

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 3 SEPTEMBER 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. Members' Declaration of intention to make representations as Ward Councillor

4. Minutes of the Meetings Held on:

4.1 9 July 2013 3 - 22

4.2 23 July 2013 23 - 35

5. Development Control and Enforcement Matters

5.1 13/00649/FUL - Land off Thorney Road, Eye, Peterborough 37 - 58

5.2 13/01105/HHFUL - 13 Nottingham Way, Dogsthorpe, Peterborough, PE1 4NF 59 - 67

5.3 13/00787/FUL - 229 Star Road, Eastgate, Peterborough, PE1 5ET 69 - 77



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.

5.4 **13/00835/R4FUL - The Peverels, 34 Pine Tree Close, Dogsthorpe, Peterborough** 79 – 91

5.5 **13/01159/R4FUL - Spinney Adventure Play Centre, Hartwell Way, Peterborough, PE3 7LE** 93 – 102

In accordance with Standing Orders, Members are asked to determine whether agenda item 5.6, E1 Enforcement Action in Newborough Ward, which contains exempt information relating to an individual or would be likely to reveal the identity of an individual and information relating to the financial or business affairs of a particular person (including the authority holding that information), as defined by Paragraphs 1, 2 and 3 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting when this report is discussed or whether the public interest in disclosing this information outweighs the public interest in maintaining the exemption.

5.6 **E1 - Enforcement Action in Newborough Ward** 103 – 110

6. Review of Local List Planning Application Validation Requirements 111 - 118

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.



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH
ON 9 JULY 2013**

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, Simons, Todd, Sylvester, and Ash

Officers Present: Nick Harding, Group Manager Development Management
Vicky Hurrell, Principal Development Management Officer
Theresa Nicholl, Development Management Support Officer
Alan Jones, Senior Officer Minerals and Waste
Jez Tuttle, Senior Engineer (Development)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors North, Lane and Harrington.

Councillor Ash was in attendance as a substitute.

2. Declarations of Interests

Councillor Ash declared an interest in item 5.2 Thorpe Road in that the Agent was well known to him. Councillor Ash confirmed that he had not discussed the item with the Agent and intended to remain for the discussion of the item.

3. Members Declaration of Intention to Make Representations as Ward Councillor

There were no representations made by any Member of the Committee to make representation as Ward Councillor.

4. Minutes of the Meetings Held on:

4.1 11 June 2013

The minutes of the meeting held on 11 June 2013 were approved as a true and accurate record, subject to the inclusion of Councillor Hiller noted as being in attendance.

4.2 17 June 2013

The minutes of the meeting held on 17 June 2013 were approved as a true and accurate record.

The Chairman announced that an urgent item of business had been put forward for consideration. Members were advised that the item, regarding potential works being carried out within the City, contained exempt information. The Committee agreed that the item be heard.

5. Development Control and Enforcement Matters

5.1 13/00606/HHFUL- Conversion of garage into living accommodation, 13 Nottingham Way, Dogsthorpe, Peterborough, PE1 4NF.

The application site was comprised of a two storey detached residential dwelling located within a residential estate of uniform character. The main dwelling house was set back from the streetscene and sat behind an existing single storey detached double garage. The garage was positioned side-on to the street and shared a driveway with No.11 Nottingham Way. There had been a small area of landscaping to the front comprising shrubs and an immature silver birch tree which had provided some screening to the dwelling and garage. The garage had a blank gable elevation which fronted the public highway and was constructed of buff brick and brown concrete roof tiles.

The description of development referred to the conversion of an existing detached garage to form living accommodation. Notwithstanding this description, the proposed use of the existing garage as an annexe for occupation by a family member associated with the occupation of the main dwelling house, did not require the benefit of planning permission. Accordingly, the only elements for which planning permission were sought was the insertion of two small windows to the front elevation, the insertion of a door to the rear elevation and replacement of the existing plastic-clad metal roller shutter doors with a solid brick wall and cladding of a similar appearance to that which was existing.

The Development Management Support Officer addressed the Committee and provided an overview of the proposal. It was advised that there had been two further letters of objection received from local residents in addition to those detailed within the committee report. These objections were summarised within the update report. The officer recommendation was one of approval subject to the imposition of specified conditions.

Ward Councillors John Peach and John Shearman addressed the Committee and responded to questions from Members. In summary, key points highlighted included:

- There had been email communications received from Planning Officers which had stated that the officer recommendation would be one of refusal as the application was contrary to Planning Policy;
- The application was entirely out of character within the area, to the detriment of local residents and the environment;
- Whilst there were some extensions along Nottingham Way, none of them included a free standing annex such as a garage;
- The application was in a landscape road adjacent to a conservation area;
- Approval of the proposal may invite similar development requests to

- convert garages;
- Members of the Committee were asked to be mindful of the officer's original recommendation for refusal;
- There was sympathy for the Applicant wanting to care for an elderly relative, but the Committee was asked to be mindful of the shared driveway area and whether the living arrangements would be sufficient given the number of residents that would be living at the property;
- Whether the amenities included within the proposal was acceptable within planning regulations particularly due to one door being available in the proposed conversion;
- And concerns were raised over the building regulations for appropriate fire escape routes.

Mr Rod McDonald, a local resident and objector, addressed the Committee and responded to questions from Members. In summary key points highlighted included:

- Residents shared the same concerns as expressed by the Ward Councillors;
- None of the previous extension works along Nottingham Way had been to the extent of the proposal and none had included a free standing annex;
- The shared drive would be affected by the proposal due to the size of the dropped kerb;
- There was an element of confusion in that the initial report, which had formed part of an email from officers dated 10 June 2013, had stated that because the annex was detached planning permission would be required. The later report suggested that planning permission was not required as there was no change of use;
- There was concern that the amenities within the proposal would not be adequate enough for the residents;
- There may be some noise disturbance due to a vent that faced onto the pathway of number 15 Nottingham Way;
- Visitors to the proposed extension may increase the traffic activity, which would cause a disturbance; and
- Other areas of the house should be considered to accommodate the applicant's elderly parents.

The Group Manager Development Management offered clarification in relation to the confusion around whether the change of use required planning permission.

Following questions and debate it was commented that the physical change to the building would not necessarily impact upon the streetscene however, there would be a clear change in use in that the building would accommodate persons living within it.

Furthermore, Members expressed concern at the removal of trees to the front of the application and the installation of windows in the garage, which would ultimately lead to a change the character of the area and impact on the streetscene. To approve such an application may also set a precedence in applications for annex dwellings the area.

The Legal Officer advised the Committee that the trees in front of the property were not covered by tree preservation orders, therefore the residents were permitted to remove the trees if they felt it necessary. In addition, the Committee was to be mindful of the material facts that related to the planning permission being sought, and this did not include whether the annex was to be used as a residential dwelling.

Following further brief debate, a motion was put forward and seconded to refuse the application contrary to officer recommendation. The motion was carried by 4 votes, with 1 voting against and 2 abstentions.

RESOLVED: (4 For, 1 Against and 2 Abstention) to refuse the application, contrary to officer recommendation.

Reasons for the decision:

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan.

The alterations to the street facing elevation with the insertion of two windows would be detrimental to the appearance of the streetscene, contrary to the provisions of Policy CS16 of the Peterborough Core Strategy 2011 and Policy PP2 of the Peterborough Planning Policies DPD 2012 both of which sought to ensure that new developments made a positive contribution to the quality of the built environment.

5.2 13/00652/OUT – Construction of a two bedroom dwelling, 95 Thorpe Road, Peterborough, PE3 6JQ

The application site was part of the rear garden associated with a two storey, predominantly unaltered Victorian villa. The house was identified as a locally listed building (WE15, under policy PP17 of the adopted Planning Policies DPD). The dwelling formed one of several dwellings of similar style and character and retained a number of architectural features that were important to the historic character of the area. The property had two off-street parking spaces to the front. The rear garden sloped to the south, falling to a watercourse, and was host to several species of trees, including a Horse Chestnut which was protected by a Tree Preservation Order.

The immediate area to the west of the application site was characterised by similarly sized, locally listed Victorian villas on large, linear plots which fronted Thorpe Road. Slightly further west were two modern stone dwellings which had received planning permission in 2003. The gardens of these properties had a number of mature trees within them which collectively provided them an almost rural character. To the east was Fairmead Way, an estate which received planning permission in the 1970's while to the south was Rivermead which was separated from the application site by a watercourse. There were more residential dwellings to the north.

The application sought outline planning permission for a two bedroom dwelling with all matters reserved. To support the proposal, indicative drawings had been submitted, which illustrated a two storey dwelling built into the slope, a detached garage and vehicular access to the side of 95 Thorpe Road.

Further to receiving the application, a number of trees had been trimmed/felled adjacent to the watercourse at the bottom of the application site. None of these were protected and so permission for the works had not been required.

The Group Manager Development Management advised that a further three representation letters had been received, one in objection, one in support and the third was received from the Police Architectural Liaison Officer also in support of the proposal. The officer's recommendation was one of refusal as the scheme warranted Committee scrutiny to establish whether the loss of garden was outweighed by the sites sustainable location.

Ward Councillor Nick Arculus addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Section 6 of the Planning Policy Framework should apply;
- There had been a number of negative responses received in response to the consultation;
- The Committee should give due consideration to objectors views and concerns;
- The construction of the proposed new dwelling would impact on the area and would specifically affect the nature of the surrounding area of the host dwelling;
- There would be a loss of garden space for 95 Thorpe Road;
- There would be a loss of privacy for the residents of Riverside Gardens;
- The application would undermine the character of the area and would have a detrimental affect on the scenery and would change the rural setting;
- The proposed dwelling would contain no windows to the east, north or the west, this might appear aesthetically unattractive for residents to look upon; and
- There had not been enough undertaken to address the various objections recognised by the appeals inspectorate in 2009 other than the removal of trees from the site;

Mr Trivedi, a local resident and objector, addressed the Committee and responded to questions from Members. In summary key points highlighted included:

- Mr Trivedi's parents lived directly behind the proposed development site;
- Mr Trivedi raised concerns over privacy if the proposed development was approved;
- With Committee approval, photographs were circulated showing the effect that the felling of the trees, in conjunction with the incline of the proposed dwelling, would have on neighbouring resident's privacy;
- The area was in a setting surrounded by greenery, trees and nature, which would be affected should the proposal be approved;

- There had not been any foxes sighted following the recent tree felling;
- It was felt that the proposal did not fit in with the Council's aspirations of becoming environment capital of the UK;
- Under City Council Policy there had to be a clear justification of the benefits from such works to the land and to a building of local importance, due to its locally listed status. The statement proved that there was no justification to approve the proposal and was against Council Planning Policies PP2, PP3 and PP17;
- The family had lived happily in the area for over 20 years; and
- Riverside Garden residents had also opposed the proposal as they wanted to enjoy the beautiful surroundings, which had also been enjoyed by many residents of the area.

Mr Barker, the Agent, addressed the Committee and responded to questions. In summary the key points highlighted included:

- The proposal had been revised following a planning appeal and all the reasons for previous refusal had been addressed;
- National Guidance and the Council's adopted policy suggested that the proposal should be approved unless officers had significantly and demonstrably shown that the adverse impact would outweigh the benefits;
- The issues raised regarding trees could easily be addressed through new planting;
- It was important to note the error within the committee report regarding the houses to the west, which were stated as locally listed Victorian Villas. The properties mentioned were 20th century houses and the locally listed Victorian Villas were located to the east of the proposed development. All had short gardens with houses built behind them, which matched the proposal;
- The horse chestnut tree had bleeding canker. It was also situated to the southeast of the proposed dwelling and would only shade the garden for a time during the morning. By the middle of the day the garden would be in full sun. The horse chestnut currently shaded the gardens of 20 and 22 Fairmead Way from the south west. It was also important to note that there had been no pressure from those houses to remove the tree;
- Ten metres from the proposed development, the Council had thinned out some trees in order to enhance their appearance to extend the life span of the remaining trees;
- Overlooking was an understandable concern for the neighbours, however the issue could be overcome by the implementation of conditions to ensure suitable design at the reserve matters stage;
- Both platforms could be reduced to lower than ground level;
- The client was willing to enter into a Section 106 obligation;
- The proposed driveway would fall under permitted development as the building itself was not listed. The application had one letter of support from a neighbour immediately adjacent to the driveway, which stated that there would be no loss in amenity for them; and
- The Conservation Officer's concern was not in relation to the tree canker. This raised questions over why it did not match the opinion of the Applicant's tree consultant.

The Group Manager Development Management provided clarification over the differentiating opinions on the horse chestnut tree that had bleeding canker in that there had been no clear conclusion reached as to how long the tree would survive.

Clarification was also provided over the proposed development and its status within a development protection area. The property was locally listed and was a heritage asset which extended beyond the house itself and encompassed the whole of the site including the spacious garden within a rural setting.

Following questions, Members debated the application and raised a number of concerns relating to the differing opinions of experts, particularly in relation to the trees, the amenity and privacy loss that the proposal would bring and the fact that a bat survey had not been undertaken. This in itself raised concerns over how the development would truly impact the nature within the surrounding area.

A motion was put forward and seconded to refuse the application, as per officer recommendation. The motion was carried by 6 votes with 1 abstention.

RESOLVED: (6 For, 1 Abstention) to refuse the application, as per officer recommendation and:

1. The reasons R1 to R5 as detailed in the committee report

Reasons for the decision

- The area was traditionally characterised by large properties in spacious plots. The proposed development would constitute backland development and would result in significant and unacceptably adverse harm to the setting of a Locally Listed Building and would erode the established character and appearance of the area;
- A topographical survey had not been submitted therefore it was not possible to establish the amount of useable garden which would serve the new dwelling. The indicative drawings indicated two raised platforms which would become the primary amenity space for the proposal; given that the trees at the south of the site had been felled it would result in an unacceptably adverse loss of privacy and amenity to adjacent occupiers;
- Notwithstanding the fact that the trees at the south had been felled, the application site would be overshadowed by on-site and off-site trees, one of which was subject to a Tree Preservation Order. Therefore, any principal windows and the primary amenity space would be overshadowed throughout the day. As such future occupiers would place undue pressure on these trees to be felled. Further, the proposed access would result in the loss of a Grade B Holly tree and place unknown pressure on a Grade A Sycamore;
- An S106 Agreement had not been entered into; therefore it had not been possible to secure essential infrastructure improvements;
- Whilst the submitted drawings were indicative only, given the constraints of the application site it had not considered that the Planning Inspectorates' reasons for refusing the previous application had been overcome. The removal of the trees along the southern boundary had changed the relationship between the site and the properties to the south from that considered previously to be acceptable and

had considered to create a new concern. Further, the scheme had not demonstrated that it would provide a turning area for a fire vehicle; and
- There had been no changes in planning policy which would now make the scheme acceptable.

The proposal was therefore unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons as detailed within the committee report.

The meeting was adjourned for ten minutes.

5.3 13/00285/OUT – Residential development of up to 125 dwellings, means of access, open space and associated infrastructure works. Land off Coriander Drive, Hampton Vale, Peterborough

The application site was located to the south west of Hampton Vale. It was approximately 9.35 hectares in size, including land which had consent for the Western Peripheral Road and its corridor and for open space (VG9). The site was allocated for development under policy Sa3.47 of the adopted Site Allocations DPD.

The land to the north of the application site had consent for allotments with associated infrastructure (see planning permission 11/00786/FUL). To the east was the existing edge of Hampton Vale. Morris Homes were currently building out on site; some of the properties were occupied. Also to the east/south east was an allocated area of open space (VG9, see 06/00710/REM now known as Robins Wood) which was currently being laid out. Further to the south east was an area of land known as Haddon Heights which the Site Allocations DPD allocated for development (approximately 350 houses).

To the west was land set aside for the Western Peripheral Road (planning permission 04/01900/FUL refers) which would ultimately connect with junction 2 of the Fletton Parkway. Beyond the road corridor lay Orton Pit SSSI/SAC a site of international ecological importance for its population of Great Crested Newts and Stoneworts. To the south was another part of Orton Pit. Beyond Orton Pit was the site of the proposed Great Haddon urban extension (planning application 09/01368/OUT refers) which the Western Peripheral Road would connect with.

The site was formally used for clay extraction in connection with the brick works. There was a bank on the southern edge of the site which separated it from Orton Pit. The remainder had been relatively flat with little vegetation. There were a couple of small ponds within it.

The application sought outline planning permission for up to 125 dwellings with associated vehicular access, and other infrastructure including new open space with all other matters being reserved for later consideration.

It was proposed that access into the site would initially be from Coriander Drive. This access would be maintained but at a later date a new access onto the Western Peripheral Road in the form of a new T-junction would also be

constructed. Finally, the T-junction would be removed and a new roundabout on the Western Peripheral Road constructed (which would facilitate access into Haddon Heights).

The Principal Development Management Officer advised the Committee that since producing the report, there had been some wording changes and clarification to conditions, these were outlined within the update report. The officer recommendation was one of approval subject to the imposition of the relevant conditions and the entering into of a Section 106 agreement.

Ms Gail Revill, the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Officers had provided a clear presentation of the proposal; and
- The green space proposed within the application area identified was 1 hectare, for playing fields and was an outline application and would not be clear at this stage where the amenities would be placed; and

During debate Members raised a number of points in relation to highways issues and sought clarification from the Highways Officer as to the impact that the development would have on the western peripheral road and the capacity of Junction 2 Fletton Parkway during the works period. Members further commented that the ambitious growth agenda needed to be taken into account and the types of housing and accommodation should be further explored at the reserved matter stage.

The Highways Officer confirmed to the Committee that there had been consultation carried out in relation to the Western Road peripheral trigger point and the findings of this consultation would be communicated in due course alongside proposed solutions to resolve the existing issues. In relation to Junction 2, it was advised that there was a low probability that the proposal would cause any further significant traffic issues.

Following debate, a proposal was put forward and seconded to approve the application, as per officer recommendation and subject to the imposition of relevant conditions. The motion was carried unanimously.

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

1. Conditions numbered C1 to C9, C12, C15 to C16, C20 to C26 and C28 to C29 as detailed in the committee report;
2. The revised conditions numbered C10, C11, C13, C14, C17, C18, C27 and C30 as detailed within the update report; and
3. The informatives numbered 1 to 5 as detailed in the committee report.

Reasons for the decision

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

- The application site was allocated for development (up to 150 units under site reference SA3.46) in the Site Allocations DPD. As such the principle of development was considered to be acceptable;
- The development would not have any unacceptable adverse impact upon the highway network subject to conditions/S106 provision, which would include a Travel Plan. The principle of a three staged approach to access namely access from Coriander Drive, a new T junction onto the Western Peripheral Road and finally a new roundabout was also considered to be acceptable. As such the development accords with policy PP12 of the adopted Planning Policies DPD;
- The proposed alignment of the cat proof fencing and other associated mitigation measures were considered to be sufficient to prevent harm being caused to Orton Pit SSSI/SAC. Other ecological impacts could be mitigated via the detailed landscaping scheme. As such the proposal was considered to accord with policy CS21 of the adopted Core Strategy;
- It was considered that the detailed layout should be designed to ensure no adverse impact on existing properties and to provide a sufficient level of amenity for the new residents including the provision on site open space. As such the development would accord with policies PP3 and PP4 of the adopted Planning Policies DPD;
- The site was included within the area covered by the original Hampton Drainage Strategy and subject to the conditions, would not give rise to an increased risk of flooding/would be adequately drained. As such the proposal was considered to accord with policy CS22 of the adopted Core Strategy;
- Subject to conditions, site contamination would be addressed and any appropriate mitigation measures secured. The development was therefore in accordance with the National Planning Policy Framework;
- Subject to the imposition of a condition the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011);
- The site would make a contribution towards infrastructure provision through a financial contribution under the Councils Planning Obligation Implementation Strategy (POIS) and the provision of on site infrastructure, to be secured through an S106 Agreement. As such the development accords with the provisions of policy CS13 of the adopted Core Strategy DPD.

The Chairman announced that items 5.4 and item 5.5 would be presented and debated jointly, however recommendations and decisions would be sought separately for each respective item.

5.4 13/00432/WCMM – Variation of condition C11 of planning permission 12/01544/WCMM dated 25/01/2013 to amend operating hours. Cooks Hole, Leicester Road, Thornhaugh, Peterborough

The application site was broadly rectangular and extended to some 54.4 hectares of which 39.5 hectares had been proposed to be worked. The site was located about 1.7 km west of the A1 at Wansford. Thornhaugh village lay about 1 km to the northeast and Wittering 1.7 km to the north. The cluster of residential properties at Home Farm (about 10 residences) lay about 400 metres to the north and several other isolated farm houses and residences lay within a few hundred metres of the site, notably Oaks Wood Cottage, 300 metres to the north beyond the A47,

Nightingale Farm about 325 metres to the South and Sibberton Lodge, about 500 metres to the east of the site beyond the A47.

The northwest site boundary adjoined Thornhaugh I quarry (an active quarry being restored by landfill with access off the A47). The northeast boundary adjoined the A47 Leicester Road and the southern boundary adjoined the active Thornhaugh II quarry and agricultural land comprised Nightingale Farm. The west boundary was defined by a restrictive byway and the edge of Bedford Purlieus National Nature Reserve (which was a Site of Special Scientific Interest).

