

## PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 8 OCTOBER 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 **3 September 2013** 3 - 18

4.2 **17 September 2013** 19 - 24

5. **Development Control and Enforcement Matters**

5.1 **13/00890/OUT - 48-50 Jubilee Street, Woodston, Peterborough, PE2 9PH** 25 - 38

5.2 **13/00927/FUL - Land at Manor Drive, Gunthorpe, Peterborough - Phase 4** 39 - 58

5.3 **13/00928/FUL - Land at Manor Drive, Gunthorpe, Peterborough - Phase 6** 59 - 78



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.

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|-----|--|------------------|
| 5.4 | <b>13/00967/FUL - Land to the North of 4, Werrington Bridge Road, Milking Nook, Peterborough</b> | <b>79 - 98</b>   |
| 5.5 | <b>13/01263/FUL - 70-80 Storrington Way, Werrington, Peterborough, PE4 6QP</b>                   | <b>99 - 108</b>  |
| 5.6 | <b>13/01272/FUL - Lavender House, 205 Broadway, Peterborough, PE1 4DS</b>                        | <b>109 - 122</b> |

**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](mailto: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 3 SEPTEMBER 2013**

**Members Present:** Councillors Harper (Vice Chairman), Hiller, North, Todd, Sylvester, Lane and Harrington

**Officers Present:** Jonathan Lewis, Assistant Director Education and Resources (Item 5.1)  
Nick Harding, Group Manager Development Management  
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 Serluca (Chairman), Councillor Simons and Councillor Shabbir.

**2. Declarations of Interests**

There were no declarations of interest.

**3. Members' Declaration of Intention to Make Representation as Ward Councillor**

Councillor Todd declared that she would be speaking as Ward Councillor on item 5.3, 229 Star Road.

Councillor Harrington declared that he would be speaking as Ward Councillor on item 5.6, E1 Enforcement Action in Newborough Ward.

**4. Minutes of the Meetings held on:**

**4.1 9 July 2013**

The minutes of the meeting held on 9 July 2013 were approved as a true and accurate record.

**4.2 23 July 2013**

The minutes of the meeting held on 23 July 2013 were approved as a true and accurate record.

**5. Development Control and Enforcement Matters**

## **5.1 13/00649/FUL - Construction of 52 new dwellings and garages and supporting infrastructure, Land Off, Thorney Road, Eye, Peterborough**

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

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

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 submissions made in relation to the application following publication of the committee report. These were outlined in full in the update report and in summary included:

- An amended layout plan, changes which included the extension of the footway across the site frontage, changes in the turning area to plot 52 and the addition of speed calming;
- A response from the Environment Agency stating that there were no objections to the application subject to the imposition of a condition relating to details of a scheme, including phasing, for the provision of mains foul water drainage on and off site being submitted and approved in writing by the Local Planning Authority;
- An email received from Ward Councillor Dale McKean containing an amendment to a previously submitted objection relating to the density of the development;
- An email received from Mr Stewart Jackson MP withdrawing his substantive letter of objection to the application with the caveat that wording be noted as follows - "Stewart Jackson MP supports the comments by Councillor Dale McKean and is concerned at the impact of the development on local infrastructure in the village of Eye and would ask both the Local Planning Authority and developer to revisit S106 funding allocations, in light of the concerns of local City Councillors and Eye Parish Council.";
- A further objection email from Mr Stuart Macdougald-Denton, a local resident, including photographs, relating to the inadequacy of Millport Drive to accommodate any further traffic and a request that a condition be imposed stating that construction traffic must access the site from Thorney Road and not Millport Drive; and

- A revised Officer's recommendation, which was one of approval, subject to the imposition of relevant conditions.

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

- It was requested that the application be deferred until the village school and infrastructure had recovered from existing growth. This would be at least until the 2017/18 intake year with the current school conditions;
- Over the last three years, there had been a number of new houses built;
- The Adopted Site Allocations Document was approved for a maximum of 50 houses, at 20 per hectare;
- The Planning Inspector had put in a specific condition relating to the infrastructure in the village being able to cope and a deferral to be sought if that was not the case;
- This application should be for a maximum of 36 houses;
- Information from the Assistant Director of Education and Resources had stated that the school was unable to cope this intake year and the next. The reception year was full until 2017/18;
- The tables submitted in Councillor McKean's objection highlighted the situation with regards to school places. This did highlight availability in future years, but not at the current time;
- The site over the road from the proposal site, for another 50 houses, was a year away from development also;
- An intake of 90 children was not recommended. The school would not be able to cope and all facilities would need to increase;
- The application was for high density development and it would bring in a high proportion of primary school children due to the social housing;
- The level of social housing was having a negative impact on the village and the school;
- The revised application did not address the core objections raised by the local residents;
- It was requested that the number of houses be reduced further to 36 maximum and that the number of affordable social houses be commuted outside of the Eye Village;
- It was requested that more bungalows be built in the village. This would assist with easing pressure on the school;
- Financial viability was a serious concern;
- There were concerns around site access and the fact that there was no access to the site from Thorney Avenue;
- Councillor Sanders had also objected to the application;
- There were concerns around surface water;
- There were concerns around pedestrian access through the site; and
- Thorney Road had significant rat run issues, traffic calming measures along Thorney Road were therefore required.

Mr Tim Slator, on behalf of Larkfleet Homes the joint Applicant for the proposal, addressed the Committee and responded to questions from Members. In summary, key points highlighted included:

- Gratitude was extended to Officers for their support, both throughout the pre-application process and during the formal application process;
- The Planning Officer's report was endorsed and considered to be a fair reflection of the planning position;
- The site was an allocated site within the recently adopted Development Plan. The provision of services and facilities was critical to the site allocation process;
- Peterborough City Council had an adopted process for the provision of infrastructure and services associated with development;
- The entire purpose of the POIS system was to provide funds for services associated with development;
- Education Officers had advised that there was adequate provision and therefore the application had proceeded;
- The site would deliver houses in line with the Government's and Peterborough City Council's growth agenda; and
- With regards to the access for construction traffic, a Construction Management Plan Condition would usually be in place. Taking this traffic away from Millport Drive could be considered.

