rear extension, car parking and new vehicular access to Thorpe Road	Delegated	Withdrawn		N/A
3	11/01528/FUL - Priory Store 44 Priory Road West Town Security window shutter - Retrospective	Delegated	Dismissed	The inspector stated that the untreated, solid form of the steel sheeting does have a very unattractive appearance within this predominantly residential area and that it does detract from the character and appearance of this property and the wider area. The inspector agrees that it provides a negative image for the property and its surrounds. The inspector concluded that internal shutters would have the least intrusive impact although a more sensitively designed external shutter would be preferable to that currently in place.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
4	<p>12/00134/FUL - Land To The Rear Of 9-33 Eastleigh Road And 197-215 Padholme Road Eastfield</p> <p>Construction of four two-bed and one three-bed affordable bungalows including associated external works and parking, demolition of 15 Eastleigh Road to provide access to new dwellings</p>	Committee (T)	Dismissed	<p>The inspector stated that the proposal would significantly change the character of the appeal site; specifically the outlook for immediately adjoining neighbours from their facing rear windows and rear gardens would change with the removal of the tree canopy. The inspector considered that the development would conflict with Core Strategy policy CS16 because it would fail to enhance local distinctiveness in view of the proposed scale of removal of tree cover on this land-locked site.</p> <p>Further the inspector considered that the impacts on biodiversity cannot properly be assessed because of the absence of any objective information regarding the ecological value of this tree covered area.</p>	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
5	<p>12/01241/FUL - Land At Wothorpe Park Adjacent To Laurel House, First Drift Wothorpe</p> <p>Construction of 1no. new 3 bed dwelling and associated double garage</p>	Delegated	Dismissed	<p>The inspector concluded that the proposal would significantly encroach upon and visually curtail the remaining open landscape context of the listed building, resulting in material harm to its setting and, as a consequence, in a diminution of its significance as a nationally designated heritage asset. The inspector added that the incongruous choice of neo-vernacular detailing in this context would further exacerbate the harm.</p> <p>The inspector added that the development here would be seen in tandem with Laurel House and the town houses when seen from the approach to The Elms from the east. The inspector argued that from here there would be the strong sense of built form being consolidated in depth, fostering a degree of suburban character incongruous to and at odds with the wider rural character of the area and that such an outcome would compound the harm to the setting of the listed building.</p> <p>The inspector stated that its contribution to addressing the Councils' housing supply would be very, very small.</p> <p>With regards to the local infrastructure contributions the inspector concluded that the absence of such an agreement, in the face of development plan policy signifying its necessity, must weigh against the proposals.</p>	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
6	12/00833/FUL - Plot Adjacent 54 Aldermans Drive West Town Proposed two bedroom dwelling	Delegated	Dismissed	The inspector concluded that the proposal would make use of a neglected site and would provide an additional dwelling that would contribute to the supply of housing in line with the objectives of the Framework. However the inspector added that these benefits would be outweighed by the harm to the character and appearance of the terrace and streetscene, living conditions of future occupants, and poor access for cycle and waste storage	No
7	12/00759/FUL - Units 2 And 3 Prosper House Padholme Road East Fengate Change of use to Leisure (indoor football)	Delegated	Allowed	The inspector concluded that the scheme is not of such a magnitude that it needs to be assessed in a sequential approach or that it does not comply with the location and sustainability objectives of local plan policies. The inspector added that new sports facilities are encouraged by local plan and national policies and that the scale and nature of this development is too small to prejudice the provision of sports facilities in other parts of Peterborough. Further the inspector stated that the site has reasonable parking provision, is reasonably near to the city centre and is accessible by means other than the private car.	No