Thornhaugh Beck rose to the west of Bedford Purlieus, flowed eastwards through the site before joining the White Water Brook (a tributary of the River Nene). Although parts of the site had been worked previously for ironstone extraction the land generally sloped down, as to be expected towards the stream valley running west to east through the site.

Central to the site was Cook's Hole Farmhouse, an abandoned stone farmhouse and associated barn and outbuildings. The farmhouse had recently been grade II listed and so the associated buildings were also listed by way of being curtilage buildings. The property was uninhabitable without extensive restoration works.

The site was traversed by various Public Rights of Way.

The site comprised an area historically worked for Ironstone from the 1950s which benefited from a Renewal of an old Minerals Permission - RMP (i.e. an historic planning permission which had been reviewed and updated with appropriate conditions) and a new permission for an area of previously un-worked mineral. The two permissions (03/01171/RMP and 10/01441/MMFUL) were to all intents and purposes identical and were granted in April 2011. The two permissions had subsequently been superseded by the current operator who wished to work the site according to a different phasing plan - including a re-design of the site layout and re-positioning of the weighbridge – which resulted in permission reference 12/01544/WCMM and 12/01545/WCMM taking precedence, and complemented by permission 12/01266/WCMM for the siting of a weighbridge and site office.

Additionally, the site benefited from a further permission for the wheelwash facility and means of access from the A47 through the Thornhaugh I site (permission reference 10/01442/MMFUL).

The proposal was to vary condition 11 (of both permission 12/01544/WCMM and 12/01545/WCMM) to amend the hours of operation. The proposal was to extend site operational working hours during weekdays from; 0700 - 1700 hours to; 0600 - 1800 hours with the additional hour in the mornings being for the exiting of Heavy Goods Vehicles only and that no other activities would take place during this period.

The extension of operational hours in the evening would enable the lorries to be loaded ready for exit between 0600 and 0700 in the morning. It was not proposed to restrict what activity should happen on the site during the additional evening hour.

The officer recommendation was to approve the application subject to the relevant conditions. There had been an additional objection received following the publication of the committee report, from the owner of Thornhaugh Hall who objected to both the additional hour in the morning and the evening.

5.5 13/00434/WCMM - Variation of condition C11 of planning permission 12/01545/WCMM dated 25/01/2013 - to amend operating hours. Cooks Hole, Leicester Road, Thornhaugh, Peterborough

The site measured approximately 3.74 hectares and was triangular in shape and located to the north part of Cook's Hole Quarry, adjacent to the A47. In operational terms the site was part of the whole Cook's Hole Quarry but was originally permitted under a separate application because the area of the site had not been part of the old mineral workings at the site (1950's). Now, the site had been worked as part of the overall phasing of the whole of Cook's Hole Quarry. The description of the site and the issues to be considered were the same as those being considered under application 13/00432/WCMM.

The application was to vary condition 11 attached to the permission granted under 12/01545/WCMM to enable operating hours at the site to extend by one hour in the morning (0600 – 0700) and in the evening from 1700 -1800. The applicant proposed the morning hour to enable only lorries to leave the site during this period.

The officer recommendation was to approve the application subject to the imposition of relevant conditions.

The Development Management Support Officer and the Senior Officer Minerals and Waste provided an overview of the proposals, including the key issues for consideration, and advised that objections had been raised by Thornhaugh and Wansford Parish Councils over the amenity disturbance to local residents and noise levels within the proposed additional hours of operation. Further concern had been raised by the Noise Pollution Officer specifically relating to the additional hour requested for the mornings, it was therefore suggested that this be granted on a temporary basis only.

A noise surveillance survey had been conducted by the Development Management Support Officer and Senior Officer Minerals and Waste Officer and on balance, it was felt that the extra level of noise from the lorries would not cause significant disturbance to nearby residents. Conditions attached to the permissions related to noise nuisance and monitoring, particularly near noise sensitive properties, would be imposed should the Committee be minded to approve the application. Officers also advised Members that there had been significant control measure identified within the conditions.

As the applications were being discussed jointly the Chairman advised that each Parish Councillor's speaking time had been extended from five to ten minutes each.

Parish Councillors Martin Witherington, Thornhaugh, and Richard Clarke, Wansford, addressed the Committee and responded to questions from Members.

In summary key points highlighted included:

- Cooks Hole had experienced a range of applications over the period of 12 years;
- Part of the documentation that was submitted was a noise assessment; this was not a technical assessment however. Concerns had been raised by Parish Councillors over the report and that the summary referred back to previous noise assessments. It was therefore unclear if the assessment was correct or not;
- The original conditions agreed in 2010 / 2011 had experienced many changes to those originally agreed;
- There had been a number of references to the number of trucks travelling on the A47 and the noise levels this created. The noise from the trucks located at the Cooks Hill site would be more comparable to start up noise rather than a moving traffic noise, this would cause more disruption;
- Concerns were raised over how and when the trucks would be loaded;
- Hydraulic breakers used by the industry had been disruptive on a similar site, there was concern if the Cooks Hill site was to use the same equipment;
- Extended working hours in the evening may be disruptive to the neighbours. There was no clear evidence to prove the need for the site to operate past 5.00pm;
- The wording contained within one of the conditions was not clear as to the permitted hours and whether hydraulic breakers would be used during the extended hours or not;
- The changes would have an impact upon the wider community and it was unclear as to why it was necessary to revise the original agreement;
- There had been an incident in the past involving the running of two generators which had caused a low frequency beat or deep throbbing noise, this being due to the generators not being run in tandem. Consequently the second generator had been removed by the company following an investigation;
- If the lorries had been pre-loaded the night before, they would want to leave at the same time in the morning to reach the A47. The queuing of the lorries would result in them idling, would delay their exit and cause a low constant noise from the engines running;
- There was also an issue with late night loading and lorries arriving to use the weighbridge;
- There had been an occurrence of the company operating outside of the original hours of 5.00pm;
- The relationship with the company itself had been amicable however, the current operating hours allowed for 56 hours per week and the proposal would increase this to 66 hours. If the proposal was approved, it would only leave residents 4 hours of quiet waking hours. This was deemed unacceptable to the Parish Council.

Mr John Gough, the Applicant, addressed the Committee and responded to questions raised by Members. In summary the key points highlighted included:

- The City Council had adopted the minerals and waste policy which recognised the need for limestone extraction in order to meet the authorities

ambitious growth agenda;

- Cooks Hole was the limestone supplier for the Peterborough area;
- The quarry had direct access onto the A47, which until recently was a designated trunk road. There were no dwellings along the route to the A1;
- Several hundred HGVs used the A47 between 6.00am and 6.00pm daily, which had been confirmed in the officer's report;
- It was intended that the lorries would be loaded and pre-weighed the night before departure and would not all leave the site at the same time in the morning;
- The proposed times were intended to ensure that the site operated more efficiently and it was hoped that traffic congestion would be eased during the rush hour of 7.00am along the A47;
- Contrary to the Parish Council's views, the change in time would not impose any noise harm towards residents;
- A comprehensive noise appraisal was undertaken by nationally recognised acoustic consultants, this showed total compliance with the technical guidance of the National Planning Policy Framework;
- In recent years there had been permission granted for Lincolnshire, Northamptonshire and Cambridgeshire to permit operation from 6.00am. There had been no complaints received regarding the aforementioned operations;
- The National Planning Policy Framework required that Local Authority planning should be in favour of sustainable development;
- Not a single consultee had raised objections to the proposal;
- The request to change the operational hours was due to Cooks quarry being the only quarry in the area that provided limestone and the A47 becoming congested at the roundabout leading to Wansford. The improvements were also intended to reduce the carbon footprint and to make the operation more efficient;
- All the trucks would be loaded the night before and the drivers would arrive at various times and leave the site. There would be no other plant operator on site;
- There would be a metered sensible approach from the egress of the site which would be adopted over the 6.00 to 7.00am period;
- There would be 15 lorries sent out over the space of an hour and they may depart in two or three at a time; and
- The additional hour in the evening would bring the quarries operating hours into line with other operators and would be allocated for loading only.

The Development Management Support Officer advised the Committee that the application should be judged in its own merits and not in respect of the commercial motives of the company. The Committee was also advised that the Pollution Control Officer had not raised any objection to the application. It was further advised that the additional hour in the morning was for a temporary period of a year only and following this time, the Applicant would have to apply for an extension to this. Any issues arising could be addressed at this stage.

Following comments from officers, Members debated the application and raised a number of concerns in relation to the potential noise disturbance that the increase in operating hours would bring. It was however impossible to know for certain as to

what extent the additional hours would have an affect on potential noise disturbance.

13/00432/WCMM - A motion was put forward and seconded to approve the application subject to the imposition of relevant conditions, and with an amendment to Condition 24 to reduce the temporary period from a year to six months. The motion was carried by 5 votes, with 2 voting against.

RESOLVED: (5 For, 2 Against) to approve the application, as per officer recommendations, subject to:

1. Conditions numbered C1 to C23; and
2. Condition C24 as amended to decrease the temporary period from one year to six months.

Reasons for the decision

Although the proposal was not necessarily in conflict with the NPPF, Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34 – Protecting Surrounding Uses required that permission would only be granted where it could be demonstrated that there would be no significant harm to residential amenity. It was not considered that the additional hour of operation in the evenings and the additional hour in the mornings for lorries to exit the site would result in “significant harm to residential amenity” due to the considerable amount of traffic using the A47 during these hours. However, in order to ensure that should complaints be received about any additional impacts of the increased hour in the morning, it was considered appropriate to recommend that the application be granted to extend the hours (as applied for) but add a further condition which would allow the lorries to exit the site during the additional morning hour for a temporary period only. The developer would still need to ensure compliance with the noise level condition applicable to the nearest noise sensitive properties (condition 5) with regard to noise emanating from the site.

13/00434/WCMM – a motion was put forward and seconded to approve the application, subject to the imposition of relevant conditions, and with an amendment to condition 24 to reduce the temporary period from a year to six months. The motion was carried by 5 votes, with 2 voting against.

RESOLVED: (5 For, 2 Against) to approve the application, as per officer recommendations, subject to:

1. Conditions numbered C1 to C23; and
2. Condition C24 as amended to decrease the temporary period from one year to six months.

Reasons for the decision

Although the proposal was not necessarily in conflict with the NPPF, Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34 – Protecting Surrounding Uses required that permission would only be granted where it could be demonstrated that there would be no significant harm to

residential amenity. It was not considered that the additional hour of operation in the evenings and the additional hour in the mornings for lorries to exit the site would result in “significant harm to residential amenity” due to the considerable amount of traffic using the A47 during these hours. However, in order to ensure that should complaints be received about any additional impacts of the increased hour in the morning, it was considered appropriate to recommend that the application be granted to extend the hours (as applied for) but add a further condition which would allow the lorries to exit the site during the additional morning hour for a temporary period only. The developer would still need to ensure compliance with the noise level condition applicable to the nearest noise sensitive properties (condition 5) with regard to noise emanating from the site.

5.6 13/00608/FUL – Continued use of former barn as 2 bed dwelling, retrospective. 1A Peterborough Road, Crowland, Peterborough, PE6 0AD

The site was located on the eastern side of the A1073 (Peterborough to Spalding Road) approximately 3km north of the village settlement boundary of Eye Green. The site lay to the south of 1 Steamhouse Cottage which was part of a pair of semi detached dwellings. The surrounding character was primarily open agricultural land with sporadic development along Crowland Road comprising primarily agricultural/commercial units. The site was rectangular in shape having a width of 13 metres and a depth of 31 metres and was set back from the highway boundary by approximately 6 metres. The site contained a brick built barn which had been converted to a residential dwelling. A porch/lobby had been added the side of the dwelling and a separate garage had been erected. The land on which the barn was situated was lower than the highway. There was an existing access which was shared with Steamhouse Cottage.

The application sought approval for the continued use of a barn to a 2 bed dwelling and erection of garage (retrospectively). The dwelling had a footprint of 14.7 metres x 4.6 metres and there had been limited alterations to the openings of the original building. A porch had been added to the north elevation and a detached garage had been erected to the north side of the building. The application was a resubmission of an identical application ref 12/00078/FUL which was refused on 2nd April 2012 and dismissed at appeal on 6th December 2012 (APP/J0540/A/12/2175375). The Inspector’s decision was appended to the committee report for information.

The application had been resubmitted as the Applicant considered that ‘the goal posts kept moving’ in planning policy terms and in terms of the interpretation of events surrounding the proposal.

The Group Manager Development Management addressed the Committee and provided an overview of the proposal including the key issues for consideration. There had been a number of unsuccessful attempts to obtain a change of use for the dwelling and the application was presented to the Committee following a change in planning policy. The officer recommendation was one of refusal in line with previous decisions.

The Agent had brought some photographs highlighting the state of the building prior to the building works and the Committee agreed that the photographs could

be circulated.

Mr David Landgrebe, the Applicant, and Mr John Dadge, the Agent, addressed the Committee and responded to questions raised by Members. In summary the key points highlighted included:

- The application was an extremely complex one;
- Planning Policy had evolved over time;
- The Applicant was 70 years old and had lived in the building for over 10 years, originally living in Steamhouse Cottage, which had been purchased by the Council;
- Whilst living in Steamhouse Cottage, Mr Landgrebe used the building as ancillary storage;
- There had been a number of reasons why the various past planning applications had been refused including floodrisk and highways issues. These issues were no longer relevant;
- It had been stated that the building was suitable for conversion;
- The Parish Council had no objections, amongst others;
- A Section 106 agreement would be entered into if the Committee was minded to approve;
- There were no neighbour objections and there was no harm on the characteristics of the area;
- The building had not been in productive use, therefore it was effectively redundant;
- The application would not set a precedent as each case was considered on its own merits;
- The dwelling was not isolated and had access to public transport;
- Mr Landgrebe had paid council tax on the property for two years.

Following questions to the speakers, Members debated the application and raised a number of points. In the first instance, the Applicant had built the property with no consent and although the situation had gone on for a number of years the Committee was not in agreement with an approval in policy terms. However, the property fitted in well with the surrounding area.

A motion was put forward and seconded to approve the application contrary to officer recommendation. The building had been shown to be redundant and the personal circumstances of the Applicant were to be taken into account. The consent was not to be issued until a S106 agreement had been entered into. The motion was carried unanimously.

RESOLVED: (Unanimous) to approve the application, contrary to officer recommendation, subject to:

1. The entering into of a Section 106 agreement.

Reasons for the decision

The previous inspector, in dismissing the last appeal did not have before him evidence of the state and use of the building prior to conversion. This had now

been provided and the local planning authority was now satisfied that it was redundant / in a disused state. The proposal was therefore considered to meet the tests set out in para 55 of the NPPF. The access to the development was safe, the design and appearance of the building was satisfactory and it provided for satisfactory levels of amenity for the occupier and did not impact unsatisfactorily on the amenity of the neighbour. The site was not at risk of flooding and satisfactory parking was provided for on site. The proposal was therefore in accordance with Peterborough City Council's Core Strategy (2011) Policies CS13, CS16, CS22 and Peterborough City Council's Planning Policy DPD (2012) policies PP2, PP3, PP4 and PP13. Given the age of the occupier, his health and the number of years that the building had been occupied, these particular personal circumstances were considered to weigh in favour of the proposal.

There were no conditions as the proposal was retrospective.

5.7 13/00717/FUL – Development of site for the sale of cars and light vans. Land to the West of McDonalds, Crowland Road, Eye, Peterborough

The application site comprised a parcel of overgrown land adjacent to McDonalds restaurant. The site was bound to the east by the existing restaurant and service station, to the south by the A47 Trunk Road and to the north and west by open agricultural fields. The Green Drain Extension formed the immediate northern and western boundary of the site. Vehicular access was via the McDonalds car park and beyond from the roundabout on Crowland Road. Surrounding uses comprised the service station, restaurant, hotel a small development of employment and industrial buildings known as 'Eye Green Industries'. Clearance works had begun on site and some hardcore had been laid.

The parcel of land was situated within the identified settlement envelope of Eye/Eye Green which was allocated as a Key Service Centre within the Peterborough Core Strategy DPD (2011).

The application sought planning permission to change the use of the site for the sale of cars and light vans, up to a maximum of 54 vehicles. Associated with the proposed use, permission was also sought for a portacabin sales office and a vehicle washing/preparation area. Four car parking spaces were proposed to the front of the portacabin for customer parking, with three additional spaces for staff parking.

The application followed three previous applications for the same proposal. The first, application reference 12/00173/FUL was refused under delegated powers.

The two subsequent applications, (12/01713/FUL and 13/00418/FUL), had both been withdrawn upon the advice of officers, as the previous reason for refusal had not been adequately addressed.

The current application had been supported by tracking diagrams which adequately showed that delivery vehicles could be accommodated within the site.

The Group Manager Development Management gave an overview of the proposal, including the key issues for consideration and advised that the officer

recommendation was one of approval. Eye Parish Council had commented on the application and stated that any sales office buildings on the site should be permanent in nature and not portacabins.

The Highways Officer advised that he did not believe that there would be multiple cars visiting the site at any one time and in relation to a car transporter coming into the car park, this was not a public highway, hence the lack of any Highways objection.

A motion was put forward and seconded to approve the application as per officer recommendation and the imposition of relevant conditions. The motion was carried unanimously.

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

1. Conditions numbered C1 to C7 as detailed in the committee report.

Reasons for the decision

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

- The proposed use for car/van sales was compatible within its locality and appropriate within its context, in accordance with the National Planning Policy Framework (2012);
- The proposal provided sufficient access, parking and turning within the site and would not result in any unacceptable impact upon 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);
- The proposed site layout and portacabin would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area and would not result in an unacceptable crime risk, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012);
- The proposal would not result in any unacceptable increase in surface water flood risk, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011);
- The proposal would not result in any unacceptable harm to heritage assets within the locality, in accordance with the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012); and
- The proposal would not result in any unacceptable harm to existing trees surrounding the site, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

8. Urgent Item - Immediate Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 restricting permitted development rights

Members were asked to determine whether the item, which contained exempt information as defined by Paragraph 6 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting for the duration of the item, or whether the public interest in disclosing the information outweighed the public interest in maintaining the exemption.

The Committee unanimously agreed to the exemption and the press and public were excluded from the meeting.

The Committee received a report which requested it to make an immediate Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 restricting permitted development rights at a property located within Park Ward.

Following debate, a motion was put forward and seconded to approve the making and serving of an immediate Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 to withdraw the 'permitted development' right of development within Class A of Part 31 of Schedule 2 to the Order. The motion was carried unanimously.

RESOLVED: (Unanimous) to agree the making and serving of an immediate Direction, as per officer recommendation.

Reasons for the decision

The Committee considered that the Direction was required as per the reasons outlined within the exempt committee report.

13.30pm – 17.40pm
Chairman

**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH
ON 23 JULY 2013**

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

Officers Present: Nick Harding, Group Manager Development Management
Louise Lewis, Senior Development Management Officer
Jez Tuttle, Senior Engineer (Development)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Todd.

2. Declarations of Interests

There were no declarations of interest.

3. Development Control and Enforcement Matters

3.1 13/00849/WCPP- Variation of condition C2 (operational hours) of planning permission 10/01598/FUL – installation of external downlighting to tennis courts 3 and 4. Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough, PE3 6LU

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

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

The application sought 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.

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

The proposed variation sought to increase the hours of use of the floodlights by re-wording condition C2 as follows:

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

The Group Manager Development Management provided an overview of the application and the main issues for consideration. It was advised that there had been a number of further letters of objection received following the publication of the committee report along with a petition from local residents; these were outlined within the update report. A submission had also been received from Councillor Matthew Dalton, Ward Councillor. The Officer's recommendation was one of approval.

Ward Councillor Nick Arculus addressed the Committee and responded to questions from Members. In summary, key points highlighted included:

- Councillor Arculus wished to echo the comments made by Councillor Dalton;
- If the Committee was minded to grant the application, a set of conditions should be attached in order to balance the situation for both the tennis courts and residents;
- The application was located within a Conservation Area;
- Longthorpe Tennis Club was not the only tennis facility available within West Ward;
- In increasing the hours to 21.30pm, three days per week, this would mean an overall increase of 100 hours over the year. This was unreasonable for the adjoining neighbours;
- A discussion should be held between the tennis club and local residents in order to come to a better compromise i.e. the extended hours to be permitted during summer months when it would likely that there would be less disturbance;
- It was felt that a greater disturbance was caused during the winter months;
- The club had had an increased use during the past years; and
- Denying the application would not cause the club to fail as it was so popular.

Mr Nick Kennedy, a local resident and objector, addressed the Committee and responded to questions from Members. In summary key points highlighted

included:

- The history of the club including the large numbers of members that the club now had, including 110 senior members and a number of junior members;
- The vast majority of the members came from outside Longthorpe;
- There had been a significant increase in vehicle activity on the site;
- Local residents had experienced a loss of amenity due to the increased use of the site;
- The club had been in place since the 1950s, only becoming an all weather pitch in 2008;
- The floodlighting would intensify the site to the detriment of neighbour amenity;
- League matches could be played during daylight hours;
- What would the usage of the site be when league matches were not being played i.e. September to March?
- There was nothing in the application that specified adequate reason for the overturning of the original decision to extend the hours;
- This application was part of an ongoing process to increase the hours that tennis could be played and the club had become too large for the village environment; and
- The main issues were the noise and traffic caused by the intensification of the site.