Following questions to the speakers, the Group Manager Development Management addressed a number of concerns raised relating to the number of dwellings on the site, the viability of the site, the S106 contributions, surface water disposal, access, traffic calming and education provision in the area.

Mr Jonathan Lewis, the Assistant Director Education and Resources was invited to address the Committee and expand on the comments made within the committee report. In summary it was advised that the development would not be of adequate size to warrant an increase in the size of the school.

Members debated the application and raised points for and against. There was obvious strong feeling amongst local residents and Ward Councillors in relation to the application, however all concerns raised had been adequately addressed by Officers. Although there were some remaining concerns around the density of the site and the lack of amenity space, it was felt that the development would be an attractive, well needed, addition to the village.

A motion was put forward and seconded to approve the application as per the revised Officer recommendation, an additional condition relating to construction traffic access and any additional condition and highways issues to be dealt with at Officer level. The motion was carried by 5 votes, with 2 abstentions.

**RESOLVED:** (5 For, 2 Abstentions) to approve the application, as per Officer recommendation. The proposal provided for less affordable housing than was required by adopted Council Planning Policy. This was because site viability did not look as if it would allow for full provision to be made. However, the viability assessment negotiations had not yet been finalised and therefore Officers sought authority to grant planning permission subject to:

1. The viability assessment satisfactorily demonstrating that only 12 affordable

- units could be provided;
2. The signing of the S106 as outlined in the committee report;
  3. Any further Highways issues to be dealt with at Officer level;
  4. Conditions numbered C1 to C28 as detailed in the committee report; and
  5. An additional condition relating to access for construction traffic.

**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:

- This was an allocated housing site within the Adopted Site Allocations DPD and lay within the village envelope of Eye which was designated as a Key Service Centre;
- The proposed access was 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 made 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 provided an appropriate provision of public open space with play equipment;
- The proposal made satisfactory provision for affordable housing within the site; and
- The proposal made a contribution towards the social and physical infrastructure demands that it would place on the area.

Hence the proposal was in accordance 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.

**5.2 13/01105/HHFUL – 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. 13 Nottingham Way, Dogsthorpe, Peterborough, PE1 4NF**

The application site comprised a two storey detached residential dwelling, located within a residential estate of uniform character. The main dwellinghouse 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 was a small area of landscaping to the front comprising shrubs and an immature silver birch tree which provided some screening to the dwelling and garage. The garage had a blank gable elevation which fronts the public highway and was constructed of buff brick and brown concrete roof tiles.

The application had 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, would 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 sought to ensure that new development made a positive contribution to the quality of the built environment.*

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

The proposal was 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. This did not require the benefit of planning permission.

The Group Manager Development Management provided an overview of the proposal and advised that further comments had been received from both Councillor John Shearman, who had stated that his comments had been misrepresented within the committee report, in that he had not objected to the application, rather he was acting on behalf of local residents and Councillor John Peach, requesting that the application be called into the Committee should the recommendation be one of approval. It was advised that the Officer's recommendation was one of approval subject to the imposition of relevant conditions.

Ward Councillor John Peach addressed the Committee. In summary the key points highlighted included:

- A while ago, Councillor Peach had been in contact with a Senior Planner who had stated that she was minded to refuse the application. This was later confirmed in an email;
- Why had the application come back again and why was it recommended for approval?
- The application was out of keeping with the area, to the detriment of local residents and the environment;
- Whilst there had been extensions in Nottingham Way in the past, none of these included a free standing annex such as a garage; and
- If permission was granted, it would open the way up for similar development on nearby sites.

Ward Councillor John Shearman addressed the Committee. In summary the key points highlighted included:

- There were still strong concerns regarding the application from local residents;



- The development would not be a self-contained development and it would increase movement from the house to the garage. This would impact on nearby neighbours;
- The development would not necessarily create a precedent for other developments, however a similar application would be difficult to turn down; and
- It was never the purpose of the estate to use garages as living accommodation.

Mr Rod McDonald, a neighbour and objector, addressed the Committee. In summary key points highlighted included:

- The conversion was out of keeping for the area and would impact on the amenity of the neighbours;
- Mr McDonald shared a driveway with the Applicant;
- The metal and plastic cladding would not be in-keeping with the area;
- There would be an impact on neighbour privacy, more than the original plan would have had;
- There would be a clear line of vision into Mr McDonald's lounge and upper bedroom window; and
- The conversion would have the appearance of a storeroom with very natural light, not suitable accommodation for a person.

Following questions to the speakers, the Group Manager Development Management reconfirmed that the only change to the application was the removal of windows in the western elevation and the insertion of a door in the eastern elevation.

Members expressed concern at the lack of light that the residents inside the property would have and that this may mean that they would tend to gravitate towards the area around the door. However, the previous reasons for refusal had been in relation to the windows facing the streetscene.

A motion was put forward and seconded to approve the application as per Officer recommendation. The motion was carried by 4 votes, with 1 voting against and 2 abstentions.

**RESOLVED:** (4 For, 1 Against, 2 Abstentions) to approve the application, as per Officer recommendation, subject to:

1. Conditions C1 and C2 as detailed in the committee report; and
2. The notes to the Applicant, IN1 to IN3, 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 external alterations would 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 would 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).

The meeting was adjourned for ten minutes.

### **5.3 13/00787/FUL – Proposed demolition of existing factory and construction of two dwellings, 229 Star Road, Eastgate, Peterborough, PE1 5ET**

The application site comprised a detached two storey industrial premises (Use Class B2) located within a predominantly residential area. The building was 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 had been rendered with green painted wooden windows and doors. There was an area of hardstanding to the front and side of the property which provided some car parking and a single storey lean-to garage which was sited adjacent to 122 Padholme Road.

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

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

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

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

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 Pollution Control requesting that the Developer assess the site for the presence of contamination, and where necessary, submit an appropriate scheme for remediation. The Officer's recommendation was one of refusal.