Mr Wappat, on behalf of the Applicant, addressed the Committee and responded to questions from Members. In summary key points highlighted included:

- Since receiving planning permission from the Committee in April 2011, the club had enjoyed significant success. It was awarded a £21k Olympic Legacy Award for downlighters in December 2011 and it was making good progress on the goals set by Sport England;
- Mini tennis had been expanded with a number of active members;
- There was a strong junior section, one member of which was due to appear at Wimbledon;
- The senior membership had increased and the club was trying to get more people actively involved in sport;
- The over 60s group was expanding and the club had more inter-club tennis, hence more league matches;
- During May and August, the lights may be required for league matches at dusk;
- The club generally tried not to use the lights too often as this cost money;
- The extra hour was a contingency to allow people to finish their matches;
- The agreed curfew times would be adhered to by an automatic override;
- The downlights were an excellent facility;
- The proposal was good for the village and its facilities;
- A letter had been put around to all of the surrounding houses and there had been no correspondence received in response; and
- The parking provision had been doubled in size.

Following questions to the speakers, Members debated the application and raised points for and against. The club was extremely well run and an asset to the local village, an additional two hours would be of benefit to the club and local facilities. However, the club was situated within a Conservation Area and the additional use of the lights during the winter months could be detrimental to the amenity of surrounding residents. That being said, a number of concerns expressed within letters received from objectors had been in relation to parking issues and the number of people accessing the site causing noise disturbance rather than specifically relating to the lights, there had also been no reports or complaints received regarding any breach of conditions or highways issues.

Following debate, a motion was put forward and seconded to approve the application as per officer recommendation and subject to the conditions specified within the committee report, for a 12 month period, after which the hours of operation for the lights to automatically revert back to the originally approved operational hours. The motion was carried by 6 votes, with 3 voting against.

RESOLVED: (6 For, 3 Against) to approve the application, as per officer recommendation, subject to:

1. The application being approved for a temporary 12 month period; and
2. The conditions numbered C1 and C2 as detailed in the committee report.

Reasons for the decision:

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

- The proposed increase in usage of the lights would 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 would 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 would 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 would 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 would 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 would 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).

3.2 13/00656/HHFUL – 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. 294 Cromwell Road, Millfield, Peterborough, PE1 2HR

The application site comprised a two storey end-terrace residential property located at the junction of Cromwell Road and Taverners Road. The property occupied a prominent position within the streetscene, with both the front, side and rear elevations clearly visible from the public realm. The property was of traditional Victorian design, with an existing two storey rear projecting 'wing' with a mono-pitched roof. The dwelling had 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 was provided to the rear of the dwelling, within a paved parking area/amenity space. This area was 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 sat an existing single storey outbuilding of lean-to construction with poly carbonate roofing.

The application sought 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 proposal as it stood had 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.

The Group Manager Development Management provided an overview of the proposal and advised that a letter of objection had been received from the immediately adjoining neighbour; the points raised being summarised within the update report. A further exempt letter had been received from the Applicant and circulated to the Committee Members for consideration. The recommendation was one of refusal.

Ward Councillor Nazim Khan addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposal would have a significant detrimental impact on the neighbouring property;
- The proposal would have an impact on Taverners Road, with a big blank wall facing the residents;
- It was understood that the Applicant did not live at the property, why was an extension required?
- Councillor Khan supported the officer recommendation.

Mrs Zahida Azam, the neighbour and objector, addressed the Committee and

responded to questions from Members. In summary key points highlighted included:

- Mrs Azam and her sister had owned the neighbouring property for the last 18 to 20 years, so she was fully aware of the improvements made to the property over the years;
- The dining room on the side of the property, which had been there for many years, was already detrimental to Mrs Azam's courtyard and obscured light into her lounge. The height of the wall had also been increased a number of times;
- The proposal would also obscure light into the bathroom and the kitchen;
- No complaints had been made by Mrs Azam about the increase in size to the wall and Mrs Azam had been accommodating in the past by removing trees in her garden to permit a bungalow to be built at the bottom of the neighbouring garden;
- The window proposed for the upstairs would overlook Mrs Azam's courtyard and kitchen and bathroom windows;
- Privacy had already been lost due to the bungalow being built. This proposal would affect the amenity of the property further and would decrease the value of Mrs Azam's property; and
- Mrs Azam was in agreement with the content of the officer's report.

Mr Arif, the Applicant, and Mrs Lyn Hayward, the Agent, addressed the Committee and responded to questions. In summary the key points highlighted included:

- The reasons for the proposed extension were genuine. These related to health issues and could be supported with documents if needed;
- The height of the proposed extension had been reduced to that which was existing;
- The overbearing nature of the proposal had been restricted;
- Mr and Mrs Arif were due to move back into the house;
- The proposal would not affect the amount of sunlight within the neighbour's courtyard; and
- There would be dormer windows within the roof space.

Following questions, Members debated the application and raised concerns. The extension would be extremely overbearing and would create a tunnel effect for the neighbours.

A motion was put forward and seconded to refuse the application, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (Unanimous) to refuse the application, as per Officer recommendation, and:

1. The reasons R1 and R2 as detailed in the committee report.

Reasons for the decision

The proposal was unacceptable having been assessed in light of all material

considerations, including weighing against relevant policies of the development plan and specifically:

- 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 was therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012); and
- The proposed first floor rear extension, by virtue of its height, depth and proximity to the shared boundary, would 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 would result in an unacceptably harmful impact to the amenities of neighbouring occupants and was therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

The meeting was adjourned for ten minutes.

3.3 13/00789/HHFUL – Construction of two storey side and rear extensions, first floor side extension, single storey rear extension and canopy at front - retrospective

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

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 had been built out on site. However, the development had 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; and
- The adverse impact of the development on neighbour amenity.

The Applicant had submitted an appeal against the refusal of 13/00240/HHFUL on 20 June 2013. The outcome of which was awaited at that time.

The retrospective application presented before the Committee remained exactly the same as the earlier refused application reference 13/00240/HHFUL.

Retrospective permission was sought for the erection of a two storey and single storey rear extension. The two storey rear extension projected 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 measured 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 were:

- 1) The two storey rear extension had been built approximately 700 mm longer than shown on the approved plan;
- 2) The total ground floor projection as built was approximately 10.1 metres long, approximately 1.1 metre longer than shown on the approved plan;
- 3) The roof on the side extension had been built higher so that it was 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 extended across the full width of the property; above the bay window, front door and French doors; and
- 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.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. It was also advised that comments had been received from Ward Councillor Ed Murphy in agreement with the officer's recommendation to refuse the application.

Ward Councillor Gul Nawaz, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Councillor Nawaz was speaking on behalf of the owner of the property;
- The owner had stated that the differences in build had been a mistake and a misunderstanding on the part of the builder; and
- A year had passed and the owner had spent a lot of money on the property.

Ward Councillor Ed Murphy, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The works undertaken had a detrimental effect on the neighbour;
- The mistakes could have been rectified during the past 12 months;
- The proposal was against policy guidance and had a detrimental effect on the area; and
- It was believed the neighbour had suffered damage to his house whilst construction was underway.

Following questions to speakers Members debated the application and raised concerns. A previous application for the property had been refused by officers and a subsequent re-application had been approved, however the original application specifications had been used. This was deemed unacceptable by the Committee.

A motion was put forward and seconded to refuse the application as per officer recommendation. The motion was carried unanimously.

RESOLVED: (Unanimous) to refuse the application, as per Officer recommendation, and:

1. The reasons R1 and R2 as detailed within the committee report.

Reasons for the decision

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The two storey rear extension by reason of its depth and massing, resulted in an unacceptable overbearing impact upon the neighbouring dwellings, numbers 18 and 22 Grange Road. In particular it resulted in unacceptable harm to the outlook of number 18, and created a sense of enclosure. Furthermore, the proposal resulted in unacceptable overshadowing of the amenity space and primary habitable room windows of number 22 Grange Road. This was contrary to Policy CS16 of the Adopted Peterborough Core Strategy (DPD) 2011 and Policy PP3 of the Adopted Peterborough Planning Policies (DPD) 2012; and
- The first floor side extension was not subservient to the existing dwelling, and given its relationship to the existing dwelling number 22 Grange Road create 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 were considered to be incongruous features and had resulted in a cluttered confusing frontage with no main entrance to the dwelling, to the detriment of the character of the area. This was contrary to Policy CS16 of the Peterborough Core Strategy (DPD) 2011 and Policy PP2 of the Peterborough Planning Policies (DPD) 2012.

The Chairman advised that in relation to the next application, Mr Justin Brown, the Architect was present and available to answer any questions that Members may have with the agreement of the Committee. This was agreed unanimously.

- 3.4 13/00695/FUL – 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. Gladstone Park Community Centre, Bourges Boulevard, Peterborough, PE1 2AU**

The Committee was advised that in the committee report, Bourges Boulevard was referred to “Old Bourges Boulevard” and the dual carriageway to the west of the site was referred to as “New Bourges Boulevard”.

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

The site included 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 was 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 had recently been granted consent for use as student housing.

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

The proposal included the following key elements:

- A new two-storey teaching block set across the site, between the existing Veranda Centre and the playing field;
- This would provide an additional 480 school places, to take 8-11 year olds from Gladstone School. 5-7 year olds would 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 would be provided leading to the community centre and to the school. The enclosed playing field/sports facilities would 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 would 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 were currently 48 parking spaces and an additional 42 would be provided;
- Relocation of the existing children's play area from the south of the site to the north of the site, where it would 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); and
- Associated landscaping, boundary treatments, cycle parking, lighting and so on.

The Senior Development Management Officer provided the Committee with an overview of the proposal and the key issues for consideration. The Officer's recommendation was to approve the application subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report. There were a number of comments from officers in relation to:

- The location of solar panels;
- The location and design of roof vents and flues;
- The status of the submitted travel plan;
- The clarification on timing of closure of the cycle route and provision of a new route;
- The use for basketball;
- The location of the Multi Use Games Area (MUGA) and revised conditions in relation to its construction; and
- Accident data.

All of the comments had been addressed and a number of additional conditions and reworded conditions were further highlighted with the report, alongside additional comments from a Governor of Gladstone School in relation to 20mph speed limit and the installation of speed bumps. The Local Highway Authority had responded that neither were required as part of the works, but the issues would be looked at outside of the planning process.

Ward Councillor Nazim Khan addressed the Committee. In summary the key points highlighted were as follows:

- Councillor Khan declared that he was employed by Gladstone Park Pre-School (PCA);
- He was in full support of the application. School places were desperately needed in Central Ward;
- Councillor Khan had been in negotiations with officers for over a year in relation to the new school and it was a worthwhile project and would bring much needed regeneration; and
- There had only been a couple of objections to the application.

Members debated the application and it was commented that the facility was of excellent design and was desperately needed in the area, the installation of solar panels was also to be commended.

Clarification was sought as to the safety of the foot cycle route for the pedestrians and cyclists. It was advised that the route would be designed in such a way that it would denote to motorists that they would have to give way. It was further advised that future schemes in relation to traffic safety would also be looked into.

A motion was put forward and seconded to approve the application, as per officer recommendation and subject to the conditions specified within the committee report and the update report. The motion was carried unanimously.

RESOLVED: (Unanimous) to approve the application, as per Officer recommendation, subject to:

1. Conditions numbered C1, C3 to C18 and C20 to C22, as detailed in the committee report;
2. The revised conditions C2 and C19 as detailed in the update report; and
3. The additional conditions C23 and C24 as detailed in the update report.

Reasons for the decision

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

- The need for new school places had to be given significant weight;
- There was a presumption against the loss of public open space, however on balance this was considered to be acceptable as the remaining public open space would be upgraded, and taking into account the limited local options for the provision of school places;
- The new teaching block had been designed to make an efficient use of land and to make a positive contribution to the streetscene;
- Impacts on neighbour amenity could be satisfactorily controlled;
- The development made adequate provision for cycle and car parking, and for safe and convenient access to the site;
- The loss of trees was acceptable, and would be mitigated by the implementation of a new landscaping scheme which would encourage local biodiversity;
- Any archaeological remains would be adequately identified and any loss mitigated;
- The proposal was 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.

4. Three Month Appeal Performance Report

A report was presented to the Committee which highlighted the Planning Service's performance at appeals.

The number of appeals lodged had increased during the last three months from three to eight, compared to the three months previous. A total of seven appeals had been determined, which was six fewer than the previous three months.

During the past three months the Council's decision had been upheld in 67% of the

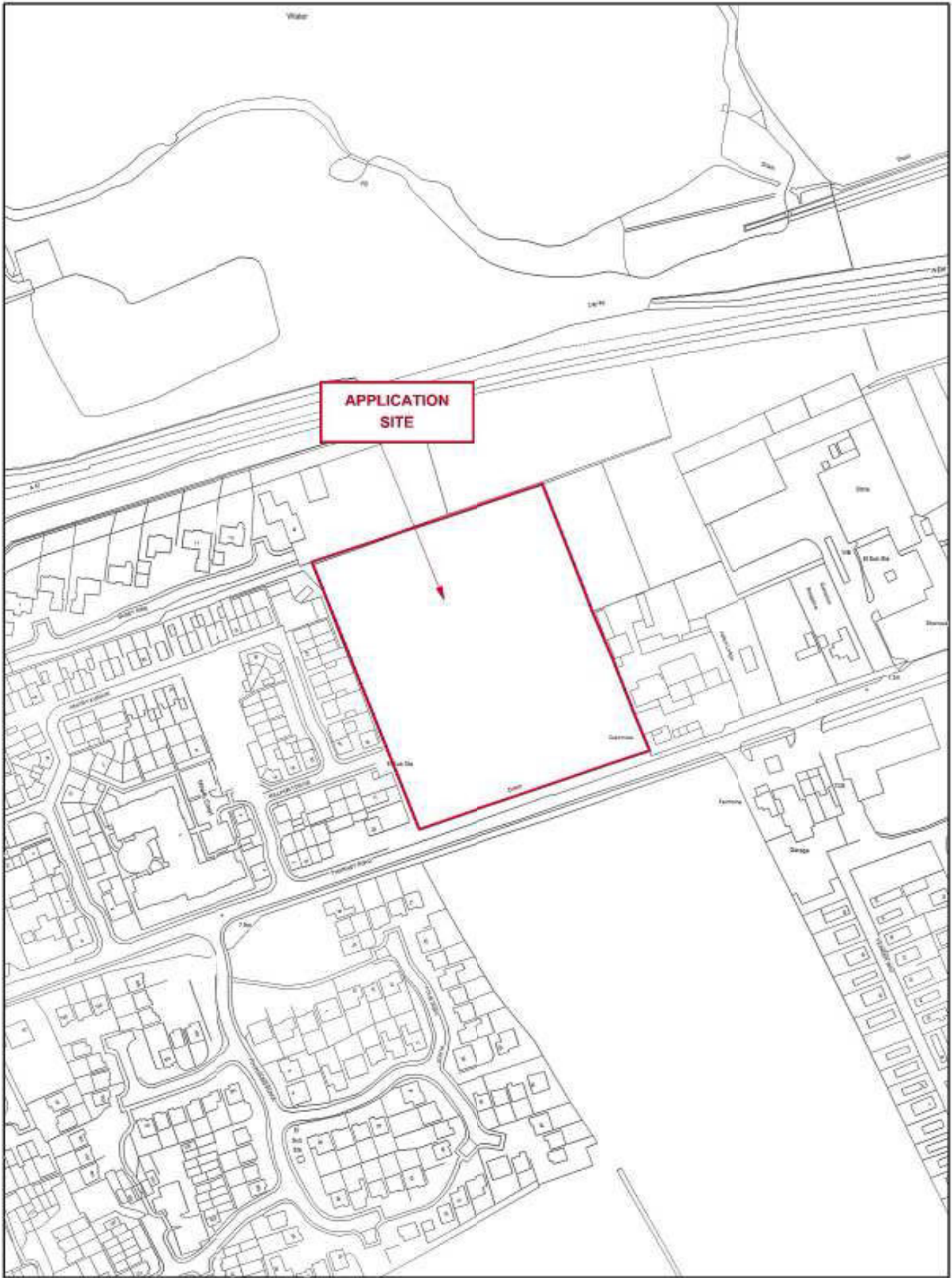
cases. A breakdown of the cases was given and a commentary highlighting scope for service improvement.

RESOLVED:

The Committee noted the past performance and outcomes of appeals during the last three months.

13.30pm – 15.35pm
Chairman

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LOCATION PLAN 13/00649/FUL

Land Off Thorney Road, Eye, Peterborough

Scale NTS **Date** 20/3/2013 **Name** AA Department Planning Services



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Application Ref: 13/00649/FUL

Proposal: Construction of 52 new dwellings and garages and supporting infrastructure

Site: Land Off, Thorney Road, Eye, Peterborough

Applicant: Mrs Alison Lea
Larkfleet Homes, Mrs SP Coyle and JD Norris

Agent:

Referred by: Cllr McKean

Reason: Concerns regarding impact on social infrastructure

Site visit: 10.07.2013

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

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

Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

The application site is approximately 1.77 hectares of agricultural land and is located on the north side of Thorney Road, Eye. The site lies to the east of the Larkfleet residential development that has recently been completed. To the north of the site there is a mature hedge and the A47 is approximately 50m beyond this boundary; directly abutting the east of the site there is a two storey dwelling with commercial buildings to the rear beyond which is paddock land. Further to the east is a row of bungalows and Dalmark Seeds lies approximately 70m from the site boundary. There are trees and hedging along the site frontage to the south.

Proposal

The application seeks planning permission for 52 dwellings (revised down from 58 units), including 12 affordable dwellings comprising 2 number 2-bed dwellings, 32 number 3-bed dwellings, 10 number 4-bed dwellings and 7 number 5-bed dwellings. An area of open space is proposed in the centre of the site. The majority of the development would be access via the adjacent Larkfleet development (Millport Drive). A new private drive assess serving 8 dwellings is proposed off Thorney Road.

2 Planning History

No relevant planning history

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 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport

Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

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 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.

Section 11 - Noise

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

Peterborough Core Strategy DPD (2011)

CS02 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS10 - Environment Capital

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

CS13 - Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

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.

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.

Peterborough Site Allocations DPD (2012)

SA05 - Key Service Centres

Identifies the sites within the Key Service Centres which are allocated primarily for residential use.

SA04 - Village Envelopes

These are identified on the proposals map. Land outside of the village envelop is defined as open countryside.

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.

PP04 - Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

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.

PP14 - Open Space Standards

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

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.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations

Requests for planning obligations whether CIL is in place or not are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of

securing for the local community a share in the profits of development.

4 Consultations/Representations

Transport & Engineering Services - No objections – The means of access is suitable to accommodate the additional traffic and the junction will remain safe. The proposed road widths and levels of parking provision are in accordance with design practice/policy. Request standard highway conditions and informatives.

Wildlife Officer – No objections - Suggest condition re nesting birds. Request a range of nesting boxes to cater for a number of different species such as House Sparrow, Starling, House Martin & Swift. Details regarding numbers, designs and locations should be provided by the applicant which would be acceptable via a suitably worded condition.

Landscape Officer – No objections - There are no trees on site, nor any that are implicated by the proposed layout. The Hawthorn hedge to the frontage should be removed and new landscaping provided. There is a more substantial hedge to the rear (north) of the site which is outside the boundary however; it would not impact on the development. The landscape detail can be secured by way of the standard Landscape conditions.

Strategic Housing – No objection - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed. Accordingly I would anticipate 17 affordable homes on this site, subject to viability; 20% of dwellings should meet the lifetime homes standard and 2% of units should be provided as wheelchair housing. Further to the revised layout and reduction in affordable units to 12 this is acceptable subject to the outcome of the viability assessment.

Section 106 Major Group - A POIS contribution in accordance with adopted policy would be sought.

Environment Agency - No comments received.

Archaeological Officer – No objections - The site has been investigated by means of geophysical survey and evaluation by trial trenching. The evaluation has produced evidence of post-medieval ridge and furrow. Based on these results, no further work is deemed necessary.

Building Control Surveyor - No objections - Building regulations approval required.

Pollution Team – No objections - The acoustic mitigation measures specified in the report including mechanical ventilation and double glazing to an appropriate specification to protect the occupiers of dwellings adjacent to the A47 and Thorney Road are acceptable to this section. The Appraisal is considered sufficient to confirm that a design solution for the application site is feasible. Those details require specification as a scheme for the development.

Travel Choice – No objections - Household Travel Information Packs. Packs should contain information about walking, cycling, public transport (bus and train) and car sharing. There will be a charge of £10 per pack for the leaflets and folders, packing and distribution to households to be organised by the developer. Developer to include a cover letter explaining the reasoning behind the travel information packs and a tear off slip offering the resident either: the option for new tenants to receive either a months bus pass OR a cycle voucher up to the value of £50 for a bike/equipment.

Waste Management – No objections - From the plans provided it would appear that the main, "Access & Estate Road 1" are to be built to Highways Authority standard, presumably with adoption planned. In that case RCV travel and turning should not present any problem.

Drainage – No objections - The original flood risk assessment produced in October 2012 suggests that the site will discharge into the North Level Internal Drainage Board drain to the north of the development. The details received show the water being discharged to the south of the site through a surface water sewer and there are no details of the capacity or downstream watercourses for this system. Please seek clarification. Confirmation of the calculations for allowable discharge rates and required onsite attenuation should be provided, full and up to date technical design specifications should be provided for any proposed drainage assets including cross sections of any attenuation features and details of how the flow from the site will be restricted to any designed rate Details of ownership/ maintenance for the lifetime of the development of any drainage features.

Children’ Services – No objections – The proposed development will result in additional demand for school places but the demand will not be so great as to require a permanent extension to the school.

Police Architectural Liaison Officer – No objections - A very good layout which will provide high levels of natural surveillance. Very few gardens have any vulnerable fencing. Parking locations are appropriate and the majority area well overlooked. Access routes are appropriate. No major concerns. General advice:- Rear of Plots 7, 8 & 9. Paths should be gated and lockable with keys issue to plots only. (See Plots 10-13). Rear Path to Plot 21-22. These gates should be brought forward to the front building line close to the front of Plot 22. Parking Court between Plots 9 & 10. This should be illuminated at night by column mounted lights.

North Level District Internal Drainage Board – No objections - Development levy and cost for improvement works will be required.

Anglian Water – No objections – recommend conditions

Eye Parish Council – Objects - Eye Parish Council are very concerned with the proposed access to this development. There is to be only the current access used which is also entry to the "Spinney" which is assisted housing for the older and more vulnerable residents of our village. This does get congested now and to then add a further 58 dwellings with all these residents’ cars, and visitors vehicles is going to make this difficult if not dangerous. This was one of the concerns pointed out by the Parish Council, Ward Councillors and MP at the pre application consultation.

Councillor McKean – Objects -

- Eye School has recently been extended with 3 new class rooms and is now full and even without this application it is predicted to have a short fall of 15 places in its entry year in the Academic Year 2014/15 and its at or near full for all entry years through to year 2016/17.
- The future predictions for Eye Primary School is there will be a short fall of 15 places in its entry year in the Academic Year 2014/15 and its at or near full for all entry years thro to year 2016/17
- Current demography for Eye School Reception Year starts is as follows against a maximum of 60 (Source Jonathan Lewis Assistant Director Education 27/6/13)

Reception Start Year	2012/13	2013/14	2014/15	2015/16	2016/17
Qty (Max PAN is 60)	58	57	75	60	62

- Eye School Governors / Church of England have stated they are not prepared to increase there PAN entry level from 60 to 90 due to the significant increase needed in school size, staffing and facilities. Jonathan Lewis Assistant Director Education 19/8/13 ‘also recommends..... not to extend given current numbers being so low above the PAN of 60

- The planning application site only has a small amount of Open Space provision and there is already a shortage of open space provision and areas for children to play. [The amount of open space has since been increased]
- The previous 2 sites that Larkfleet have built in Eye (Bath Rd & Whitby Avenue) both have problems with inadequate provision of parking and narrow road widths and this site is again a high density site which will also have the same problems due to the number of houses proposed
- The site access is designed via Whitby Avenue already a road with problems of cars etc
- There is no direct pedestrian access to Thorney Road and families will have to walk through the existing development.
- There are many other issues related to the growth in Eye which are impacted by this application including the following all being full or over capacity (not a exhaustive listing)
 - The proposed roads are too narrow with inadequate parking
 - Pre school, before /after school club, junior youth club.
 - The Doctors is full and no room to expand for patients and visiting health professionals
 - The rat run traffic and traffic volumes mean pedestrian safety Issues along Thorney Rd and past the primary school on Eyebury Rd
 - It is requested that the following be undertaken, if not I request the delivery of this planning application should be differed until Eye school and the village infrastructure is able to cope with further growth (relevant Council policy that allows for the above to be undertaken)
 - a) City Council planning to make conditions and/ or legal agreement(s) which will ensure the delivery of necessary and appropriate infrastructure 'to reduce the size of the site, rather than this increased quantity of 58, this would have the added benefit of a prestige homes site in a village location in the nearby countryside. [The application has since been reduced to 52 units]
 - b) A condition for the type of houses so as not to generate an increase level of primary school age children, that is to commute the affordable/social house, currently indicated as 12 to another area outside of Eye and In addition having bungalows as part of the housing mix given the shortage of them and the ageing population
- Due to the significant number of objections from Eye residents to any further growth during the site allocations planning process and consultation the Council proposed an amendment to site allocations which the Inspector accepted and Full Council approved, this allows planning officers to add additional conditions for the growth in Eye, quoting from the amendment DPD Submission Page 34 Para 5.9 after para 3.21 ' *it is likely there will be a need for the pooling of financial contributions, potentially the phasing of development and potentially the provision of other conditions and/ or legal agreement(s) which will ensure the delivery of necessary and appropriate infrastructure* '

The revised scheme has failed to overcome Cllr McKean's objections and the above concerns still stand.

Councillor David Sanders – Objects – Supports the comments raised by Cllr McKean above.

Stewart Jackson MP – Objects

- The build quality of the development is not of a sufficient standard.
- The proposed development exceeds the numbers proposed in the Site allocations DPD would be intensive use of the site exacerbating existing problems in Eye.
- Insufficient provision of open space
- The Local Planning Authority has failed to secure sufficient contributions for education.
- Access to the site is substandard being from an existing estate road which would result in traffic problems on Thorney Road and High Street impacting on the amenity and quality of life for residents.
- The tenure mix is inappropriate and there is a need for more intermediate/shared equity housing in Eye but not social rented stock which has caused a rise in anti social behaviour in other parts of the village.

Local Residents/Interested Parties

Initial consultations: 18

Total number of responses: 122

Total number of objections: 121

Total number in support: 0

There have been 121 letters of objection to the proposal raising the following issues:

- Eye Primary school is approaching full capacity
- The performance of the school has dramatically dropped over recent years due to expansion of village
- A small amount of open space is shown and there is already a shortage of areas for children to play in the Thorney Rd area
- The existing infrastructure in Eye is full to capacity
- The pre school, before/after school club, junior youth club is at capacity
- The Doctors surgery is full and has no room to expand for patients and visiting health professionals
- The current traffic volumes/parking along Thorney Road and past the primary school on Eyebury Road mean that there are already safety issues for pedestrians
- The Council proposed an amendment to site allocations which the Inspector accepted and full Council approved, this allows planning officers to add additional conditions for the Growth in Eye, quoting from the amendment DPD Submission Page 34 Para 5.9 after para 3.21. As such I would like the following to be undertaken: 'that City Council planning to make conditions and/or legal agreement(s) which will ensure the delivery of the necessary and appropriate infrastructure; Introduction of Relevant Council Policy that allows for the above to be undertaken'. If this is not possible I request that the delivery of this planning application should be deferred until Eye school and the village infrastructure is able to cope with further growth.
- Housing numbers should be reduced
- This should be a prestige homes site in a village location near the countryside
- Consideration should be given to the type of housing so that there would be less primary school aged children
- There should be bungalows in the housing mix to meet the need of aging population
- Eye village used to have 3 public houses and now has only one. Residents have witnessed the green belt slowly get eaten up by the array of new houses being built.
- There is already an issue with access and parking for the area around The Spinney Extra Care Home. A further 108 houses with a possibility of at least another 100 vehicles will make this

situation worse.

- When there are meetings in The Spinney, attendees park along Thorney Road causing obstruction to traffic leaving Millport Drive. Ambulances daily visit to the Spinney must have difficulty gaining clear access.
- The traffic on Thorney Road will obviously be increased, traffic calming should be put in place
- Currently there is nowhere for children to play on the north side of Thorney Road...something that seems to have been withdrawn from Whitby Avenue since I first saw plans at the time I purchased my bungalow!
- Larkfleet are only concerned with more and more building and more and more profit regardless of the consequences in the village.
- Development in Eye should be on a smaller scale, providing more bungalows and executive houses.
- Little thought seems to have been given by Larkfleet to the real needs of residents in Eye.
- This is a village and wishes to remain a village!
- I do hope you will include more and better parking spaces and somewhere for the children to play.
- Larkfleet say that £500 per home will be given to the Community Fund – is this in addition to the 106 money which seems to currently be given to Peterborough City Council?
- The main traffic route which goes right past our house. It will be disruptive the road is narrow.
- The construction traffic is damaging the road and shakes the house this will be made worse by the new development
- Millport Drive is the proposed access which already has a high volume of traffic.
- This access is already too narrow for the current traffic volume.
- Millport Drive serves the care home which has frequent ambulances attending, commercial refuse and delivery vehicles which already have to mount the pavement on occasions. There is also the overflow from the Care Home car park particularly worse when there are functions and events.
- The traffic flow needs to be assessed properly particularly at peak times including weekends and times of events.
- Access should be direct off Thorney Road
- The traffic flow at this junction has not been properly assessed, in accordance with the Transport and Road Research Laboratory (TRRL) guidance for the assessment of capacity, queues, delays and accidents at road junctions, PICADY/3.
- I was told at the Larkfleet public consultation, that the construction traffic for the new development will access the site directly off Thorney Road.

5 Assessment of the planning issues

a) Background

The scheme has been revised since the initial submission and now provides a larger area of open space central to the site (0.25). In order to achieve the increased area of open space the number of dwellings has been reduced from 58 to 52 dwellings. Re-consultation has been undertaken.

b) The Principle of Development

The site lies within the village settlement boundary of Eye which is designated under policy CS2 in the Adopted Peterborough Core Strategy DPD as a 'Key Service Centre'. The site is also the larger part of an allocated site for residential development within the Adopted Site Allocations DPD (ref. SA5.5). The principle of development is therefore established. The allocated site has an area of 2.49 hectares and states the site could accommodate 50 dwellings which is indicative. The area of the site, the subject of this application, is approximately 1.773ha and the proposed number of dwellings would be 52 which would equate to a density of approximately 30 dwellings per hectare which is considered acceptable for this location. The site is located in close proximity to services and facilities necessary to meet residential needs. It is acknowledged that there have been a

number of concerns raised by the proposal regarding the capacity of the local primary school, doctors surgery and so on. However it is considered that the development of 52 dwellings would not put undue pressure of existing facilities. In respect of the capacity of the primary school the development would give rise to a S106 contribution where a proportion of the monies would contribute to increasing the capacity of the school, where necessary, either by increasing staffing or buildings on site.

c) Highway Implications

A transport statement has been submitted in support of the application. The development would be served off Millport Drive which is an existing access of Thorney Road. Millport Drive and its junction has enough capacity to serve the proposed development. Properties fronting Thorney Road (plots 32 and 46-53) would be served by direct access off Thorney Road by a dropped crossing. This road would remain private and is not proposed to be adopted by the Local Highways Authority.

Appropriate vehicle to vehicle visibility splays and vehicle to pedestrian visibility splays are achievable for both access roads and individual driveways. These details shall be conditioned.

The footway to the front of the residential development to the west of the site shall be continued along the site frontage to link to the existing footway to the east of the site. These details shall be conditioned.

The lighting for the new footpath shall be designed to highway standards and will be secured by condition.

Parking provision within the site has been provided in accordance with the parking standards in the Adopted Peterborough Planning Policies DPD. 13 no visitor parking bays are also provided. The provision of minimum parking standards should prevent issues of on road parking.

All garages have internal floor areas of 3m x 7m to enable storage provision i.e. cycle parking or there should be space elsewhere on plot for cycle parking.

There is the need for the road layout to incorporate build outs. This will be secured by condition.

The Local Highways Authority (LHA) raises no objections to the proposal subject to the imposition of conditions and informatives.

A number of concerns have been raised by residents regarding the site being served by the existing access off Thorney Road (Millport Drive). This was raised with the applicant at the public consultation event and as a response the applicant submitted details of an independent access off Thorney Road to the Local Planning Authority. The proposed access was not supported due to a number of reasons, one being the need to avoid too many accesses off Thorney Road, particularly as there is another allocated housing site to the south of Thorney Road (SA5.7) and the access would result in a long straight road which is not appropriate in housing estates.

It is also the LHA's view that the existing access was designed to cater for the existing development but also to provide the potential for some further development in the future subject to the appropriate assessment to demonstrate that the access as constructed could cater for the additional traffic. It is acknowledged that this has not been demonstrated in the Transport Statement. However the number of dwellings proposed to be served off the access would only generate approximately 25 vehicle movements in the peak hours which is below the threshold to require assessment of the junction therefore no further work or investigation is required.

It is also considered that the number of additional vehicle movements would not result in a significant impact in terms of traffic volumes on Thorney Road or near to the Primary school on

Eyebury Road. The roads near to schools are notoriously busy at school drop of and pick up times however; this is only for a relatively short period of the day.

Concerns have also been raised regarding the capacity of Millport Drive in terms of width, existing parking problems and volume of traffic.

The existing access road into the existing housing development was designed to the Local Highways Housing Estate Road Specification (a swept path analysis was carried out to ensure that PCC refuse vehicles could manoeuvre along this access road).

The road widths within the site are appropriate for the residential nature of the development and are designed to restrain vehicle speeds.

Construction vehicles entering the site will not in the main access the site through the existing development, instead access will be taken from Thorney Road via a temporary access.

It is considered that the development would provide parking provision in accordance with the parking standards and the proposal would not unduly impact upon the adjacent highway and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

d) Design and amenity

The development would be the next phase of development to land to the west which is now completed and would be a natural extension to the settlement boundary. The development would comprise dwellings of varying sizes and design; all would be two storey. The materials to be used in the external elevations of the dwellings would be dealt with by condition however, the surrounding development comprises a mixture of buff/red brick and therefore the development will complement the existing development along Thorney Road and would be sympathetic to the surrounding character. It is considered that the proposed number of dwellings and density can be satisfactorily accommodated on the site.

A number of objections have been raised regarding the numbers and mix of dwellings. However the indicative number of dwellings for the site within the Site Allocations Document (which is only an estimate and not a target or prescribed upper limit) is 50, thus the proposal is consistent with these numbers.

In addition there is no guarantee that changing the house type would result in any less children. The City Council could not reasonably insist on bungalows in the housing mix.

An adequate area of public open space is provided central to the site which is overlooked by the primary aspects of properties to the west, south and east which would allow for passive surveillance of the space.

The proposal would respect the character and appearance of the surrounding area and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and the National Planning Policy Framework (NPPF).

e) Residential Amenity

All of the plots would provide an enclosed rear garden area most have depths of at least 9m and the revisions have been made to some of the plots to provide an adequate usable space.

A noise assessment report has been submitted due to the site's proximity to the A47 to the north, Dalmark Seeds commercial unit to the east and Thorney Road to the south. Generally, there was little audible noise from the nearby commercial premises. There are existing residential properties at closer distance to the Dalmark Grain premises than the proposed development site, and

therefore it is anticipated that noise control measures already in place to limit noise impact on these closer properties is equally suitable to limit noise impact at the proposed new development.

The dwellings most exposed to noise will be those along the southern site boundary, nearest to the Thorney Road traffic, and potentially those along the northern site boundary, nearest to the A47 road traffic. There is little difference between daytime and night-time ambient noise levels at the development site. The report provides mitigation measures for dwellings facing these noise sources which includes enhanced sound insulation measures to protect habitable rooms on the exposed facades, appropriate design of the building envelope of the new dwellings can incorporate suitable sound insulation, all windows to noise-sensitive rooms should have a minimum double glazing of 4mm glass/16mm airgap/6mm glass (typically of minimum sound insulation 32dB Rw) and living rooms may be provided with standard window trickle ventilators. Bedrooms on building elevations on the northern boundary facing the A47 and southern boundary facing Thorney Road should be provided with suitable passive acoustic ventilators. Alternatively, a ducted ventilation system could be implemented, and it should be possible to design a system with no requirement for ventilation openings in window frames or external walls into habitable rooms exposed to noise sources.

The Pollution Control Officer has considered the contents of the report and accepts that the acoustic mitigation measures specified in the report are acceptable.

It is considered that the site can be considered suitable for residential development in planning and noise terms, as acceptable noise levels can be achieved following the design and implementation of suitably specified noise mitigation measures.

It is considered that the general internal layout of the dwellings would provide a satisfactory level of amenity for the future occupiers and the proposal therefore accords with policy PP4 of the Adopted Peterborough Planning Policies DPD 2012.

f) Neighbouring Amenity

The dwellings would be positioned at an acceptable distance to existing neighbouring properties to avoid overlooking/loss of privacy. There is a back to back separation to properties in the neighbouring development of at least 22m and there are rear garden depths of 10m to properties abutting the eastern boundary. It is considered that the layout and relationship of the proposed dwellings with the existing neighbouring properties would not result in any adverse impact on amenity and the proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

g) Secured by Design

The Police Architectural Liaison Officer has been consulted on this application and considers this a good scheme in terms of designing out the opportunity for crime. The scheme provides a high level of natural surveillance, the access routes are appropriate for the development and raises no significant concerns. The plans now indicate paths serving the rear to several plots have lockable gates to the front the respective dwelling to avoid hidden accesses. The Officer has also suggested where gates should be relocated on other plots and a revision have been requested. Members will be updated in the update report.

The connections for both vehicles and pedestrians are appropriate and will provide reasonable levels of access without excessive permeability. The main access points onto the development are well overlooked providing clear and direct routes. The access to the rear gardens of the majority of homes is adequately protected. The general layout of the blocks provide good surveillance of the fronts of the property and reasonable security to the rear.

The proposal has therefore provided the opportunity to address vulnerability to crime in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

h) Open Space

The scheme has been revised since the initial submission due to an insufficient area of on-site open space being provided. The site now proposes an area of 0.25 hectares (20%) of the site area as public open space. Play equipment will also be provided on site and will be secured as part of the S106 Agreement. In this instance it was not considered appropriate to seek an off site contribution towards enhancements to the existing provision of public open space as there is a lack of public open space within the village. The proposal would provide an adequate level of public open space to serve the development and accords with policy PP14 of the Adopted Peterborough Planning Policies DPD.

i) Affordable Housing

Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed. The initial submission proposed 18 number affordable dwellings on site. The scheme now reduces the affordable units to 12 as the provision of additional public open space and equipment has impacted on the viability of the development and the capacity to deliver the 30% affordable units. A viability appraisal has been submitted which is currently being considered by the Planning Obligations Officer and the outcome of the assessment will be provided to Members in an update report.

The Core Strategy sets out an appropriate mix of affordable tenures which is 70% social rented tenure and 30% intermediate tenure. It is however, the Strategic Housing Officer's view that given the changes to the definition of affordable housing set out in PPS3 (update June 2011) and maintained in the National Planning Policy Framework which includes affordable rented tenure, the council is committed to offering a degree of flexibility regarding the tenure of any affordable units. As Homes and Community Agency (HCA) grant is unlikely to be available to facilitate any affordable units on this site and given the current difficult economic circumstances there is flexibility on the affordable tenure mix.

The mix of affordable dwellings would be 3 x 2-bed dwellings and 9 x 3-bed dwellings.

In addition, policy CS8 of the Core Strategy seek that 20% of units should meet the lifetime homes standard and 2% of units should be provided as wheelchair housing which meets the HCA's Design and Quality standards relating to the provision of wheelchair housing. These requirements shall be secured by condition.

j) Archaeology

The Archaeological Officer had previously advised that given the known historical and archaeological history of the area and in accordance with Section 12 of the NPPF, a Desk Based Assessment and Programme of Archaeological be undertaken. The site has now been investigated by means of geophysical survey and evaluation by trial trenching. The evaluation has produced evidence for post-medieval ridge and furrow. Based on these results, no further work is deemed necessary.

k) Landscaping

There are currently no trees within the site. There is a substantial hedge to the rear (north) of the site which is outside the boundary. However, the trees are not directly against the proposed site boundary and should have little impact on the development. There is approximately 30m of existing broken Hawthorn hedge to the frontage which is unmanaged. The Landscape Officer has recommended that the hedge is removed and a suitable landscaping scheme is provided to the

site frontage. A detailed landscaping scheme for the development in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD would be secured by condition.

l) Ecology

A protected species survey has been submitted in support of the application. As the proposed involves the removal of features that might provide suitable habitat for nesting birds during the nesting season (March to August), a condition would be appended to ensure such features are not removed during the nesting season.

The Wildlife Officer has suggested measures to enhance the biodiversity within the site including a range of nesting boxes to cater for a number of different species such as House Sparrow, Starling, House Martin & Swift and planting of a range of appropriate native tree and shrub species. These details would be secured by condition. It is considered that given the characteristics of the site there are opportunities to provide landscaping provision within the site and to enhance the potential for biodiversity gain in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD and policy PP16 of the Adopted Peterborough Planning Policies DPD.

m) Community Involvement

The applicant has undertaken a programme of pre-application consultation to proactively engage with local stakeholders and the community. The objectives for the consultation programme were to present the draft proposals, understand issues and concerns and where possible to inform the final scheme. The consultation programme included a public exhibition and involved a wide publication process. A total of 39 people attended the public exhibition and a total of 21 completed feedback forms.

The main concerns raised were as follows:

- Entrance to the development should not be via Parson's Prospect
- Construction traffic must not enter via Parson's Prospect
- Construction traffic will be dirty and noisy
- There is already pressure on Eye's existing infrastructure and amenities
- Concern about construction noise
- There is a need for a playground/recreational space
- Thorney Road is already dangerously busy and the extra traffic will compound the issue
- There is little capacity at local schools

The above issues will be/have been considered in the contents of this report.

n) Environment Capital

In accordance with policy CS10 of the Adopted Peterborough Core Strategy DPD a condition would be appended to the decision requiring the development to achieve a target emission rate of 10% reduction than that specified by Building Regulations.

o) Flood Risk and Drainage

As the site exceeds 1 hectare a Flood Risk Assessment has been submitted with the application. The assessment has concluded that the site is a no quantifiable risk of flooding. At the time of writing this report comments are awaiting from the Environment Agency and Members will be advised in the update report. Nevertheless, there have been no objections from the City Council Drainage Team or the Internal Drainage Board.