Ward Councillor Marion Todd, addressed the Committee and responded to

questions from Members. In summary the key points highlighted included:

- The size of the garden was not reason enough to refuse the application, it was adequate for the type of property in the area;
- The parking provision was adequate and there was also on road parking available for a small cost. There had been no accidents relating to the site;
- The house was close to town and therefore residents would not necessarily want cars;
- The properties would not lend themselves to be homes for life, they would be ideal starter homes;
- The majority of houses along Star Road were terrace with no parking and garages; and
- It was not the ideal location for a business premises.

Mrs Annetta Sleight, the Applicant, addressed the Committee. In summary the key points highlighted included:

- The premises had been a family business for 60 years and had been recently vacated. Consideration had been given as to how best to use the site;
- The building needed to be demolished and it was felt that the provision of two houses was the best solution;
- Parking was an issue in the area, however many areas in Peterborough had the same issues;
- The first house would have a garage and the second house would be able to utilise an inner space, well within the driveway;
- If people did not like the parking, they would not move there in the first instance;
- Many young people living in the vicinity did not own cars; and
- The garden area would be slightly small, but many young people wanted easy maintainable gardens;

Following questions to speakers, the Highways Officer addressed the Committee and stated that the parking provision on site was inadequate due to the lack of turning space available and as such, he could not support the application.

Members debated the application and raised concerns. It was commented that the development was good in principle, however the parking provision was inadequate for the two proposed dwellings. A single dwelling would be more appropriate for the 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 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 for the specific reasons given below:

- 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);
- The application scheme failed 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 was 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);
- The application scheme failed 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);
- The proposal failed 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); and
- The application proposal failed to make provision for additional infrastructure and community facilities which were necessary as a direct consequence of the proposed development. The proposal was therefore contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and the Planning Obligations Implementation Scheme SPD (2010).

#### **5.4 13/00835/R4FUL – Demolition of existing care home, and construction of 17 chalet bungalows and creation of 34 car parking spaces, The Peverels, 34 Pine Tree Close, Dogsthorpe, Peterborough**

The application site was approximately 0.4 hectares and was located at the eastern end of Pine Tree Close, Dogsthorpe. The site contained a former residential care home comprising a single building mainly single storey with two storey element to the east. The care home was now vacant. The site was an island site contained between the two arms of Pine Tree Close and therefore had a street frontage to the north, west and southern boundaries. The east boundary was fenced and abutted existing residential properties on Acacia Avenue. The surrounding area was predominantly residential in character comprising two storey developments with open frontages. The existing Care Home incorporated 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.

Planning permission was 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.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. The Officer's recommendation was to approve the application subject to the imposition of relevant conditions and the signing of a legal agreement.

Members' attention was drawn to additional information contained within the update report and it was highlighted that a Construction Management Plan had been submitted and the Highway Section had raised no objections. Condition 7 in the committee report was therefore to be amended to a compliance condition.

Further comments had also been received from Ward Councillor Adrian Miners and Ward Councillor Chris Ash in support of the application.

Ward Councillor Chris Ash, addressed the Committee. In summary the key points highlighted included:

- The Ward Councillors had been involved at an early stage and it was disappointing that some of their comments had not been included within the committee report;
- The dormer windows made the application look somewhat ugly, and this had been mentioned by Ward Councillors previously;
- There had been a highways issue, relating to additional off parking, which had now been clarified; and
- It was requested that during the demolition and construction phases, the hours of operation be specified within a condition. There were many elderly residents who would not want construction work early in the morning and late at night.

Mr David Turnock, the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The scheme had evolved from another scheme recently completed in Eye, which was being put forward for a design award;
- The units were designed to be as usable and as flexible as possible by Cross Keys Homes Residents;
- They would be homes for life and sustainable homes and would be secured by design;
- There would be 37 car parking spaces, not 34. Two for each dwelling and three for visitors;
- It was hoped that work could commence by the end of September, should the Committee be minded to grant the application as there was some

Homes and Communities Agency (HCA) monies being awarded to help fund the project;

- A contractor, who was likely to be appointed, was part of the Considerate Contractors Scheme, so residents needs would be taken account of during demolition and construction;
- The hours of working had been specified within a Construction Management Plan;
- The scheme would regenerate the area and should be finished by June 2014.

Following questions to the speakers, Members commended the scheme and stated that it would be an excellent addition to the area.

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

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

1. Conditions numbered C1 to C18 as detailed in the committee report (C7 to become a compliance condition).

#### **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 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 made 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 provided adequate parking provision for the occupiers of the dwellings and visitors and would not result in any adverse highway implications;
- The proposal would provide affordable dwellings and would meet an identified housing need; and
- The proposal made satisfactory and justified contribution towards the social and physical infrastructure demands that it would place on the city.

Hence the proposal was in accordance 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.

#### **5.5 13/01159/R4FUL – Demolition of existing Spinney play centre and construction of replacement children's play centre with undercover external dining area, Spinney Adventure Play Centre, Hartwell Way, Peterborough,**

## **PE3 7LE**

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

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

The proposal was to demolish the existing building which had 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 met the needs of the charity.

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

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

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

The Group Manager Development Management provided the Committee with an overview of the proposal and the main 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 and it was highlighted that revised comments had been received from the Landscape Officer stating that there were no objections raised against the proposal. Further comments had also been received from Ward Councillor Ed Murphy and Ward Councillor Gul Nawaz in support of the application.

Members commended the facility and stated that it would be fantastic for the area and the city. A motion was put forward and seconded to approve the application, as per Officer recommendation. The motion was carried unanimously.

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

1. Conditions numbered C1 to C3 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 proposal was not considered to have any note-worthy detrimental impact on the character and appearance of the area and would 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 was 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 was 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 had taken into account the tree canopies and root protection areas of the mature trees and therefore the proposal was considered to be in accordance with Policy CS20 of the Peterborough Core Strategy DPD 2011 and PP1 of the Peterborough Planning Policies DPD 2012; and
- Neither Natural England nor the Peterborough City Council Wildlife Officer had raised objections and therefore the proposal was 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.

## **5.6 E1 – Enforcement Action in Newborough Ward**

Members were asked to determine whether the item, which contained 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 during 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 requesting it to consider appropriate enforcement action in relation to unauthorised development and whether it was appropriate that supplementary planning policy be prepared in relation to the subject under consideration.