It is proposed that unattenuated surface water would be drained into the Northolme Drain to the north of the site. However, this is not indicated on the latest plans which show drainage to the opposite direction and clarification is sought on this matter. Again Members will be advised in the

update report.

p) S106

The development would give rise to an additional burden on the services and infrastructure of the City Council. In accordance with policy CS13 of the Adopted Peterborough Core Strategy DPD and the Planning Obligations Implementation Strategy (POIS) a S106 pooled contribution of £347,000 would be sought. A 2% monitoring fee of £6,940 also applies.

The above would allow the delivery of the necessary and appropriate infrastructure which would be required as a result of the development.

Household travel information packs would be secured as part of the S106 agreement at a cost of £10 per pack.

12 Affordable dwellings would be secured by S106 Agreement

The area of open space plus play equipment would be secured by S106 Agreement.

Social Infrastructure – For developments of this scale the Council's policy is that a POIS contribution is sought from the developer. The contribution is split between neighbourhood spend and strategic spend and from this spend there is for example, Education, Community, Health. It is not the case that specific projects e.g. new school classroom are ring fenced in the S106 agreement. This is because the timing, circumstance and social infrastructure context of a development may change over time.

Issues raised by residents not covered in the report

- Residents have witnessed the green belt slowly get eaten up by the array of new houses being built.
- Larkfleet are only concerned with more and more building and more and more profit regardless of the consequences in the village.

Officer response: 'There has never been any Green Belt in the Peterborough area. This is an allocated site which has been through a programme of consultation and scrutiny by an independent Inspector prior to adoption by The City Council.

- Currently there is nowhere for children to play on the north side of Thorney Road...something that seems to have been withdrawn from Whitby Avenue since I first saw plans at the time I purchased my bungalow!

Officer response: 'Planning permission was granted in 2011 to remove condition 13 attached to 10/00208/FUL (49 dwellings) and condition 20 attached to 04/01978/FUL (35 dwellings) which both required a Local Area for Play to be provided on the site. Instead of providing these LAPS on site, the developer entered into a unilateral undertaking obliging him to pay a contribution of £43,500 to be used on open space/leisure/sports provision within Eye Parish. These were very small areas and the LAP would have been of limited benefit only to very young children.'

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:

- This is an allocated housing site within the Adopted Site Allocations DPD and lies within the village envelope of Eye which is designated as a Key Service Centre;

- The proposed access is at an appropriate standard to serve the development and parking provision would be provided in accordance with parking standards;
- The scale and design of the development would respect the character and appearance of the surrounding area;
- The development makes adequate provision for the residential amenity of the future occupiers of the properties;
- The development would not result in any adverse impact on the amenity of occupiers of existing neighbouring dwellings;
- The proposal provides an appropriate provision of public open space with play equipment;
- The proposal makes satisfactory provision for affordable housing within the site; and
- The proposal makes a contribution towards the social and physical infrastructure demands that it will place on the area.

Hence the proposal accords with policies PP2, PP3, PP4, PP12, PP13, PP14 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS02, CS8, CS10, CS13, CS14, CS16, CS17 and CS22 of the Adopted Peterborough Core Strategy DPD 2011, policies SA4 and SA5 of the Adopted Peterborough Site Allocations DPD 2012 and the National Planning Policy Framework.

7 Recommendation

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

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

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

- C 2 No development shall take place until details of the materials to be used in the external surfaces of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local 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).

- C 3 the discontinued footway to the west of the site should be extended along the site frontage to link to the existing footway to the east of the site.

- C 4 Notwithstanding the submitted details a lighting scheme and time scale for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the development.

Reason: In the interests of residential amenity and the security of the development in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP2 of the Adopted Peterborough Planning Policies DPD.

- C 5 Prior to the commencement of the development hereby approved plans showing vehicle visibility splays of 2.4m x 3.3m at the junction of all shared accesses with the 'adoptable' roads and all 'adoptable' road junctions within the site shall be submitted to and approved by the Local Planning Authority. The splays shall be provided before occupation of the dwellings and shall be kept free of obstructions over a height of 600mm.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C 6 Prior to occupation of development hereby permitted the vehicle to pedestrian visibility splays shown on the plan No PL-02 Rev C of the following dimensions i.e. 2.m x 2.m on both sides of all shared accesses and 1.5m x 1.5m on both sides of all single accesses shall be provided and maintained thereafter free from any obstruction over a height of 600mm measured from and along respectively the back of the highway boundary.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C 7 Prior to the commencement of the development hereby approved, plans showing all private shared accesses with minimum widths of 5.5m (that provide the only means of pedestrian access to dwellings) shall be submitted to and approved by the Local Planning Authority. The accesses shall be constructed in accordance with the approved plans.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C 8 Prior to the commencement of the development hereby approved, detailed plans showing the layout and form of the construction of the roads including drainage, levels and lighting shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C 9 Prior to the commencement of any development a detailed construction management plan shall be submitted to and approved by the Local Planning Authority. The plan shall include:

- a scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways.
- a scheme for construction access from the local highway network including details of haul routes across the site, associated health and safety protection measures for users of the site and details of measures to ensure that all construction vehicles can enter the site immediately upon arrival;
- a scheme for parking of contractors vehicles and storage compounds
- a scheme for access and deliveries including adequate parking turning, loading and unloading areas.

The development shall be carried out in accordance with the approved plan.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C10 Prior to commencement of development a drawing showing a scheme for speed reduction features for the roads to the front of plots 3-9 and 10-19 shall be submitted to and approved in writing to the LPA.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C11 Prior to commencement of development details for tracking of refuse vehicles shall be provided for all of the internal adoptable roads within the development to demonstrate satisfactory manoeuvre of refuse vehicles. This provision shall be in accordance with details submitted and which have been approved in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: 2011 and Policy PP12 of the adopted Planning Policies DPD

- C12 The dwellings shall not be occupied until the areas shown as parking (including garages) and turning on the approved plan No PL-02 Rev C have been constructed, drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the use of the dwellings.

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 adopted Planning Policies DPD

- C13 Prior to occupation of development hereby permitted the vehicle to vehicle visibility splays of the following dimensions 2.4m x 60m on both sides of the access from Thorney Road shown on plan PL-02 Rev C shall be provided and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2.4m x 60m measured from and along respectively the channel line of the carriageway.

(Channel line is kerb line)

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

- C14 Prior to commencement of development revised plans showing the access into the private drive to the front of the site to be a simple dropped crossing (allowing pedestrian priority along the footway) shall be submitted to and approved in writing by the LPA. The access shall be implemented in accordance with approved plans prior to occupation.

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

- C15 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

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

- C16 Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details

* Proposed finished ground and building slab levels

* Planting plans including retained trees, species, numbers, size and density of planting (to include native tree and shrub species)

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD and policy TD1 of the Trees & Woodlands Strategy 2012.

- C17 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD.

- C18 A landscape management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The management plan shall be implemented in accordance with a timetable contained therein and as approved unless changes are first agreed in writing by the Local Planning Authority.

The Plan shall include the following details:

Long term management and maintenance of the public open space

Long term design objectives

Management responsibilities

Maintenance schedules

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD and TD1 of the Trees & Woodlands Strategy 2012.

- C19 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).

C20 Notwithstanding the details hereby approved, the scheme for the provision of additional biodiversity enhancements to achieve a net gain of biodiversity; for example the inclusion of a range of bird boxes to cater for a number of species including House Sparrow, Starling, House Martin & Swift and the planting of a range of appropriate native tree and shrub species. The scheme shall be implemented in accordance with the approved details during the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

Reason: In the interests of the enhancement of biodiversity in accordance with Policy PP16 of the Adopted Peterborough Planning Policies DPD and Policy CS21 of the adopted Peterborough Core Strategy DPD.

C21 Notwithstanding the provisions of Schedule 2, Part 1 Class A and E of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be constructed other than as those expressly authorised by this permission or those expressly authorised by any future planning permission.

Reason: The development is relatively dense and so extensions and outbuildings must be carefully designed in order to protect residential amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C22 Notwithstanding the details hereby approved; 20% of the dwellings shall meet the lifetime homes standards. The details shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: In order to meet the lifetime homes needs and in accordance with Policy CS8 of the adopted Peterborough Core Strategy DPD.

C23 Notwithstanding the details hereby approved; 2% of units should be provided as wheelchair housing which meets the HCA's Design and Quality standards relating to the provision of wheelchair housing.

Reason: In order to meet a specific housing need and in accordance with policy CS8 of the Adopted Peterborough Core Strategy DPD.

C24 Details of the boundary treatments for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected in accordance with the approved details on completion of any dwelling and prior to its occupation.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C25 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, a scheme for the provisions of fire hydrants

should be submitted to and approved in writing to the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full before the dwellings are occupied.

Reason: In the interests of the health and safety of occupiers of the site and in the vicinity and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C26 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

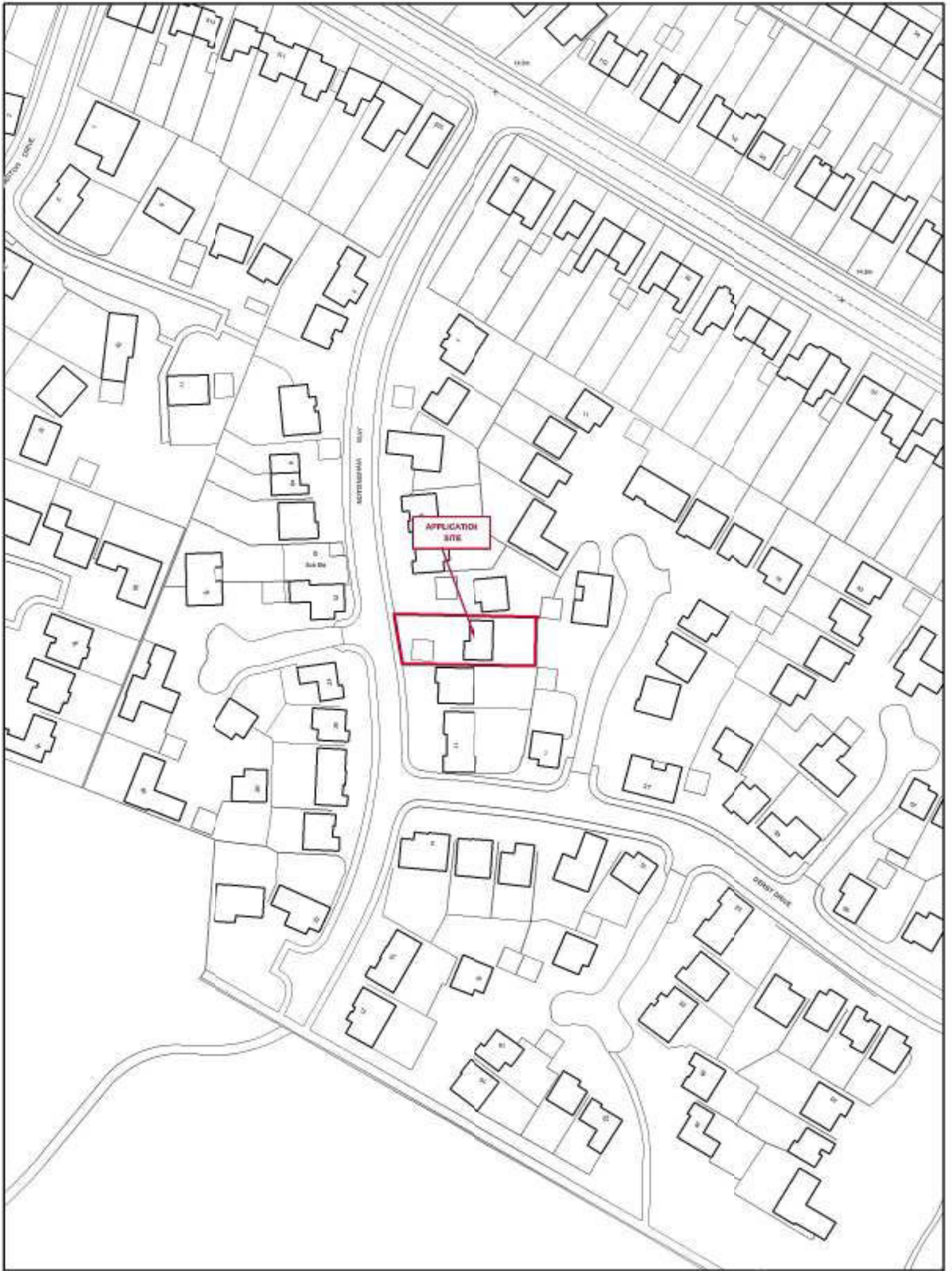
- C27 The development site is within 15 metres of a sewage pumping station. Whilst Anglian Water takes all reasonably practicable steps to prevent any nuisance arising from the site, there should be no development within 15 metres from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the pumping station.

Reason: To avoid causing future amenity problems and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

- C28 Notwithstanding the details hereby approved noise mitigation measures as specified in the Noise Assessment Report to protect the habitable rooms of dwellings abutting the A47 to the north of the site and Thorney Road to the south, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to those dwellings becoming occupied.

Reason: In order to protect and safeguard the amenity of the future occupiers of the development and in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Copy to Councillors D Sanders and D McKean



LOCATION PLAN 13/01105/HHFUL
13 Nottingham Way, Dogsthorpe, Peterborough PE1 4NF

Scale NTS **Date** 21/8/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/01105/HHFUL

Proposal: External alterations to the detached garage comprising replacement windows and the insertion of new door to the elevation facing the main dwelling house - revised application

Site: 13 Nottingham Way, Dogsthorpe, Peterborough, PE1 4NF
Applicant: Mr Jawarjit Singh

Agent: Mr Richard West
 RW Architectural Services

Referred by: Councillor Shearman
Reason: Level of neighbour objection and previous decision by Committee
Site visit: 03.05.2013

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 application site comprises a two storey detached residential dwelling located within a residential estate of uniform character. The main dwellinghouse is set back from the streetscene and sits behind an existing single storey detached double garage. The garage is positioned side-on to the street and shares a driveway with No.11 Nottingham Way. There is a small area of landscaping to the front comprising shrubs and an immature silver birch tree which provides some screening to the dwelling and garage. At present, the garage has a blank gable elevation which fronts the public highway and is constructed of buff brick and brown concrete roof tiles.

Proposal

This application has been submitted following a similar proposal being refused at Committee for the following reason:

The alterations to the street facing elevation, with the insertion of two windows, will be detrimental to the appearance of the street scene contrary to the provisions of Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012), both of which seek to ensure that new development makes a positive contribution to the quality of the built environment.

The application differs from the refused scheme as there are no longer any windows proposed to be inserted into the western elevation of the garage. Instead, the only new opening relates to the insertion of a door into the eastern elevation (facing the main dwellinghouse).

The proposal is associated with the change of use of the existing garage to an annexe for occupation by a family member associated with the occupation of the main dwellinghouse. It should be noted that this does not require the benefit of planning permission (discussed in greater detail in section 5 below). As such, the only elements for which planning permission are sought are those detailed above.

2 Planning History

Reference	Proposal	Decision	Date
13/00606/HHFUL	Conversion of garage to living accommodation	Application Refused	12/07/2013

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

Victoria Park Residents Association

No comments received.

Local Residents/Interested Parties

Initial consultations: 14

Total number of responses: 9

Total number of objections: 9

Total number in support: 0

11 objections have been received from local residents on the following grounds:

- The removal of the garage doors and replacement with plastic cladding will be highly visible from the street. This will jar the eye and be out of keeping with other garages in the area, interrupting the rhythm of the streetscene.
- The repositioning of the window and entrance will affect the privacy of occupiers of No.11 Nottingham Way.
- The revised scheme offers little in the way of natural daylight into the altered building resulting in 'poky' accommodation.
- The limitation of parking on the site (which already results in encroachment onto the driveway of No.11) will be exacerbated by the loss of the garage. Cars visiting the property will be obliged to park on the highway, opposite a road junction, causing a hazard.

- Despite the concept of 'permitted development', surely it was never the intended policy of the government for a detached garage, standing at some distance from the house it serves and immediately adjacent to a highway, to be used as residential accommodation without the need for planning permission?
- What guarantee can the council give the residents that in the future, there won't be applications to install facilities and rent out to members of the public?
- The reason for the original refusal is not in accordance with the debate of Councillors who discussed the social effects, change of use of the premises and the effect on the estate and surrounding area. This looks like a 'fudged' way of recording the refusal so that Mr Singh only has to re-site the windows and the revised application will go through.
- The revised application is now a worse effect than the original.
- Would you want to look out from your room and see a 'metal plastic clad' wall. This is a low cost method of conversion.
- The conversion if approved will devalue properties around it.
- The revised plan sites the floor and windows at one end of the garage, what about fire regulations?
- Is it hygienic for a disabled mother living in a converted garage without proper kitchen and washing facilities? This will result in continuous movements between the annexe and house, creating disturbance to neighbours.
- The conversion does not respect the local context and would be entirely out of character with the area, to the detriment of the local environment.
- If this application were to be permitted, it would be similar to the so-called 'garden grabbing' for the few to gain at the cost and detriment of many.
- Allowing the conversion would set a dangerous precedent. Further developments such as this would only make things much worse.
- If the consent was agreed what would stop the occupants applying to add a second storey to the building and creating a whole new property on the site?
- The owner has already felled two trees in anticipation of planning permission. There is a restrictive covenant which states that no trees or shrubs shall be removed unless they are replaced with the same.

Councillor Shearman has expressed his opposition to the proposed development and supports the comments raised by local residents.

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) Introduction

The proposed alterations are associated with the intended conversion of the existing detached garage to form living accommodation and this proposed use was referred to within the description of development for planning application 13/00606/HHFUL. Notwithstanding this previous description, the proposed use of the existing garage is as an annexe for occupation by a family member associated with the occupants of the main dwellinghouse, such a proposal does not require the benefit of planning permission. The proposed use, given that the annexe would retain a functional relationship with the main dwelling i.e. shared cooking facilities, does not represent a material change of use and is retained as ancillary accommodation. Therefore, this element of the scheme does not constitute 'development' and planning permission is not required.

However, given that the existing structure lies forward of the existing dwellinghouse, the associated external alterations - replacement of two windows, insertion of a door and replacement of the existing garage door with cladding of a similar appearance - do require permission.

Accordingly, this assessment relates only to those elements which require planning permission. In light of this, the following objections received from local residents cannot be considered in the determination of this application:

- The revised scheme offers little in the way of natural daylight into the altered building resulting in 'poky' accommodation.
- The limitation of parking on the site (which already results in encroachment onto the driveway of No.11) will be exacerbated by the loss of the garage. Cars visiting the property will be obliged to park on the highway, opposite a road junction, causing a hazard.
- Despite the concept of 'permitted development', surely it was never the intended policy of the government for a detached garage, standing at some distance from the house it serves and immediately adjacent to a highway, to be used as residential accommodation without the need for planning permission?
- What guarantee can the council give the residents that in the future, there won't be applications to install facilities and rent out to members of the public?
- The conversion if approved will devalue properties around it.
- The revised plan sites the floor and windows at one end of the garage, what about fire regulations?
- Is it hygienic for a disabled mother living in a converted garage without proper kitchen and washing facilities? This will result in continuous movements between the annexe and house, creating disturbance to neighbours.
- The conversion does not respect the local context and would be entirely out of character with the area, to the detriment of the local environment.
- If this application were to be permitted, it would be similar to the so-called 'garden grabbing' for the few to gain at the cost and detriment of many.
- Allowing the conversion would set a dangerous precedent. Further developments such as this would only make things much worse.
- If the consent was agreed what would stop the occupants applying to add a second storey to the building and creating a whole new property on the site?
- The owner has already felled two trees in anticipation of planning permission. There is a restrictive covenant which states that no trees or shrubs shall be removed unless they are replaced with the same.

b) Design and impact upon the character and appearance of the surrounding area

As detailed in section 1 above, the previous application was refused on the basis that the proposed windows to the street-facing elevation would result in an unacceptably harmful impact upon the character and appearance of the streetscene and surrounding area. The current scheme has sought to address this reason by removing the proposed windows. Accordingly, the only proposed development relates to the eastern elevation (facing the main dwellinghouse) and the northern elevation.

The proposed door is of a standard design and reflects the character of the existing garage and the proposal is typical of other detached outbuildings not only in the locality, but elsewhere within the City. In addition, this door and the replacement windows will not be readily visible from the public realm as the eastern elevation faces into the site, away from the streetscene. Accordingly, it is considered that these alterations will have no discernable impact upon the character and appearance of the surrounding area.

It is also proposed to remove the existing plastic-clad metal roller shutter garage door to the northern elevation and replace this with cladding of a similar colour and appearance with solid wall behind. The overall appearance of this elevation will not materially differ from the present and as such, the resultant development will retain its appearance of a garage. This will ensure that no detriment to the overall character and appearance of the site within its context will result.

On this basis, it is considered that the proposed external alterations will not result in any unacceptable impact to the character, appearance or visual amenity of the streetscene or surrounding area and the proposal is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

c) Impact upon neighbour amenity

With regards to the impact upon the amenities of neighbouring occupants, it is considered that the proposal will not result in any unacceptable impact in terms of overlooking as a result of the proposed door. The existing 2 small windows and proposed part-glazed door would face directly towards No.13, the host property, with only oblique views at some distance to No.11. As such, the proposal will not result in any unacceptable harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

d) Other matters

In addition to the above assessment, the following objections raised by local residents are addressed:

- *The reason for the original refusal is not in accordance with the debate of Councillors who discussed the social effects, change of use of the premises and the effect on the estate and surrounding area. This looks like a 'fudged' way of recording the refusal so that Mr Singh only has to re-site the windows and the revised application will go through.*

Officer response: The reason for refusal accords with the resolution proposed by the Planning and Environmental Protection Committee. Whilst debate of the application may have included other issues, such issues did not form the resolution for refusal of the application.

- *The revised plan sites the floor and windows at one end of the garage, what about fire regulations?*

Officer response: This is not a material planning consideration and instead, falls within the remit of Building Regulation legislation.

- *What guarantee can the council give the residents that in the future, there won't be applications to install facilities and rent out to members of the public?*

- *If the consent was agreed what would stop the occupants applying to add a second storey to the building and creating a whole new property on the site?*

Officer response: Whilst the conversion to an annex in these circumstances does not require planning permission, as the premises would be occupied by a family member associated with the main dwellinghouse with the sharing of facilities within the main dwellinghouse (e.g. cooking/kitchen facilities) any further changes such as the requirement of a second storey would require planning permission. The Local Planning Authority cannot prevent a planning application being made for further changes to the building or for future changes in use, any such applications would be considered on their own merits.

- *Allowing the conversion would set a dangerous precedent. Further developments such as this would only make things much worse.*

Officer response: As already discussed, the conversion in this case is exempt from planning permission. Notwithstanding this, all applications are taken on their own merits and therefore, no precedent is set.

- *The conversion if approved will devalue properties around it.*

Officer response: House values are not a material planning consideration and cannot be taken into account when determining a planning application.

- *The owner has already felled two trees in anticipation of planning permission. There is a restrictive covenant which states that no trees or shrubs shall be removed unless they are replaced with the same.*

Officer response: Restrictive covenants are not a material planning consideration and cannot be taken into account when determining a planning application.

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 external alterations will not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012); and
- the proposed door to the eastern elevation will not result in any unacceptable impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- C 2 No development shall take place until details of the external materials to be used have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local 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).

Notes to the Applicant

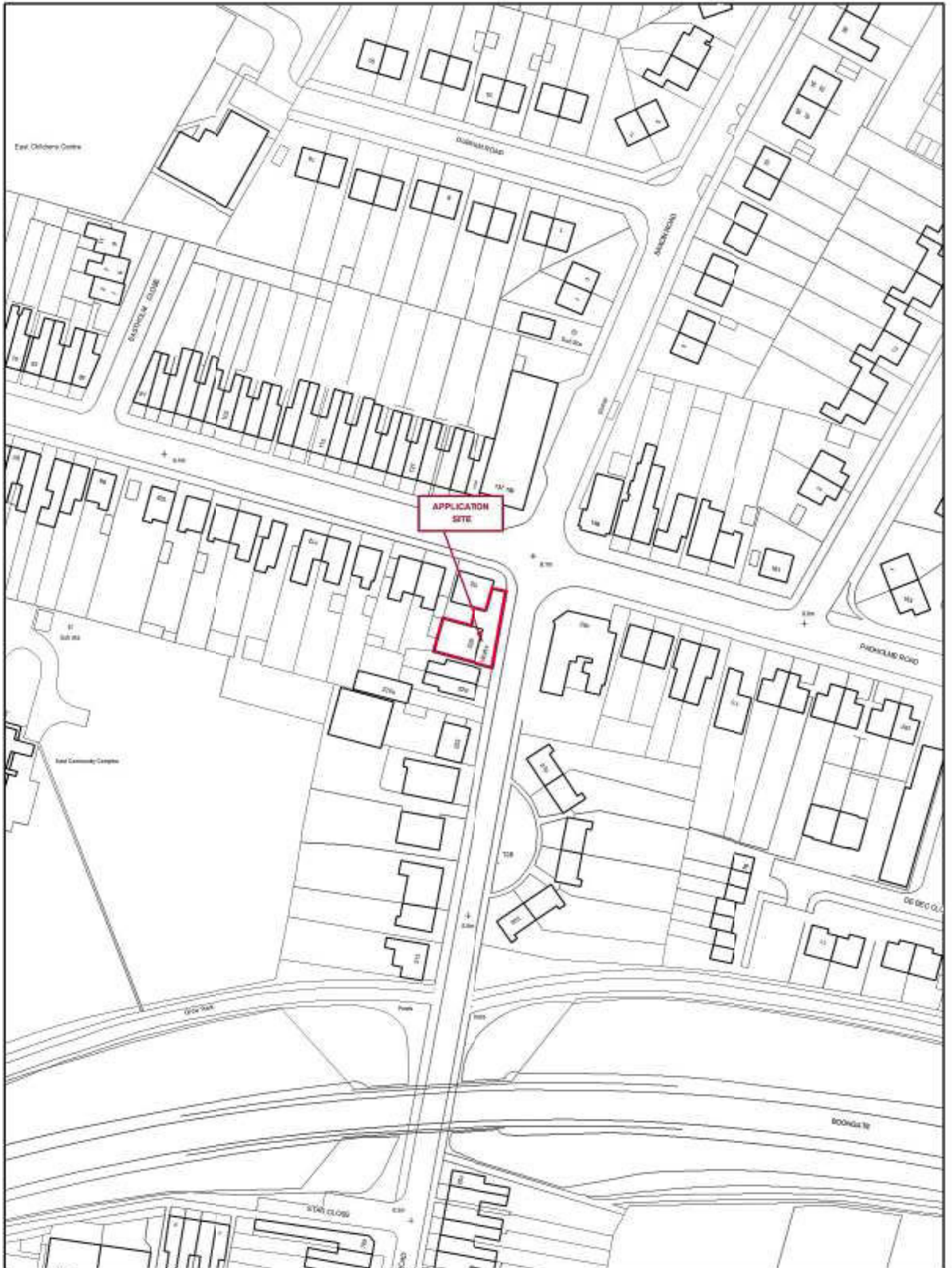
- IN1 It should be noted that the ancillary residential accommodation must retain some functional relationship to the host dwelling (in this case, shared kitchen facilities) and be occupied by relatives of occupants of the host dwelling to prevent the need for planning permission. If at any point in the future, the unit becomes self-contained, or is sold, leased or rented to occupants with no family relationship to the host dwelling, planning permission will be required.

- IN2 Building Regulation approval is required for this development. For further information contact the Building Control Section on 01733 453422 or email buildingcontrol@peterborough.gov.uk.

IN3 Your attention is drawn to the relevant provisions of the Party Wall etc Act 1996 which may require notification of the works hereby permitted to all affected neighbours. More detailed information of the provisions of 'The Act' can be obtained from the Council's Building Control Section on 01733 453422 or email buildingcontrol@peterborough.gov.uk, or on website <http://www.communities.gov.uk/publications/planningandbuilding/partywall>.

Copy to Councillors: P M Kreling, J Shearman and J P Peach

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LOCATION PLAN 13/00787/FUL
 229 Star Road, Eastgate, Peterborough PE1 5ET

Scale NTS **Date** 20/8/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/00787/FUL

Proposal: Proposed demolition of existing factory and construction of two dwellings

Site: 229 Star Road, Eastgate, Peterborough, PE1 5ET

Applicant: Mrs Annetta Sleigh

Agent: J J & J Hartley

Referred by: Councillor Todd

Reason: The proposal provides sufficient parking and garden space proportionate to the dwellings.

Site visit: 26.06.2013

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 detached two storey industrial premises (Use Class B2) located within a predominantly residential area. The building is of a standard pitched roof design, gable to the streetscene, with a two storey flat roof side element, external steel staircase and single storey element. The building has been rendered with green painted wooden windows and doors. There is an area of hardstanding to the front and side of the property which provides some car parking and a single storey lean-to garage which is sited adjacent to 122 Padholme Road.

The site is bound to the front by a 1.5 metre high brick wall and 1.8 metre high steel weldmesh gates.

The surrounding area is varied in character, with both detached and semi detached residential properties. The former Volunteer Public House which now comprises a number of ground floor retail units lies immediately opposite the site. No.122 Padholme Road to the north of the site, comprises a first floor residential flat and at ground floor, an office which has previously been in use associated with the application site.

Proposal

The application seeks planning permission for the demolition of the existing building and construction of two semi-detached residential dwellings. The dwellings are both proposed to be 2-bedrooms, each with one off road parking space and a private outdoor amenity space.

The scheme has been amended following referral of the application to Planning Committee. The alterations relate to the two storey rear projecting 'wing' elements of the dwellings. There is now a void at ground floor level with an oversailing first floor containing bathrooms to serve each dwelling.

2 Planning History

Reference	Proposal	Decision	Date
P0261/77	Extension to factory and change of use and conversion of house into two self-contained flats	Permitted	27/05/1977
95/P0451	Erection of garage	Permitted	21/07/1995
96/P0863	Change of use from self-contained flat to office and relaxation area for staff (retrospective)	Permitted	13/01/1997
13/01014/PRIOR	Change of use of ground floor office to residential flat	Pending	

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.

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

CS12 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

CS13 - Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

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.

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.

PP04 - Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

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.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations

Requests for planning obligations whether CIL is in place or not are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Pollution Team

No comments received.

Archaeological Officer (01.07.13)

No objections - Although remains dating from the Neolithic period are well documented in the general area, the proposed development site contains no known assets. In addition, potential buried remains are likely to have been severely truncated during the construction of the current industrial unit and associated utility groundwork.

Building Control Surveyor (03.07.13)

No objections – Building Regulations approval required. Part M relating to disabled requirements also applicable. Level access is required, whilst the submitted plans show a step to the principal entrance.

Transport & Engineering Services (24.06.13)

Objection - There is insufficient space within the site to provide parking facilities for both proposed dwellings, thereby increasing demand for parking within an already heavily congested area. In addition, there is insufficient space within the site to provide turning for vehicles, resulting in cars reversing on to the highway. The proposal will therefore result in a danger to highway safety.

Planning Obligations Officer (18.06.13)

A contribution of £8,000 plus a monitoring fee of £160 is applicable.

Local Residents/Interested Parties

Initial consultations: 16

Total number of responses: 1

Total number of objections: 0

Total number in support: 1

No neighbour representations have been received.

Councillor Todd has referred the application to Committee, on the consideration that there is sufficient off road parking and the proposed gardens are of a size proportionate to the dwellings.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Impact upon neighbour amenity
- Amenity provision for future occupants
- Developer contributions

a) Principle of development

As detailed in Section 1 above, the site currently comprises a vacant B2 general industrial building. This building is considered to be in a poor state of repair and does not represent high quality employment land. Furthermore, it is located within a predominantly residential area and in close proximity to the identified Eastern General Employment Area (Fengate). Whilst the loss of employment land is generally resisted, it is considered that the proposed use as residential land is more appropriate within the site's context and in keeping with the surrounding area. Moreover, the site is well located within the identified Urban Area, in close proximity to services, facilities and public transport. This therefore represents a more sustainable location for residential development. On this basis, the principle of residential development is acceptable, in accordance with the National Planning Policy Framework (2012) and Policy CS1 of the Peterborough Planning Policies DPD (2011).

However for the reasons detailed below, the current proposal for two dwellings is unacceptable taking account of all other material planning considerations.

b) Design and impact upon the character and appearance of the surrounding area

It is noted that there is a variety of dwelling styles and design both along Star Road and Padholme Road to the north. The proposed pair of semi-detached dwellings have been designed to mirror those dwellings immediately to the south of the site. Nos. 225 and 227 Star Road. The dwellings have been designed with similar proportions and architectural detail and

accordingly, it is considered these will sit well within the streetscene and not appear incongruous or alien within the immediate surroundings.

The dwellings have been sited set slightly back from the principal elevation of Nos.225 and 227, but would be sited forward of the side elevation of No.122 Padholme Road. Whilst this would usually result in an unacceptable relationship, mitigation is provided by the single storey lean-to garage to No.122 which would shield views of the projecting proposal and accordingly, they would not appear at odds with the established building lines.

Notwithstanding this, it is considered that the amendments to the proposed rear elevations of the scheme, creating a void at ground floor level with an oversailing first floor, are at odds with the established character of the area. This element of the proposal would result in a contrived and incongruous form of development, resulting in unacceptable harm to the character, appearance and visual amenity of the locality. On this basis, the proposal is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

c) Parking and highway implications

The proposed dwellings will generate an increased level of traffic demand and therefore parking, in relation to the existing lawful B2 use of the site. The application scheme provides for only two off-road parking spaces, one to the rear of No.122 Padholme Road and one within the single storey lean-to garage adjacent. In accordance with adopted parking standards set out in Policy PP13 of the Peterborough Planning Policies DPD (2012), each 2-bed dwelling should provide two parking spaces, thereby a requirement of 4 off-road parking spaces for the application scheme. The proposal represents a deficiency of two parking spaces compared to adopted parking spaces, which could only be provided on-street. No parking survey has accompanied the application to demonstrate that there is sufficient capacity to accommodate this additional parking demand. Notwithstanding this, the surrounding area is already heavily congested with on-street parking, both along Star Road and Padholme Road and it is not considered that there is sufficient capacity to accommodate the extra parking. As such, the proposal would result in cars parking in unacceptable and dangerous locations on the public highway, impeding the free flow of traffic and resulting in an unacceptable danger to highway safety.

Furthermore, the proposal does not afford any space for turning within the public highway. At present, whilst the parking space within the garage is parallel to the highway, there is sufficient space for vehicles to manoeuvre and exit in a forward gear. Without any turning, vehicles would have to reverse on to the public highway and also, at an obtuse angle. This would seriously impede the visibility of drivers in terms of oncoming pedestrians and vehicles, leading to conflict. This relationship represents an unacceptable danger to highway safety.

On this basis, the proposal would result in an unacceptable danger to all users of the public highway and is therefore contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

d) Impact upon neighbour amenity

At present, the existing building is sited immediately adjacent to both the southern and western boundaries of the site. The main two storey bulk of this existing building is set only 4.4 metres from the rear elevation of No.122 Padholme Road and the single storey element is set only 2 metres from the same neighbouring elevation. Currently there are no facing windows from the application site towards No.122 however there is a first floor window within the rear elevation of the existing building which looks directly on to the rear gardens and properties of Nos.118 and 120 Padholme Road.

The application scheme would result in two storey development (with no facing windows) sited a minimum distance of 4.2 metres from the rear elevation of No.122 Padholme Road. Whilst this is a reduced level of separation when compared to the two storey bulk of the existing building in situ, the proposed development would be set further away from the neighbouring

dwelling than the existing single storey/external staircase. It is therefore considered that the proposed development represents an improvement upon the existing situation in terms of the relationship to No.122. It is considered that the application scheme will not result in any undue overbearing impact to occupants of the first floor flat, or loss of natural daylight.

With regards to the impact upon residential properties to the rear (Nos.118 and 120 Padholme Road), the proposal would introduce first floor bedroom and bathroom windows. However, the proposal at its closest, would be sited 2 metres from the western boundary (which would be obscure glazed bathroom windows) and 4.4 metres to the proposed bedroom windows. Whilst this relationship results in a low level of separation, this represents no worse a situation than the existing. Furthermore, the set back of the building and first floor windows will reduce the impact to neighbouring properties in terms of overbearing and overlooking impact.

On balance, it is considered that the proposal will not result in an unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Amenity provision for future occupants

Policy PP4 of the Peterborough Planning Policies DPD (2012) requires all new residential development to afford a good quality of living accommodation for occupants by way of: *adequate internal space; adequate natural daylight and sunlight; well designed and located private amenity space commensurate with the development; and well located bin storage and collection areas.*

With regards to the internal space, it is considered that the proposed dwellings are of a sufficient size to accommodate the needs of occupants. Furthermore, owing to the orientation and relationship to neighbouring dwellings, all rooms will benefit from an adequate level of natural daylight and sunlight. There is sufficient space to the front to accommodate the requisite bin storage, and this is located in close proximity to the public highway for collection.

However, Officers do not consider that the proposed outdoor amenity space for the dwellings is of a sufficient size. Taking into account the area at ground floor below the first floor overhanging element, which would create a 5sqm covered space, the garden area for each dwelling totals only 20sqm. Given the location of the site, the size of the dwellings and the garden sizes of neighbouring residential properties, this falls below the level that Officers consider appropriate for the dwellings. On this basis, the proposal would afford future occupants an unacceptable level of amenity which is contrary to Policy PP4 of the Peterborough Planning Policies DPD (2012).

f) Developer contributions

In accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution to the infrastructure demands it generates. In accordance with the Planning Obligations Implementation Scheme (2010), the proposed dwellings are required to make a contribution of £8,000 plus a 2% monitoring fee of £160. The Applicant has agreed to enter in to a legal agreement to secure this contribution however owing to the other deficiencies with the scheme, Officers have not begun the legal process which would incur legal costs.

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.

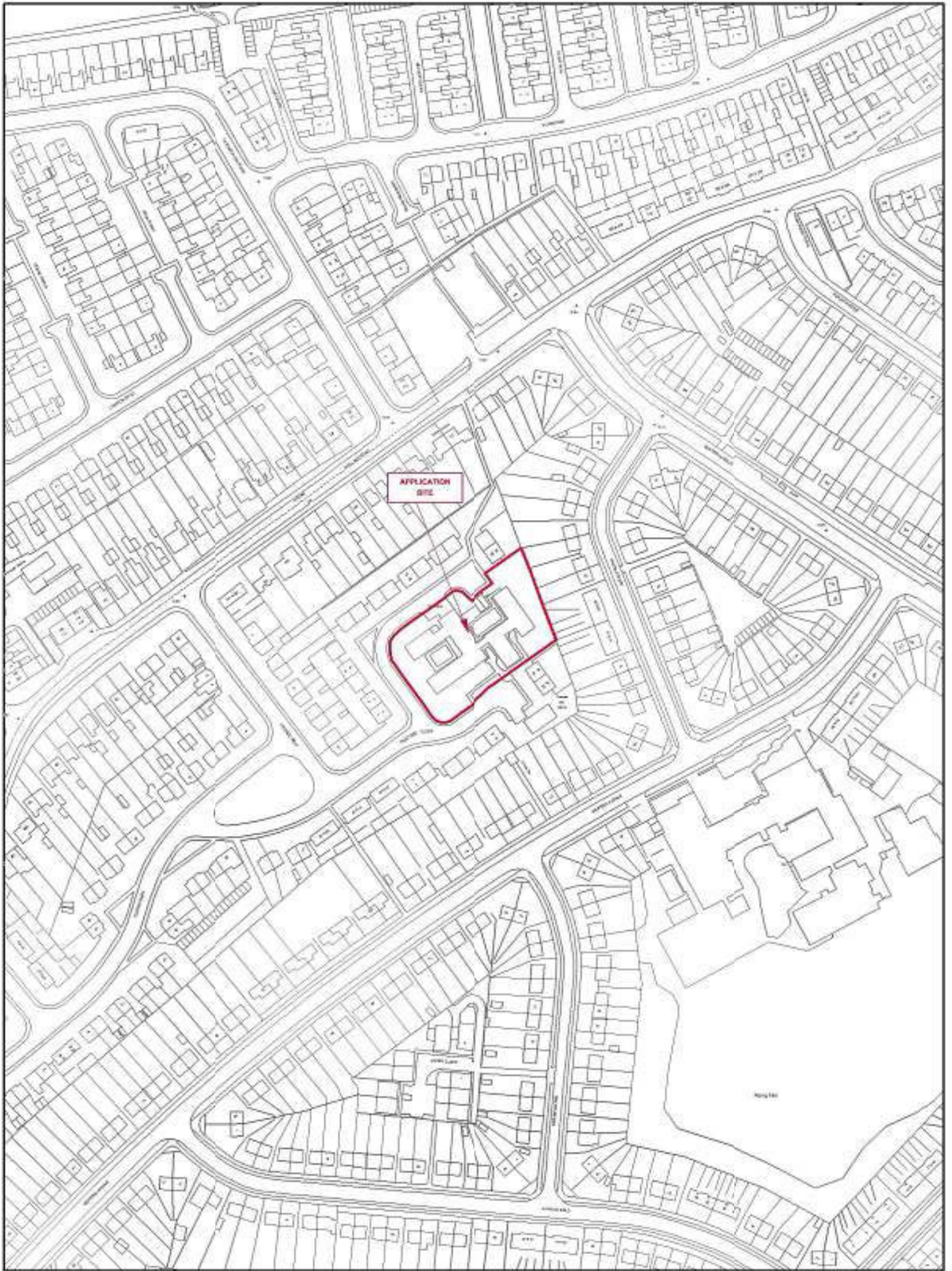
7 Recommendation

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

- R 1 The design of the proposed dwellings, particularly the proposed first floor oversail to the rear, would result in a contrived and incongruous form of development, out of keeping with the character of the area. The proposal would therefore result in an unacceptable impact upon the character, appearance and visual amenity of the locality, contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- R 2 The application scheme fails to provide sufficient space within the curtilage of the site for the parking demands generated by the proposed dwellings. The proposal would therefore result in additional parking demand on-street in an area which is already heavily congested and without sufficient capacity to accommodate further parking demand. As such, the proposal would result in cars parking in unacceptable and dangerous locations on the public highway, impeding the free flow of traffic and resulting in an unacceptable danger to highway safety, contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).
- R 3 The application scheme fails to provide an adequate area of turning for vehicles within the curtilage of the site. This would result in vehicles reversing on to the public highway and at an obtuse angle, with limited visibility in terms of oncoming pedestrians and other vehicles. The proposal would result in a conflict with all users of the public highway and result in an unacceptable danger to highway safety, contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).
- R 4 The proposal fails to provide an adequate area of private outdoor garden/amenity space commensurate with the size and scale of the proposed dwellings. This would afford future occupants an unacceptable level of amenity, contrary to Policy PP4 of the Peterborough Planning Policies DPD (2012).
- R 5 The application proposal fails to make provision for additional infrastructure and community facilities which are necessary as a direct consequence of the proposed development. The proposal is therefore contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and the Planning Obligations Implementation Scheme SPD (2010).