Following debate, a motion was put forward and seconded to agree that enforcement action be taken. The motion was carried unanimously.

A second motion was put forward and seconded to agree that it would not be



appropriate for supplementary planning policy to be prepared.

**RESOLVED:** (Unanimously), to agree that enforcement action be taken, as per Officer recommendation and that it would not be appropriate for supplementary planning policy to be prepared in relation to the subject under consideration.

**Reasons for the decision:**

The Committee considered that enforcement action was required, and that it would not be appropriate for supplementary planning policy to be prepared, as per the reasons outlined in the exempt committee report.

**6. Review of Local List Planning Application Validation Requirements**

A report was presented to the Committee which highlighted the proposed changes to the Local Validation List requirements. On previous occasions, changes to the Local Validation List, which set out what information had to be submitted with planning applications, had been reported to the Committee.

It was proposed to streamline the local list of validation requirements in accordance with the government's aims of simplifying the application process. This would reduce the likelihood of the Local Planning Authority (LPA) being challenged by Applicants on its validation requirements. There was some risk that whilst this would 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 would be needed to enable the Case Officer to make a proper recommendation. This could result in some applications being refused if the requested information was not provided in a timely manner or otherwise the LPA would require an extension of time from the Applicant in order to try to resolve outstanding issues. This would be at the Officer's discretion, taking into account the circumstances of each case.

To assist potential Applicants with validation requirements, a pre-application advice service was already offered. It was proposed to extend this service to provide a list of validation requirements only (upon request) for a small fee. All of these changes were to be published on the planning and building control pages of the Peterborough City Council website.

**RESOLVED:**

The Committee noted 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.

1.30pm – 4.35pm  
Chairman

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**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL  
PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 17 SEPTEMBER 2013**

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

**Officers Present:** Nick Harding, Group Manager Development Management  
Jez Tuttle, Senior Engineer (Development)  
Phil McCourt, Solicitor  
Jim Daley, Principal Built Environment Officer  
John Wilcockson, Landscape Officer  
Alex Daynes, Senior Governance Officer

The Chairman addressed the Committee and advised that there had been a request received from the press to be permitted to take photographs throughout the proceedings. The Committee's approval was sought and this was agreed unanimously.

**1. Apologies for Absence**

Apologies for absence were received from Councillors Harrington and Lane.

Councillor Ash was in attendance as substitute.

**2. Declarations of Interests**

There were no declarations of interest.

**3. Members Declaration of intention to make representation as Ward Councillor**

There were no intentions made.

**4. Development Control and Enforcement Matters**

Following a request from the Chairman, the Committee agreed to change the order of the agenda so that item 4.3 would be taken as the last item of business.

**4.1 13/00660/FUL - 270 Eastfield Road, Peterborough, PE1 4BE**

The Committee received an application for the demolition of an existing office building and erection of two blocks of student accommodation incorporating eight flats and 31 studios. The Planning Officer introduced the application advising the Committee that the current proposal was to demolish the property on the site and construct two blocks of student accommodation. This accommodation would be a

combination of shared flats and small studios; a total of 77 bedrooms (reduced from an initial proposal for 90 bedrooms). A reception area, common room and laundry would also be provided. The existing driveway would be re-used and would lead to parking spaces along the north-west, west and south of the site.

Councillors Peach and Shearman addressed the Committee on behalf of residents in Park Ward and highlighted concerns such as the impact on neighbours and local residents by way of noise, traffic and on-street parking, the design did not enhance the area, the current building should be on the list of buildings of local importance and there was no alternative design put forward to retain the current building.

Mr Stewart Jackson MP addressed the Committee opposing the application on behalf of residents raising issues including the proximity to the Park Ward conservation area, the design was not in keeping with the area, the building would overlook neighbouring properties, no official demand for an increase in student accommodation had been made from the University Centre and other sites were already being developed to provide student accommodation.

Mr Rex Gibson addressed the Committee on behalf of residents opposing the application, highlighting concerns including that it was contrary to national and local planning policies, the design was not in keeping with the area, increase in traffic and resultant noise, the proposed density was higher than the immediate surrounding area, the location of the bin store would create smell and was deemed to be of insufficient size, insufficient parking spaces and access to parking would lead to noise for neighbours.

Mr Bob Seery and Mr Michel Kerrou addressed the Committee on behalf of the applicant raising issues including the application abided by local and national policies, the existing building was not on the list of buildings of local importance, current extensions to the building were already made but would be removed, the University Centre supported the proposal, the application should be deferred not refused.

The Committee considered the application and the issues raised.

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

**Reasons for the decision:**

1. The existing house on the site had been assessed against the Local List criteria, and was considered to be worthy of inclusion on the list of Buildings of Local Interest. As a non-designated Heritage Asset, the building was subject to consideration against paragraph 135 of the National Planning Policy Framework. The Local Planning Authority was required to give weight to the harm caused to the heritage asset by the development. The proposed demolition would remove the heritage asset entirely. Demolition of a heritage asset could only be justified if the public benefits of the proposed development outweighed the loss of the heritage asset, and the design of the proposed development is of equal quality. In this case, the developer had failed to demonstrate that there was a pressing need for this level of student

accommodation. Although the University Centre and the Regional College had expressed support, no further evidence such as a business plan or growth strategy had been provided. In addition, the applicant had failed to demonstrate that retention of the existing building would render re-development or re-use of the site unviable. The proposal was therefore contrary to Policy CS17 of the adopted Peterborough City Council Core Strategy DPD, Policy PP17 of the adopted Peterborough City Council Planning Policies DPD, and the relevant provisions of the National Planning Policy Framework, in particular paragraph 135.

2. Whilst it was acknowledged that the proposal was for student accommodation, it could not be assured that levels of car ownership would be so low as to be able to be accommodated by the proposed number of car parking spaces. There was therefore a risk that cars associated with the development would have to park on street. The locality suffered from high levels of on street parking and further on street parking was likely to be to the detriment of the free flow of traffic and highway safety. The proposal was therefore contrary to Policy PP12 and PP13 of the Peterborough City Council Planning Policies DPD which seek to ensure that developments did not have an unacceptable impact on the transportation network, including in terms of highway safety and that they provided sufficient number of parking spaces to serve the development.
3. The design of the buildings, in terms of their mass, form and design as well as the proportion of the site which was to be developed, did not relate well to the character of the site and its surroundings and failed to enhance local distinctiveness. Consequently the development detracted from the quality of the local built environment rather than making a positive contribution toward it. The proposal was therefore contrary to paragraph 64 of the NPPF, Policy CS16 of the Peterborough City Council Core Strategy DPD 2011 and Policy PP2 of the Peterborough City Council DPD 2012 which both sought to ensure that new developments are of an appropriate design and quality.
4. Notwithstanding the angled windows designed into the building, due to the proximity of the proposed buildings to the boundaries to the site and the fact that the first floor rooms would be intensively occupied, the neighbouring residents would be subject to unacceptable levels of overlooking and hence loss of privacy. The proposal was therefore contrary to Policy PP2 and PP3 of the Peterborough City Council DPD 2012 which sought to protect the amenity of adjacent occupiers from unacceptable levels of overlooking and loss of privacy.
5. Given the proximity of the development to the boundaries of the site in relation to the form and bulk of the proposed buildings, it would have an overbearing impact on the outlook from the surrounding residential properties to the detriment of the amenity of the occupiers. The proposal was therefore contrary to PP3 of the Peterborough City Council DPD 2012 which sought to protect the adjacent occupiers from developments that have an overbearing impact on them.
6. The access road, serving the development, wrapped around the edges of the

site and facilitated access to several areas of car parking, many of which were located around the edges of the site. Notwithstanding the proposed fencing, use of the access and the parking areas would be likely to generate significant noise and disturbance to nearby residents to the detriment of their amenity. In addition the nature of student occupation would be such that the development would be likely to result in a level of noise and disturbance incompatible with the residential character of the area. The proposal was therefore contrary to PP3 of the Peterborough City Council DPD 2012 which sought to protect the adjacent occupiers from developments that would have resulted in them being subject to unacceptable levels of noise and disturbance.

7. The bin store was located immediately adjacent to the gardens of three residential properties. Given the scale of the proposed development, the bin store was of a substantial size and the volumes of waste kept there would be such that nearby residents would suffer from noise and disturbance arising from frequent use of the bin store and unpleasant odours. The proposal was therefore contrary to PP3 of the Peterborough City Council DPD 2012 which sought to protect the adjacent occupiers from developments that would have resulted in them being subject to unacceptable levels of noise and disturbance or odour problems.

#### **4.2 13/00765/HHFUL - 26 Apsley Way, Longthorpe, Peterborough, PE3 9NE**

The Committee received an application for the construction of a two storey rear, first floor front and single storey front extension, and installation of a first floor side facing window (part retrospective). The Planning Officer introduced the application advising the Committee that the application was submitted following a report by a member of the public of unauthorised development and investigation by the Planning Compliance Team. The shell of a two storey rear extension had been erected; however the roof had not been finished. The shell projected 4 metres over two floors and ran for the full width of the dwelling. No other works to which this application related had commenced.

Mr Leedham and Mr MacDonald addressed the Committee in opposition to the application and highlighted issues including the extension was not in keeping with the green and open character of the area, the correct planning process was not followed, a smaller extension would be more acceptable.

The Applicant, Mr Usman Arif, addressed the Committee and raised issues including the extra space was required for his family, planning officers have approved the design and had already reduced the size of the extension as instructed.

The Planning Officer clarified what was allowed under 'permitted development rights' before planning consent was required.

The Committee considered the application and the issues raised.

**RESOLVED:** (6 For, 2 Abstentions) to refuse the application, contrary to Officer recommendations.

**Reasons for the decision:**

1. The design of the rear extension in terms of its depth, width and height in relation to its proximity to neighbouring properties would be such that it would have a significant overbearing impact on the amenity of the occupiers. The proposal was therefore contrary to PP3 of the Peterborough City Council DPD 2012 which sought to protect the adjacent occupiers from developments that have an overbearing impact on them.
2. The design of the rear extension in terms of its depth, width and height would have a significant impact on the open character of the immediate area and did not relate well to the appearance of the property and its surroundings and failed to enhance local distinctiveness. Consequently the development detracted from the quality of the local built environment rather than making a positive contribution towards it. The proposal was therefore contrary to paragraph 64 of the NPPF, Policy CS16 of the Peterborough City Council Core Strategy DPD 2011 and Policy PP2 of the Peterborough City Council DPD 2012 which both sought to ensure that new developments were of an appropriate design and quality.
3. The proposed first floor side window would result in unsatisfactory levels of overlooking of the neighbouring garden and would result in a significant loss of privacy. The proposal was therefore contrary to Policy PP2 and PP3 of the Peterborough City Council DPD 2012 which sought to protect the amenity of adjacent occupiers from unacceptable levels of overlooking and loss of privacy.

**4.4 Provisional Tree Preservation Order 3\_2013, Gericia, St Martins Road, Newborough, Peterborough**

The Committee received an application to confirm a tree preservation order following public consultation. The city council's Landscape Officer introduced the application advising that the tree, T1 (Ash), was located on the northern boundary of Gericia, against St Martin's Rd at the western edge of Newborough village, the tree was in good condition and health with no sign of Ash Die Back disease and it provided significant public visual amenity value as viewed from St Martin's Road, Soke Road and Thorney Road. The tree was therefore considered worthy of protection by way of a Tree Preservation Order.

The Committee considered the application and **RESOLVED** (Unanimous) to confirm the Tree Preservation Order.

**Reasons for the decision:**

1. The tree offered public visual amenity value and it was considered that the loss would be of detriment to the greater public and the landscape in this location.
2. Newborough was one of the villages with lowest tree cover, so where appropriate, Peterborough City Council was to seek to protect any trees that

were considered to be under threat and worthy of retention in line with the formally adopted Trees and Woodlands Strategy.

3. It was the opinion of the Case Officer that the tree could provide over 50 years visual amenity value based on its current condition.