Copies to Councillors: N Shabbir, M Y Todd, J Johnson

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LOCATION PLAN 13/00835/R4FUL
The Peverels, 34 Pine Tree Close, Dogsthorpe, Peterborough PE1 3TG
Scale NTS **Date** 20/8/2013 **Name** AA **Department** Planning Services



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Application Ref: 13/00835/R4FUL

Proposal: Demolition of existing care home, and construction of 17 chalet bungalows and creation of 34 car parking spaces

Site: The Peverels, 34 Pine Tree Close, Dogsthorpe, Peterborough

Applicant: Cross Keys Homes

Agent: David Turnock Associated

Referred by: Head of Planning, Transport and Engineering Services

Reason: Council owned land

Site visit: 01.08.2013

Case officer: Mrs J MacLennan

Telephone No.: 01733 454438

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

Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

The application site is approximately 0.4 hectares and is located at the eastern end of Pine Tree Close, Dogsthorpe. The site contains a former residential care home comprising a single building mainly single storey with two storey element to the east. The care home is now vacant. The site is an island site contained between the 2 arms of Pine Tree Close and therefore has a street frontage to the north, west and southern boundaries. The east boundary is fenced and abuts existing residential properties on Acacia Avenue. The surrounding area is predominantly residential in character comprising two storey developments with open frontages. The existing Care Home incorporates off-street parking with access direct from Pine Tree Close as well as a small parking court and garage on the northern part of the site, with provision for approximately 16 car spaces.

Proposal

Planning permission is sought for the demolition of the existing care home building and the erection of 17 number 2-bed chalet bungalows with associated parking. The development would be 100% affordable.

2 Planning History

No relevant planning history

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 6 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

Section 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

Section 11 - Re-use of Previously Developed Land

Should be encouraged provided that it is not of high environmental value.

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.

Peterborough Core Strategy DPD (2011)

CS13 - Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

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.

CS10 - Environment Capital

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

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

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.

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.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations

Requests for planning obligations whether CIL is in place or not are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Police Architectural Liaison Officer – No objections – Requests a condition regarding details of lighting being submitted.

Transport & Engineering Services – No objections - Following receipt of revised plans showing adequate parking provision to each dwelling the scheme is now acceptable subject to conditions.

Landscape Officer – No objections - The tree survey has been carried out in accordance with BS5837:2012 and the findings and recommendations are agreed with. No objections subject to details contained within the report being secured by condition.

Archaeological Officer – No objections - No finds appear to be recorded within the proposed development site or the immediate surrounding area. Furthermore, as the proposed development site is currently built upon, potential buried remains are likely to have been extensively disturbed by foundation and service trenches, as well as generally landscaping. In view of these factors, a programme of archaeological investigations is not justified.

Building Control Surveyor – No objections -Building regulations approval required.

Pollution Team - No objections - No comments made

Senior Recreation Officer – No objections - No comments made

Wildlife Officer – No objections – Recommends condition restricting the removal of trees to outside the bird nesting season; and the provision should be made to enhance the biodiversity of the site including a range of birds boxes and planting of wildlife seed.

Local Residents/Interested Parties

Initial consultations: 63
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

a) Background

The layout has been revised since the initial submission and now provides additional parking (drg. no. AL0001 P05). Re-consultations have been undertaken.

b) The principle of development

The site lies within the urban area boundary, within an area which is predominantly residential in character and which is well related to services and facilities to meet the residential needs of the future occupiers. The proposed C3 'residential' use would be an efficient and effective use of a brownfield site and would contribute to the overall housing need figures for the Peterborough area. The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy, policy PP1 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

c) Design and Layout

The development would represent a fairly high density scheme, approximately 42 dwellings per hectare. However, the chalet style is an appropriate design solution for the site given the surrounding two storey development and the former development on the site. The development would have its own character and identity with a modern style comprising dormer windows and a palette of materials of red brick, render and pre-finished timber boarding. The development would have active frontages to the street to the north, west and south of the site. It is considered the development would be a positive enhancement to the character of the area. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy and policy PP2 of the Adopted Peterborough Planning Policies DPD.

d) Residential Amenity

The plans indicate that where there is a back to back relationship between the proposed dwellings (plots 6-8 and plots 14-17) there is a minimum separation distance of 16 metres. Normally such a separation distance would be considered too small, however, given the likely client group and design of the dwellings (chalet bungalows) with the first floor windows to both blocks being located in the south elevation, there is no direct overlooking and the layout is considered acceptable.

Each dwelling would provide an adequate level of amenity for the future occupiers with the development taking advantage of natural sun/daylight provision.

Each dwelling would have an enclosed private rear amenity space of at least 60m².

All car parking is located in proximity to each of the units with units 3-5 being provided with dedicated parking spaces on their frontage.

Secure bin and cycle stores are located adjacent to the entrance to each unit in a gated enclosure which will also include the utility meter cabinets.

It is considered that future occupiers of the dwellings would be afforded a satisfactory level of amenity in accordance with policy PP4 of the Adopted Planning Policies DPD.

e) Neighbouring Amenity

The maximum height of the dwellings would be 6.2m and therefore the development would not give rise to overshadowing or an overbearing impact in relation to the development itself or in relation to the surrounding existing development. The relationship with the existing development is acceptable as the scale of the dwellings is appropriate and their positioning, at least 6m back from the footway, would provide an adequate separation distance to existing properties within Pine Tree Close. There is also adequate separation distance, at least 26m between the dwellings to the east of the site and existing properties in Acacia Avenue.

The proposal would not result in any adverse impact on the amenity of the occupiers of existing neighbouring properties and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD 2012.

f) Meeting Housing Need

The development would provide 17 affordable units which would meet the housing needs of applicants on the Peterborough Homes Register in accordance with the National Planning Policy Framework.

The dwellings would be designed to Lifetime Homes Standard and would incorporate a wheelchair accessible bathroom at ground floor level with direct access from the ground floor bedroom.

The development therefore accords with policy CS8 of the Adopted Peterborough Core Strategy 2011.

In addition, each of the proposed bungalows is provided with a ground floor main bedroom with accessible bathroom served both from the hallway and bedroom to enable any person with either disabilities or needing to use a wheelchair to be able to have living and sleeping spaces on the same floor.

A ramped approach with level threshold will be provided to the ground floor entrance doors of all units. The width of the entrance doors will be adequate to accommodate wheelchair access.

Units 9 and 10 will be linked internally and used together for accommodation by Adult Social Care; these units have their own in curtilage car parking spaces.

The scheme therefore would be an adaptable development which is able to respond to the changing needs of the future occupiers and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

g) Highway implications

There are a total of 34 car spaces on site which is commensurate with current Peterborough City Council parking standards which requires 2 spaces per dwelling. It is proposed to utilise an existing 6 number car parking bays currently located within the highway. As these spaces may be used for parking by the neighbouring properties the applicant was advised to submit a parking

survey to assess the extent to which these are currently used and whether there was capacity for additional parking on the street. The parking survey demonstrated that these spaces were only used marginally in the evening and that there were other spaces available nearby. The Local Highways Authority (LHA) would therefore support the stopping up of this section of the highway so that the spaces could be used by the future occupiers of the development. The LHA raise no objections to the proposal subject to conditions. It is considered that there is adequate parking provision on site for occupiers and visitor and the development would not result in any adverse impact on the adjacent highway in accordance with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

h) Secured by Design

The layout has been carefully considered to minimise the potential for crime and to minimise any hidden and unsupervised areas with pathways to rear gardens being secured by 1.8m high gates. The scheme has been designed to maximise surveillance and natural policing of all areas of the scheme with car park areas particularly being overlooked from adjacent dwellings. The Police Architectural Liaison Officer has been consulted on the application and considers that the details submitted addresses vulnerability to crime and raises no significant issues. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

i) S106 contributions

This scheme would provide a 100% Affordable Housing provision by Cross Keys Homes. A viability appraisal has been undertaken which has demonstrated that the proposed development of 17 Affordable Dwellings is not able to provide a full POIS contribution based on economic viability. Recognising the current national funding constraints in relation to the delivery of Affordable Housing and the commitment by Peterborough City Council to deliver Affordable Housing, in addition to acknowledging that the proposal is in receipt of £340,000 Social Housing Grant, a POIS contribution of £17,000 (£1,000 per dwelling) is considered acceptable. A Monitoring Fee of £340 is also required.

No off-site contribution would be sought for open space as this development is for the redevelopment of a care home site providing dwellings to a target group with limited open space needs.

j) Contamination

At the pre-application stage the Environment Agency advised that the site is underlain by superficial River Terrace Deposits over bedrock of the Kellaways Sand. These are both classified as Secondary A Aquifers, which represent controlled waters that require protection. The presence of contaminants at this site may pose a risk of pollution to controlled waters and that if the potential for contamination exists, a preliminary risk assessment should be undertaken to assess the potential risks to controlled waters.

The applicant advises that an assessment has been made with reference to the Environment Agency information and there is minimal risk of contamination on this site given that the previous use of the site was a residential care home and prior to that was greenfield land before the development of the Dogsthorpe area. The Pollution Control Officer has raised no comment on the application. However, a contamination condition is recommended requiring the Local Planning Authority be advised should any unsuspected contamination be found during demolition/construction.

k) Drainage

The applicant has been advised that Sustainable Drainage Systems (SUDS) methods should be used wherever possible for managing flood risk. The site should be able to attenuate flow and, where possible, provide infiltration to ground water in accordance with policy CS22 of the Adopted

Peterborough Core Strategy DPD. These details shall be secured by condition.

l) Landscaping

A Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement has been submitted with the application. The existing soft landscaping on site is not worthy of retention and those small trees and shrubs that do exist are in a poor/moderate condition. It is proposed to retain trees on the eastern boundary in order to maintain screening from properties on Acacia Avenue. A comprehensive soft landscape scheme is submitted as part of this Application. The Landscape Officer confirms that the survey has been carried out in accordance with BS5837:2012 and agrees with the findings and recommendations. The Landscaping Scheme is also considered to be appropriate. The details shall be secured by condition. The development would provide an appropriate landscaping scheme which would both add to the visual amenity of the area and provide enhancements for biodiversity gain within the site in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD.

m) Ecology

A protected species scoping survey and reptile assessment has been carried out at the site with the only evidence being that there was a low probability that the building or trees within the site being used by bats.

The Wildlife Officer is satisfied with the report's assessment of impacts on protected species and reptiles and recommends the application is approved subject to details of the proposed wildflower meadow and bird nesting boxes being submitted for approval in order to provide the potential for biodiversity gain within the site and in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD 2012. These details will be secured by condition.

n) Archaeology

The site is currently built upon and therefore potential buried remains are likely to have been extensively obliterated by foundation and service trenches, as well as general landscaping. A programme of archaeological investigations is not justified.

o) Community Consultation

A Community Consultation Event was held at the nearby Pine Tree Day Centre on 14 June 2013. The event was attended by around 25 existing residents who were invited to make comments or raise questions on the scheme. The scheme was generally welcomed and residents were happy with the scale and nature of the scheme. The two main concerns were whether the homes would be occupied by families with young children and whether the extra homes would lead to parking problems. It was explained that given that the dwellings would only have two bedrooms it was unlikely they would be allocated to a large family. It was more likely that the dwellings would be occupied by older people with mobility problems or live-in care needs.

With regard to parking problems residents were advised the City Councils parking standards require each dwelling to be provided with two parking spaces therefore the occupation of the development would not impact on the adjacent highway.

p) Environment Capital

The application states that the new dwellings will all be constructed to comply with the Code for Sustainable Homes Level 3 and as such will address energy conservation measures and make use of high efficiency heating and lighting Installation. The proposal would therefore accord with policy CS10 of the Adopted Peterborough Core Strategy DPD 2011.

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 proposal would be an efficient and effective use of a brownfield site and would contribute to the overall housing need figures for the Peterborough area;
- the scale and design of the development would respect the character and appearance of the surrounding area;
- the development makes adequate provision for the residential amenity of the future occupiers of the properties;
- the development would not result in any adverse impact on the amenity of occupiers of existing neighbouring dwellings;
- the proposal provides adequate parking provision for the occupiers of the dwellings and visitors and will not result in any adverse highway implications;
- the proposal would provide affordable dwellings and would meet an identified housing need;
- the proposal makes satisfactory and justified contribution towards the social and physical infrastructure demands that it will place on the city.

Hence the proposal accords with policies CS2, CS8, CS10, CS13, CS14, CS16 and CS22 of the Adopted Peterborough Core Strategy DPD 2011, policies PP2, PP3, PP4, PP12, PP13, and PP16 of the Adopted Peterborough Planning Policies DPD 2012 and the NPPF.

7 Recommendation

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

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

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

- C 2 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be in accordance with the External Finish Schedule dated 2nd August 2013.

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).

- C 3 Prior to the first occupation of the dwelling to which they relate, pedestrian visibility splays shall be provided on both sides of all vehicular accesses. The splays shall measure 1.5 metres x 1.5 meters for single accesses and 2.0 x 2.0 metres for shared accesses measured up the side of the access and along the back edge of the highway from where the access joins the public highway. The visibility splays shall thereafter be retained and kept permanently clear of all obstacles above 600mm in height.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (as amended) or any Order superseding this, Schedule 2 Part 2 Class A, no gates or other means of enclosure shall be erected across the vehicular accesses hereby approved.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C 5 Works associated with the provision of all the new vehicular crossings, removal of any existing redundant vehicular crossings and the repositioning of the existing lighting column adjacent to the parking space for plot 2 shall be carried out in accordance with the submitted indicative S278 drawings refs. 310 Rev P2 and 311 Rev P3 and subsequent Technical Vetting Approval. The development shall not be occupied until all of the works have been completed in accordance with the approved details.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C 6 Prior to the first occupation of the dwellings the area shown for the purposes of parking and turning on drawing number AL0001 Rev P05 shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.

Reason: In the interests of highway safety in accordance with policies PP12 and PP13 of the adopted Planning Policies DPD (2012).

- C 7 Prior to the commencement of works on site, unless otherwise agreed in writing with the Local Planning Authority, a Construction and Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- a noise management plan including a scheme for the monitoring of construction and demolition noise;
- a scheme for the control of dust arising from building and site works;
- a scheme of chassis and wheel cleaning for construction and demolition vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways. All vehicles leaving the site shall pass through the wheel cleaning equipment which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could otherwise fall upon the public highway. The wheel cleaning equipment shall be retained on site in full working order for the duration of the development;
- a scheme of working hours for construction and other site works;
- a scheme for construction access from the Parkway;
- details of the site compound, parking and material storage areas;
- a scheme for access and deliveries including hours.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C 8 The drainage works shall be constructed and completed in accordance with the approved plans (13-2099 313 P1, 13-2099 315 P2 and 13-2099 317 P1) and details contained with the supporting letter from Waldeck engineers dated 6th August 2013.

Reason: To reduce the impact of flooding on the proposed development and future occupants and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD 2011.

- C 9 (a) Works shall be carried out in strict accordance with the tree survey/tree protection measures submitted in support of this application dated May 2013 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site,

including trees which are the subject of a Tree Preservation Order currently in force; no development or other operations shall take place except in complete accordance with the approved protection scheme;

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place;

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme;

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority;

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies PP16 of the Adopted Peterborough Planning Policies DPD 2012.

C10 The Landscaping of the site shall be implemented in accordance with the approved drawing 001A. The scheme shall be carried out as approved no later than the first planting season following the occupation of the last dwelling.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy CS21 of the adopted Peterborough Core Strategy DPD and policy PP16 of the Adopted Peterborough Planning Policies DPD 2012.

C11 Notwithstanding the details hereby approved, the scheme shall include the provision of additional biodiversity enhancements to achieve a net gain of biodiversity; for example the inclusion of a range of bird boxes to cater for a number of species including House Sparrow, Starling and Swift at suitable locations across the site; and grassed areas to include 'wild-flower' seed. The details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details during the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

Reason: In the interests of the enhancement of biodiversity in accordance with Policy PP16 of the Adopted Peterborough Planning Policies DPD 2012 and Policy CS21 of the adopted Peterborough Core Strategy DPD 2011.

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 Core Strategy 2011.

C13 Prior to the first occupation of the development the boundary treatments for the development shall be implemented in accordance with the approved drawing no. AL0002.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C14 Notwithstanding the submitted details a lighting scheme and time scale for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the development.

Reason: In the interests of residential amenity and the security of the development in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD 2011 and policy PP2 of the Adopted Peterborough Planning Policies DPD 2012.

C15 Notwithstanding the provisions of Schedule 2, Part 1 Class A and E of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be constructed other than as those expressly authorised by this permission or those expressly authorised by any future planning permission.

Reason: The development is relatively dense and so extensions and outbuildings must be carefully designed in order to protect residential amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C16 All of the dwellings on the site shall be 'affordable' as defined in the supporting statement to Policy CS8 in the Peterborough Core Strategy DPD 2011.

Reason: As a result of the development being 100% affordable, it has been demonstrated that the development would not be viable unless a reduction in the scale of contribution required by Policy CS13 of the Peterborough Core Strategy DPD 2011 and the associated Planning Obligation Implementation Strategy (2010) is given.

C17 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

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

C18 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).

Copies to Councillors: A J Miners, C M Saltmarsh, C D Ash

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LOCATION PLAN 13/01159/R4FUL
 Spinney Adventure Play Centre, Hartwell Way, Peterborough PE3 7LE
Scale NTS **Date** 21/8/2013 **Name** AA Department Planning Services



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Application Ref: 13/01159/R4FUL

Proposal: Demolition of existing Spinney play centre and construction of replacement children's play centre with undercover external dining area

Site: Spinney Adventure Play Centre, Hartwell Way, Peterborough, PE3 7LE

Applicant: Little Miracles Peterborough

Agent: Ms Kathryn Money
Eclipse Planning Services

Referred by: Head of Planning, Transport and Engineering Services

Reason: Wider public interest

Site visit: 16.07.2013

Case officer: Mr S Falco

Telephone No. 01733 454408

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

Recommendation: **GRANT** subject to relevant conditions

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

Site Description:

The site is located to the south of Hartwell Way, Ravensthorpe and owned by Peterborough City Council. It is host to the Spinney Play Centre which is a parent led support group and registered charity for families with children that have additional needs and disabilities. The site is also used by the local Scouts and other Community Groups.

The site measures 0.45 hectare, and comprises a pre-fabricated concrete single storey building that has come to the end of its useful life and is no longer fit for purpose as a children's play centre. The existing structure has a footprint measuring 23.1m (length) x 10.9m (depth).

Proposal:

The proposal is to demolish the existing building which has been applied for under application ref: 13/00033/DEMOL and replace the building with a new play centre with a detached covered external seating area that meets the needs of the charity.

The replacement building will have a modern design measuring a footprint measuring 27.3m (length) x 10.9m (depth), with a mono pitch roof that extends to 3.25m to the eaves and 3.8m at its highest point.

The proposed covered seating area has a footprint of 9m x 7.3 with a monopitch roof to match the main building measuring 3m to the eaves and 4m at its highest point. The canopy will be supported by 6no. columns.

The new building will be situated largely in the same location as the existing, with the same orientation, parallel to Hartwell Way. The main change is that the building will be slightly larger and set back deeper into the plot by approximately 4m so that it will not encroach on the canopy and root protection area of the mature trees on site.

2 Planning History

No relevant planning history

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 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 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

Section 6 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

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.

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.

CS20 - Landscape Character

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

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)

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.

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.

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.

PP19 - Habitats and Species of Principal Importance

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

4 Consultations/Representations

Building Control Surveyor

No comments received

Councillor E Murphy (02.08.13)

Raised concerns as to whether the usable floor space of the new hall would be significantly smaller than the existing and questioned the amount of storage that the new building would have.

Councillor G Nawaz

No comments received

Early Years & Child Intervention Team

No comments received

Pollution Team

No comments received

Transport & Engineering Services (12.08.13)

It is noted that this is a replacement children's play centre, the building footprint will only be marginally larger than the original and will be positioned further into the site than the original. It is also noted that the existing vehicular access and hardstanding within the site remains unchanged.

An improvement is to be made by way of a new private footway leading from the existing footway in the public highway to the new building entrance.