**4.3 D1 - Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights - Walton Ward**

Members were asked to determine whether agenda item 4.3, D1 – Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights, contained information which revealed that the authority proposed (a) to give under any enactment a notice by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment 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 when this report was discussed or whether the public interest in disclosing this information outweighed the public interest in maintaining the exemption. Disclosing the information was likely to lead to work that would harm the character and appearance of the built environment.

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

The Committee received a report to consider and determine any action required in relation to a planning matter in accordance with section 2.5.1.2 of the Committee's terms of reference in the City Council's Constitution.

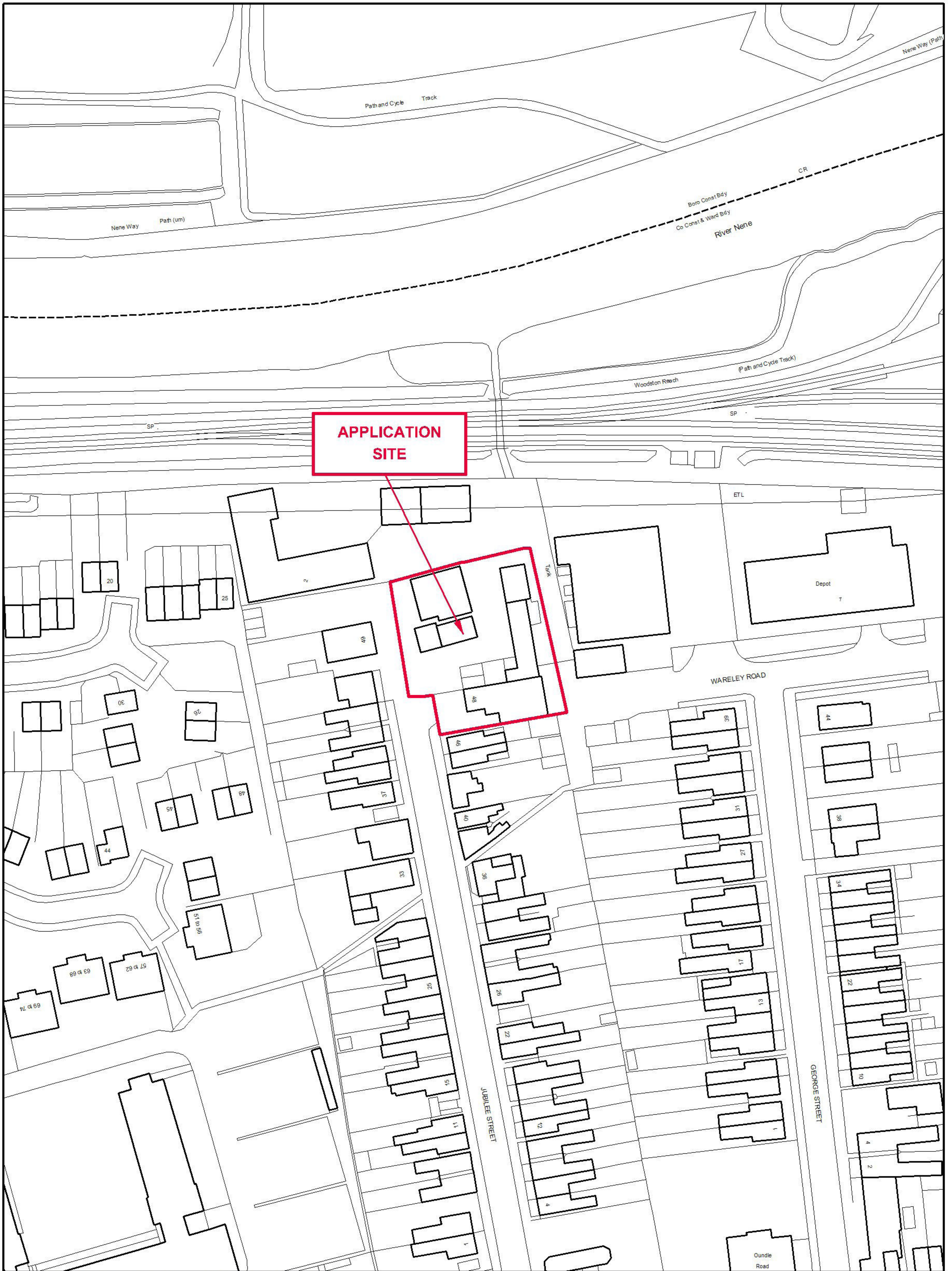
**RESOLVED:** (Unanimous) to authorise the issue of the Direction.

**Reasons for the decision:**

An Article 4 Direction coming into effect immediately had the clear advantage of removing the threat of the demolition of the building without first obtaining planning permission.

13.30pm – 16.45pm  
Chairman





**LOCATION PLAN 13/00890/OUT**

48-50 Jubilee Street, Woodston Peterborough PE2 9PH

Scale NTS

Date 24/9/2013

Name AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL



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**Application Ref:** 13/00890/OUT

**Proposal:** Demolition of existing building and erection of 7 dwellings - (7 x 3 bed houses and associated works) - Resubmission

**Site:** 48-50 Jubilee Street, Woodston, Peterborough, PE2 9PH

**Applicant:** D And A Properties

**Agent:** Portess and Richardson

**Referred by:** Councillor Lucia Serluca & Councillor Thurlbourn

**Reason:** Level of public interest and concerns locally about this application, including issues of principle, density, parking and impact on neighbour amenity

**Site visit:** 24.09.13

**Case officer:** Mr M A Thomson

**Telephone No.** 01733 453478

**E-Mail:** matt.thomson@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

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

### Site Description

There are a number of buildings on the application site which have historically been used for employment purposes. However the site is not allocated for any specific use within the Local Plan. Land to the north and east of the application site is in commercial use and land to the west and south is residential in character. Jubilee Street is characterised by older semi-detached and terraced properties that form a hard edge to the footway. As such most vehicles park on-street. Jubilee Street is restricted to residents parking only.

### Proposal

The applicant seeks outline consent with all matters reserved for the erection of 7x 3-bed dwellings. The indicative drawings (which are not for approval) illustrate two off-street parking spaces per dwelling with dedicated garden areas.

This application originally proposed 8 units, however further to neighbour and Local Planning Authority (LPA) concerns the scheme has been redesigned to propose 7x 3 bed dwellings.

### History

Last year planning application 12/00556/OUT was submitted seeking consent for the erection of 7 dwellings and 6 flats. However this was withdrawn following concerns raised by the residents and the LPA with respect to;

- Car parking;
- Refuse collection;
- Private amenity space;
- Protecting the amenity of adjacent residential properties; and
- A form and massing which is of an appropriate scale and character to the area.

## **2 Planning History**

12/00556/OUT - Demolition of existing buildings and erection of 7 dwellings (3 Bedroom) and 6 flats (3x1 bedroom and 3x2 bedroom) and associated works. Retention of No 46 as separate dwelling (**Withdrawn**)

## **3 Planning Policy**

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

### **National Planning Policy Framework (2012)**

#### **Section 7 - Good Design**

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

#### **Section 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)**

#### **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.

#### **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.

### **CS17 - The Historic Environment**

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

### **CS21 - Biodiversity and Geological Conservation**

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

### **CS22 - Flood Risk**

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

## **Peterborough Planning Policies DPD (2012)**

### **PP01 - Presumption in Favour of Sustainable Development**

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

### **PP02 - Design Quality**

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

### **PP03 - Impacts of New Development**

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

### **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.

### **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.

### **PP20 - Development on Land affected by Contamination**

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

## **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**

##### **Environment Agency (16.07.13)**

No objection - The Environmental Agency have requested a number of conditions with respect to undertaking a preliminary risk assessment, site investigation, remediation strategy and verification plan, as well as providing safeguards with respect to unidentified contamination and surface water drainage. The EA have advised that foul drainage must be disposed of via a mains drainage.

##### **English Heritage**

No comments received

##### **Police Architectural Liaison Officer (16.09.13)**

No objection - advises the rear parking court should be gated, alternatively the rear boundary fences be designed to allow natural surveillance of this area and parking be illuminated. Bin routes need to be considered at the reserved matters stage.

##### **PCC Archaeological Officer (18.09.13)**

No objection - requests a condition be attached with respect to a written scheme of investigation, trial trenching and monitoring and recording of all ground works.

##### **PCC Building Control Surveyor**

No comments received

##### **PCC Drainage Team (06.09.13)**

No objection - requests conditions be attached with respect to providing a detailed drainage design, long term maintenance and ownership and overland flood flow routes. The Drainage officer echoes the Environment Agency's comments.

##### **PCC Pollution Team (10.09.13)**

No objection - requests conditions be attached with respect to contamination surveys construction management plan and a detailed drainage design. The department also promotes a 2m close board fence surrounding the site to mitigate against noise from the adjacent commercial uses.

##### **PCC Transport & Engineering Services (20.09.13)**

No objection - requests conditions be attached with respect to provision of lighting, parking, temporary facilities, turning, parking, junction details and visibility splays, removal of existing access, wheel cleaning and notes to applicants.

##### **PCC Section 106 Group (09.09.13)**

No objection - advises an infrastructure contribution of £42,000 and £840 monitoring fee applies.

##### **PCC Travel Choice**

No comments received

## **PCC Strategic Housing**

No comments received

## **Local Residents/Interested Parties**

Initial consultations: 33

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

5 letters of objection have been received raising the following concerns;

- Parking and turning
- Increase in traffic
- Jubilee Street in a poor state of repair (consider condition with respect to repairing the road)
- No space for refuse vehicles to turn
- Noise
- Construction vehicles
- Wildlife
- Boundary treatment and land ownership concerns (1. fences to neighbours, 2. land ownership)
- Loss of privacy and overlooking
- Refuse collection
- Bin storage
- Sufficient number of 4-5 bed properties in the area
- Size and scale out of keeping with street scene
- Brownfield site is the best use for the site and it should be retained as such

## **5 Assessment of the planning issues**

### **1) Principal of Development**

The application site is located within the urban area of Peterborough and it has historically been used for employment purposes; however it is not allocated as a General Employment Area within the Local Plan. The site is brownfield. As the site is within the urban area the principle of residential can therefore be considered acceptable subject to assessment against the matter below.

### **2) Design and Layout**

As this is an outline planning application with all matters reserved the submitted plans are indicative only and not for approval. The submitted plans indicate 7 x 3-bed dwellings with two-off street parking spaces and dedicated garden areas. The two dwellings immediately adjacent to No 46 Jubilee Street would be two storey and would be representative of the spirit and context of the street scene. Site levels fall to the north, therefore the remaining 5 units would stand at 2 1/2 storey's tall with bedrooms within the roof space. The site is therefore considered capable of catering for the proposed number of units without an unacceptably adverse impact on the character or appearance of the area.

The Police Architectural Liaison Officer has advised that electric gates should be used to secure parking courts. However, it is considered by introducing lighting and natural surveillance in the form of side facing ground and first floor windows to Plots 5 and 6 and specifically designing the rear boundary treatment to Plots 6 & 7, this would provide sufficient levels of surveillance to mitigate crime. This can be conditioned so that the details are provided at the reserved matters stage.

The indicative drawings illustrate that the site can accommodate 7 x 3 bedroom dwellings, therefore the principal of the development is accepted and the proposal would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011), the NPPF (2012) and PP2 of the Peterborough Policies DPD (2012)

### **3) Access and Parking**

Jubilee Street is adopted highway. Letters of representation have raised concerns with existing parking problems on Jubilee Street. The street is subject to resident parking and according to letters of representation is in a poor state of repair.

The indicative layout demonstrates that 15 parking spaces could be provided to serve 7 dwellings, which would accord with parking standards set by PP13 and Appendix A of the Peterborough Policies DPD (2012). Highways have requested an additional visitor space be provided, which is considered achievable. The site is within a short walking distance of Oundle Road local centre and the City Centre, therefore whilst it is accepted there are on-going resident parking issues within Jubilee Street the application site has demonstrated that it could provide a sufficient number of on-site parking spaces to meet the parking standards. It is not for this application to address any existing parking deficiencies which may exist.

It is noted within letters of representation that there are concerns that construction traffic will worsen the condition of Jubilee Street. Jubilee Street is an adopted highway therefore the Local Highway Authority (LHA) are responsible for the maintenance of the road.