Whilst there is limited information provided about number of staff, visitors parking etc, it is assumed that these factors will remain the same as the current use. There is a lay-by which is understood to be used predominantly by visitors to the centre . At the time of my site visit there were two vehicles parked within this area with space for further vehicles to park.

Hartwell Way is a "Clearway" which means that no stopping or parking is permitted within it. On my site visit (when the play centre was open) I did not see any vehicles parking on Hartwell Way, so it would appear that this restriction is complied with.

The site is accessible by foot from Ravensthorpe with footways leading from the southeast and the opposite side of Hartwell Way.

It is noted that the site is unlikely to accommodate adequate space for parking, turning and loading/unloading of all vehicles associated with the demolition and construction phases. It may be necessary for road space to be booked with our street works co-ordinator in order to allow adequate space for vehicles associated with the development to be close to the site.

In summary, the Local Highways Authority (LHA) raise no objections to the proposal as it is a replacement building with no changes to the access or hardstanding within the site.

Property Services

No comments received.

Landscape Officer (12.08.13)

I consider that the Tree Survey and Arboricultural Impact Assessment submitted with this application have been completed in accordance with BS5837:2012 and is considered to be best practice guidance. It is assessed that the proposed development is sympathetic to the Landscape Character of this woodland site. The loss of tree T12 and T5 is considered acceptable owing to their low grade quality. It is noted that the successful implementation of this project, without harm on the existing mature tree cover, is subject to the safe and controlled demolition of the existing building and the creation of raft foundation for the new build. I would therefore like to request a method statement for the demolition of the building (main consideration the removal of the existing foundations in relationship to the tree roots). In addition I would like to see the specification for the raft foundation and footpath entrance to ensure that both are implementable without significant excavation below existing grounds levels.

It is considered that the new building is likely to suffer from leaf litter on the roof. It would thus be prudent to include filtration (mesh or bristle inserts) for rainwater guttering. In addition, the downpipes should be fitted with easily cleanable traps.

Subject to additional information regarding the foundation design of both the building and footpaths I raise no objection to this application.

I would recommend suitably worded conditions to ensure compliance with the tree protection scheme and associated method statements.

Mr Steward Jackson MP

No comments received

Natural England - Consultation Service (09.08.13)

The application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

We would, in any event, expect the LPA to assess and consider the possible impacts resulting

from this proposal on the following issues when determining this application

Police Architectural Liaison Officer (05.08.13)

I confirm that I have viewed the application and have no objections.

The Wildlife Trusts (Cambridgeshire)

No comments received

Wildlife Officer (12.08.13)

Designated Sites:

This development is located adjacent to Water Spinney County Wildlife Site, however I consider that this proposal is unlikely to have an impact upon the features for which this site has been designated a County Wildlife Site.

Protected Species:

Nesting Birds: The proposal involves the removal of a number of trees and shrubs which may support nesting birds. I would therefore recommend that a condition be attached requiring that trees be checked for nesting birds prior to tree/shrub work being undertaken.

Landscaping:

I would encourage the provision of replacement planting using a range of native species.

Opportunities for Biodiversity Gain:

I would recommend that a number of bird nesting and bat roosting features are provided to enhance the development for biodiversity. I would request that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift, as well as bat roosting features.

Conclusion:

I therefore have no objection to the granting of planning permission subject to the use of appropriate conditions as set out above.

The Wildlife Trusts (Cambridgeshire)

No comments received

Local Residents/Interested Parties

Initial consultations:

Total number of responses:

Total number of objections:

Total number in support:

No comments currently received. The closing date for consultation responses 02/09/2013 (after this report was written) Any comments received between writing this report and Planning Committee on 03/09/2013 will be appended to the update report.

5 Assessment of the planning issues

a) Character and Appearance:

The proposal has been designed to be very similar in proportion and scale to the existing building and has taken into consideration the constraints that the site holds. Due to the secluded nature of the site, the proposal has taken into account the need to design out crime where possible by having no openings on the front elevation, which was a key objective with there being very little natural surveillance. This has led to a rather 'closed' front elevation to the building which is often seen as a negative. However, having taken into consideration the security issues of the site, it is deemed that this is the best way forward to protect the building and the site.

The proposed structure is considered to be a significant improvement over the existing pre-fabricated concrete building that has a tired and dated appearance. The new building will be set back further into the plot, therefore reducing its prominence within the streetscene.

On the basis of the above assessment the proposal is not considered to have any note worthy detrimental impact on the character and appearance of the area in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP02 of the Peterborough Planning Policies DPD 2012.

b) Area Amenity:

The proposal is very similar in scale to the existing building. The replacement building is not considered to significantly intensify the use of the site over and above the current set up.

The closest dwellings are located 30m from the site and due to the single storey nature of the replacement building the proposal is not considered to be detrimental to neighbour amenity by way of overlooking, overbearing or overshadowing in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP03 of the Peterborough Planning Policies DPD 2012.

c) Highways:

The Local Highways Authority have considered that the proposal would not result in any additional impact on the adjacent public highway due to the fact that the use is already in existence and the size of the building is only marginally larger. Therefore the site is not being significantly intensified and on that basis the proposal is considered to be in accordance with Policy CS14 of the Peterborough Core Strategy DPD 2011 and PP12 and PP13 of the Peterborough Planning Policies DPD 2012

d) Landscape:

The site is heavily wooded and therefore great care must be taken to protect the trees worthy of retention from harm throughout the demolition, groundworks and construction phase of the development. A topographical survey has been submitted with the application along with a tree survey and Arboricultural Impact Assessment. There are some smaller trees to be removed on the site, but the Landscape Officer has responded to the consultation positively, stating that the loss of the two trees is acceptable as they are not worthy of a Tree Protection Order. The tree surveys and Arboricultural Impact Assessments have been carried out in accordance with best practice and the proposed development is considered to be sympathetic to the more important trees and the landscape character of the woodland site.

The design has taken into account the tree canopies and the root protection areas of the mature trees and therefore the proposal is considered to be in accordance with Policy CS20 of the Peterborough Core Strategy DPD 2011 and PP1 of the Peterborough Planning Policies DPD 2012.

e) Wildlife:

The site is located adjacent to the Water Spinney County Wildlife Site. The site as stated above is heavily wooded and therefore care needs to be taken in protecting any wildlife on site.

The Wildlife Officer has assessed the proposal and responded to the consultation stating that the development is unlikely to detrimentally impact on the elements that have led the surrounding site to be designated a County Wildlife Site.

Due to the fact that there will be the loss of some trees and shrubs on site. Whilst the works will be carried out outside nesting season, the Wildlife Officer has recommended that a condition requiring necessary checks for nesting birds before work is undertaken. This is best dealt with by way of an informative as planning permission is not required for the proposed works to trees and shrubs.

Natural England has no objections and stated that any comments from the Local Authority's Landscape Officer should be taken into consideration.

The Wildlife Officer has no objections to the proposal and therefore the proposal is considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD 2011 and PP16 and PP19 of the Peterborough Planning Policies DPD 2012

f) Representations:

The concern raised as to the size of the new hall and the provision of storage in relation to the existing was a good question. In terms of the usable floorspace of the two halls, the existing measures approximately 12.6m x 8.2m and the proposed is to measure 9.8m x 9.4m. It is considered that the resultant floorspace is marginally smaller, but the provision of other multi use floorspace by way of a number of smaller rooms serve as an improvement over the single use floorspace that exists.

Confirmation has been sought that storage space will be provided within the building in addition to the existing storage containers that are proposed to be retained post development.

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 proposal is not considered to have any note worthy detrimental impact on the character and appearance of the area and will act to improve the locality in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP02 of the Peterborough Planning Policies DPD 2012.
- The proposal is not considered to be detrimental to the neighbour amenity by way of overlooking, overbearing or overshadowing in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP03 of the Peterborough Planning Policies DPD 2012.
- The proposal is not considered to be detrimental to the adjacent public highway in accordance with Policy CS14 of the Peterborough Core Strategy DPD 2011 and PP12 and PP13 of the Peterborough Planning Policies DPD 2012
- The design has taken into account the tree canopies and root protection areas of the mature trees and therefore the proposal is considered to be in accordance with Policy CS20 of the Peterborough Core Strategy DPD 2011 and PP1 of the Peterborough Planning Policies DPD 2012.
- Neither Natural England or the PCC Wildlife Officer have objections and therefore the proposal is considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD 2011 and PP16 and PP19 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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- C 2 The construction of the hereby approved development shall not be carried out except in accordance with the approved details on plan reference: 4000/02, LM-01, LM-02 RevB, LM-03 LM-04, LM05 Rev A, RP180713-DRW01 and 190713/AIA/RP

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).

- C 3 The works carried out on site shall be in strictly accordance with the submitted Tree Survey and Arboricultural Impact Assessment Ref: 190713/AIA/RP (31/07/2013).

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP14 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors: E Murphy, G Nawaz

**EXEMPT REPORT –
Not for publication by
Virtue of paragraphs 1,
2 & 3 of Part 1 of
Schedule 12A of the
Local Government Act
1972**

Item 5.6 (E1)

E1 Enforcement Action in Newborough Ward

**REFERRED: HEAD OF PLANNING SERVICES
CONTACT OFFICER: NICHOLAS HARDING
TELEPHONE: 01733 454441
E-MAIL: NICHOLAS.HARDING@PETERBOROUGH.GOV.UK**

1 SUMMARY

Planning & Environmental Protection Committee is asked to consider appropriate enforcement action in relation to an unauthorised development in accordance with Part 3, Delegations - Section 2.5.1.3(a) of the City Council's constitution.

2 NATURE OF EXEMPT INFORMATION

This report contains an exempt annex NOT FOR PUBLICATION in accordance with paragraphs 1, 2 and 3 of Schedule 12A of Part 1 of the Local Government Act 1972. The public interest test has been applied to the information contained within the exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it. Disclosing the information is likely to identify an individual or company where prosecution is being considered.

ENF REF No.	REASON
13/00182/ENFAD, 13/00183/ENFAD, 13/00184/ENFAD, 13/00185/ENFAD, 13/00186/ENFAD and 13/00187/ENFAD	Disclosing the information is likely to identify an individual or company where prosecution is being considered.

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
3 SEPTEMBER 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Marco Cereste – Leader and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer:	Nick Harding (Area Manager, Development Management)	Tel. 454441
Reporting Officer:	Theresa Nicholl (Development Manager)	Tel: 454442

REVIEW OF LOCAL LIST PLANNING APPLICATION VALIDATION REQUIREMENTS

R E C O M M E N D A T I O N S	
FROM : Head of Planning Services	Deadline date : Forthwith
That the Committee notes the proposed changes to the Local Validation List requirements as set out in the Council's "One Stop Shop" on the Planning and Building Control web pages.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 To inform the Committee of the proposed changes to the Local Validation List requirements.
- 1.2 On previous occasions, changes to the Local Validation List, which sets out what information has to be submitted with planning applications, have been reported to the Committee.
- 1.2 This report is presented to the Committee under its terms of reference 2.5.1.6, of Part 3 Section 2 of the Constitution, "to assess and review the performance of the services which fall within the terms of reference for the Committee".

2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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3. LOCAL LIST AND VALIDATION REQUIREMENTS

Changes to the Development Management Procedure Order

- 3.1 The Development Management Procedure Order is the main piece of secondary legislation (stemming from the main "Planning Acts") that sets out how Local Planning Authorities (LPAs) must process planning applications from their receipt and validation through to determination and appeals. Government has recently issued a regulation (SI 2013 1238) which amends the application requirements in respect of design and access statements, reasons for issuing decisions and validation (local list) requirements. This report is concerned with the latter. Generally, the purpose of the amendment to the regulations is to simplify the planning process and remove "obstacles" in respect of determining applications in an efficient manner. These regulations came into effect on 25 June 2013.
- 3.2 Planning applications must be submitted with particulars that are set out in national requirements (e.g. forms, ownership certificates, plans and correct fee etc) and particulars

set out on the local list of requirements which is determined by each LPA. Peterborough City Council's (PCC) Local List of requirements is set out for each application type (e.g. full, outline, reserved matters etc) on the "One Stop Shop" pages on the Council's website. Applications which (prior to this amended regulation) did not provide all of the required information would have to be made invalid until such information was supplied.

- 3.3 The amended regulation now requires that the local requirements must be ***"reasonable having regard, in particular to the nature and scale of the development and about a matter which it is reasonable to think will be a material consideration in the determination of the application."***
- 3.4 A new procedure has been introduced whereby the applicant can challenge a decision not to validate an application and appeal (after 8/13 weeks of receipt). In addition from 31 July 2013 the applicant need only provide such local list requirements where they fall within a list of requirements that the LPA has published or republished on its website within the last 2 years. We last republished our local list in January 2013 when the RECAP waste management checklist was added.

What this means and what we intend to do

- 3.5 Government has clearly signalled that it expects the planning process to be more streamlined and straightforward for applicants and that LPAs must challenge their own requirements relating to the local list. Taking into account this clear steer and the desire to avoid validation disputes which could potentially be costly in both time and expense for the LPA, officers have critically examined the present local list with a view to reducing it down to a minimum whilst ensuring it is fit for purpose. It is considered that this will make it easier for applicants to assemble a planning application and to have it validated. It will also reduce the risk to the LPA in the applicant being able to challenge whether a requirement is reasonable with regard to the scale and nature of the site etc.

Possible adverse risk

- 3.6 A possible adverse risk to reducing the local list is that if an application is submitted without information that is then found to be necessary for the case officer to make a recommendation, the LPA will either have to request further information from the applicant, re-consult and perhaps allow the application to go "over time" (i.e. the 8 or 13 week determination period depending on whether a minor or major application) or determine it as it stands and refuse permission. If an application is allowed to continue past the normal determination period it will only be with the agreement of the applicant because the LPA is being monitored on performance with regard to the government's "special measures" regime (under performing authorities can have their determination rights removed and applicants can apply for permission direct to the Planning Inspectorate).
- 3.7 It must be emphasised that removal of a requirement for information from the Local List does not mean that an issue will not form part of the officer's consideration of the application. It simply means that the information will not be requested up front in order to make the application valid. The new requirements of the regulations (set out in bold text above) mean that information requirements must be tailored to a large degree to the particular application and site in question. This does involve subjective considerations. Competent persons who regularly submit applications on behalf of applicants should, on the smaller scale developments, be able to exercise such judgement. Officers will need to do so also, BUT, given the proposed streamlined local list of requirements, this local list will be the starting point and national requirements remain mandatory. It is not therefore anticipated that there will be many challenges to the information we will request up front.

How can prospective applicants be certain of what needs to be submitted?

- 3.8 The revised local list will be incorporated into the "One Stop Shop" pages on the Council's Planning web site pages. However, sometimes it may be difficult for applicants to decide whether information is necessary. A prospective applicant may also want a degree of

certainty with regards their submission requirements and to minimise risk of delay. An applicant can expect that as part of our pre-application service, the case officer will advise in writing as to what will be required with the application to make it valid. Pre-application advice is chargeable, the cost depending on the type and scale of application.

- 3.9 We propose to offer a new “strand” to our present pre-application service whereby an applicant provides us with brief details of the proposal, a location plan and a fee of £25. We will then provide the applicant with a list of required documents (taking into account the nature of the application) to make the application (if submitted) valid. This may help speed up the processing of small to medium scale applications. For large and/or complex applications we would expect applicants to use the full pre-application service.

“Going live” with the new local list requirements

- 3.10 The possible risks and benefits set out above have been taken into account and the intended changes to the Local List requirements are set out in the table at **Appendix A**. It is the intention to go “live” with these changes on our website within two weeks of this Committee. An explanation of the reasons for the changes will be placed on the website (with a link to this report) and comments will be invited. If any minor changes need to be made as a result of the comments these will be made as necessary. Previous consultations to add requirements to the Local List have received no comment therefore it is likely that a reduction in the requirements is likely to receive few comments.

4. CONCLUSION

- 4.1 It is proposed to streamline the local list of validation requirements in accordance with **Appendix A**. This will accord with the government’s aims of simplifying the application process and will reduce the likelihood of the LPA being challenged by applicants on its validation requirements. There is some risk that whilst this will speed up the validation process, in some cases it could cause delay during the consideration of the application; it may become apparent that additional information is needed to enable the case officer to make a proper recommendation. This may result in some applications being refused if the requested information is not provided in a timely manner or otherwise the LPA will require an extension of time from the applicant in order to try to resolve outstanding issues. This will be at the officer’s discretion, taking into account the circumstances of each case.
- 4.2 To assist potential applicants with validation requirements we already offer a pre-application advice service. We propose to extend this service to provide a list of validation requirements only (on request) for a small fee. All of these changes will be published on the planning and building control pages of the PCC website.

5. BACKGROUND DOCUMENTS

Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
SI 2013 No
1238http://www.peterborough.gov.uk/planning_and_building/planning_permission/one_stop_shop.aspx

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APPENDIX A

PETERBOROUGH CITY COUNCIL “ONE STOP SHOP” (OSS) VALIDATION REQUIREMENTS CHECKLIST FOR A FULL PLANNING APPLICATION*

EXISTING REQUIREMENT	PROPOSED
Completed application form	Retain – national requirement
Correct Fee	Retain – national requirement
Location Plan	Retain – national requirement
Ownership Certificates	Retain – national requirement
Agricultural Holdings Certificate	Retain – national requirement
Design and Access Statement	Retain – national requirement (on limited applications)
Existing site layout plans (block plan)	Necessary drawings are a national requirement – retain current OSS requirement
Proposed site layout plans (block plan)	Necessary drawings are a national requirement – retain current OSS requirement
Existing floor layout plans	Necessary drawings are a national requirement – retain current OSS requirement
Proposed floor layout plans	Necessary drawings are a national requirement – retain current OSS requirement
Existing elevations	Necessary drawings are a national requirement – retain current OSS requirement
Proposed elevations	Necessary drawings are a national requirement – retain current OSS requirement
Roof plans	Amend to only require for complex roof structures
Cross section and site levels	Amend to only require where site or site and surrounding land at variable levels
Environmental Impact Assessment	Required in certain cases in accordance with the Town and Country Planning (Environmental Impact Assessment)

Regulations 2011 – keep requirement as existing	Remove from local requirements. This relates to policy CS10 of the Core Strategy. Officers consider that can be dealt with through assessment of other application particulars and through conditions where appropriate.
Statement of contribution towards environment capital	Remove – can be covered in other application particulars and drawings
Supporting planning statement	Remove – officers normally photograph a site during a site visit
Photographs or photomontages	Retain – required for certain types of development in areas of high flood risk and will be required by the Environment Agency before they will provide consultation advice on those applications
Flood Risk Assessment	(For applications requiring FRA in Hampton and Hempstead, the FRA should demonstrate compliance with the approved strategic FRA for the township)
Planning Obligations	At present a draft heads of terms is required. It is proposed to require the applicant solicitor details and proof of title up front because failure to provide this information early on has lead to applications being unduly delayed.
Tree or arboricultural survey	Retain (only required in certain circumstances where trees are present)
Biodiversity checklist (survey and report)	Propose to amend by creation of a simplified checklist which will be tailored to small scale (householder and minor) development and retain the existing checklist (slightly amended) for major development/EIA development
Details to accompany a waste development which includes mineral extraction	Retain but the precise details for each such application should be the subject of pre-application discussion
Archaeological Assessment	Retain (only required in certain circumstances)
Structural Survey	Retain (will no longer be required where change of use only from

	an agricultural building where such change now falls within the new prior approval procedures and a planning application is not required)
Landfill statement	Retain (only required in certain circumstances)
Land contamination Assessment	Retain where contamination is known or suspected
RECAP waste management checklist	Remove – this was added to the list in January 2013 as a result of policy CS28 of the Minerals and Waste Core Strategy and the RECAP Waste Management Design Guide. Officers will be applying the policy when considering the applications but are not finding the checklist is helpful in the determination of the application. Whether adequate waste disposal facilities are provided is best shown on the plans and through other submission material. The checklist is also too complex for the majority of applications.
Retail, leisure and office development impact assessment	Retain but remove reference to office development in accordance with the National Planning Policy Framework (NPPF) and policy PP9 of the PCC Planning Policies DPD
Conservation area appraisal	Retain but merge into Design and Access Statement
Transport assessment	Retain (required for certain types and scale of development)
Draft framework travel plan	Remove - not needed as can be dealt with through other means
Affordable housing statement	Remove – not needed as can be dealt with through other means
Lifetime homes details	Re-word – require for 15 or more dwellings and request that lifetime homes dwellings be shown on the block plan and how lifetime homes standards will be met. (required by policy CS8 of the Core Strategy)
Open space assessment	Remove – can be assessed by case officers other submissions
Statement of community involvement	Remove – not needed to make an application valid
Noise impact/acoustic report	Retain as existing
Air quality assessment	Retain (slightly amended to be more specific about when required)

Ventilation or extraction details	Remove – not needed to make application valid and can be dealt with by other submission/drawings or condition as appropriate
Details of any lighting scheme	Remove – not needed to make application valid and can be dealt with by other submission/drawings or condition as appropriate
Sunlight and Daylight Assessment	Not necessary to make valid as in the majority of instances the case officer will undertake this as part of the consideration of the application from the drawings submitted

* The above amendments would be carried across all application types e.g. outline applications, reserved matters

GREY SHADING – Validation requirements that are either proposed to be removed or made less onerous in the majority of cases