Currently refuse vehicles reverse down Jubilee Street, however space has been made available on site for the turning of a refuse vehicle. The proposal would not hinder or prevent refuse vehicles from operating.

The LHA has requested details be conditioned with respect to lighting, temporary facilities for construction traffic, turning, parking, junction details and visibility splays, removal of an existing access and wheel cleaning. Given this is an outline application with all matters reserved it is not appropriate to condition each specific detail at this stage; rather the details can be secured under conditions 1 and 2. Subject to the above conditions the proposal would accord with Policies PP12 and PP13 of the Peterborough Policy DPD (2012).

### **4) Amenity of Future Occupiers**

The indicative drawings demonstrate that each dwelling could have a dedicated garden area; there is an area of open space within a 5 minute walk and the Green Wheel is easily accessible.

The site is in close proximity to a number of commercial buildings with the Nene Valley Railway beyond. The Environmental Health Officer has raised no objections, although he has requested that a 2m close board fence be retained to mitigate against noise and disturbance from these adjacent units.

Subject to conditions with respect to the provision of hard landscaping the proposal would provide satisfactory amenity for future occupiers and would accord with Policy PP4 of the Peterborough Policies DPD (2012).

### **5) Neighbour Amenity**

Due to the orientation of No. 49 Jubilee Street the windows which face out onto the unadopted road (east) serve bedrooms. Further to receiving amended plans there would now be a distance of 20m between No.49 and the proposal. Given that there would be an intervening parking area, boundary treatment and landscaping (secured by condition) this is considered an acceptable distance and the proposal would not have an unacceptably adverse impact on this neighbour. The rear garden of No. 49 is to west and therefore the privacy of this property's garden would be unaffected.

Plots 6 & 7 would respect the front and rear building line of No 46 Jubilee Street; to which there are no side facing windows. The proposal is not considered to harm the properties immediately adjacent given the juxtaposition of Jubilee Street.

Letters of concern have been raised with respect to noise and traffic during construction works. It



should be highlighted that any disruption would be temporary, however as the site is within a residential area a demolition and construction management plan shall be secured by way of condition that will control issues such as hours of operation, parking of construction vehicles and any issues of noise that arise during construction.

Subject to attaching conditions that secure details of hard and soft landscaping and a demolition and construction management plan, the proposal would not have an unacceptably adverse impact on the amenity of adjoining neighbours, and would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

#### **6) Biodiversity & Landscaping**

Further to the Ecological Survey (Hiller Ecology, 2012) it was concluded that there was a low probability of bat, nesting birds or badgers, and as the site is covered by hard standing would not be appropriate for reptiles. A note to applicant shall be attached with respect to nesting birds along with a condition seeking biodiversity gain for the site in the form of bat, bird and insect boxes. Subject to this condition the proposal would accord with PP16 of the Peterborough Policies DPD (2012).

#### **7) Archaeology**

The Council Archaeologist has requested trial trenching and monitoring and recording of all ground work during construction. Subject to this condition the proposal would accord with Policy CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Policy DPD (2012).

#### **8) Contaminated Land**

The Environmental Agency (EA) does not object to the proposal however has requested a number of conditions be attached with respect to contamination and surface water drainage. The EA has advised that foul drainage must be disposed of via a mains drainage; this has been confirmed by the Agent. Subject to these conditions being attached the Environmental Health Officer has raised no objections. Subject to securing these conditions the proposal would ensure the safety of future occupiers and accord with Policy PP20 of the Peterborough Policies DPD.

#### **9) Flood Risk**

The north-east corner of the site has been identified as being within Flood Zone 2; however the bulk of the site is within Flood Zone 1. Whilst the submitted information is indicative only, the floor levels would be 300mm above ground level and it is proposed that the development would use flood resilient construction methods. The scheme would be resilient to 1 in 100 year floods (plus climate change) and sleeping accommodation would be located at first and second floors. The scheme would introduce gardens, therefore this would decrease the amount of surface run-off from the site. As such the proposal would not result in on or off site flood risks and would accord with Policy CS22 of the Peterborough Core Strategy DPD (2012). A detailed drainage scheme shall be secured by condition.

#### **10) Environmental Capital**

In the interests of new development contributing towards the Council's aspiration to become Environment Capital of the UK a condition shall be attached with respect to ensuring the development be constructed so that it achieves a Target Emission Ratio of at least 10% better than building regulations at the time of building regulation approval being sought; it will therefore accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

#### **11) Section 106 Legal Agreement**

The Council's Planning Obligation and Implementation Scheme (POIS) SPD (2010) seeks a contribution of £42,000 and a £840 monitoring fee. Therefore, subject to the signing of a Section 106 Legal Agreement the proposal would accord with Policy CS13 of the Peterborough Core Strategy DPD (2011).

#### **12) Other Matters**

Concerns have been raised relating to a boundary dispute, land ownership and access to garages

from Wareley Road (to rear). However reviewing the application site plan access to these garages would not be affected.

One of the letters of representation has advised that there are sufficient 4 and 5 bed dwellings in the area and that the brownfield site should remain. National Planning Policy does prefer the re-use of brownfield sites over open countryside; however market forces dictate the location, type and tenure of residential 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 indicative layout demonstrates that the number of units proposed could be accommodated within a layout which is acceptable to the character and context of the surrounding area and on which would not adversely affect neighbours and can provide sufficient levels of amenity for the future occupiers. The proposal is therefore considered acceptable in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), the NPPF (2012), and PP2, PP3 and PP4 of the Peterborough Policies DPD (2012).
- The plans indicate a suitable access, parking and turning can be provided. Subject to conditions with respect to securing a demolition and construction management plan the development would not result in an adverse impact on highway safety and is considered in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).
- The proposal would not result in an unacceptable impact on protected ecological features of the site. An appropriate scheme for hard and soft landscaping of the site, as well as biodiversity enhancements, can be secured via the imposition of conditions. The proposal is therefore in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (2012).
- Subject to conditions with respect to flood resilience, as advised within the Flood Risk Assessment, the proposal would not result in an on or off-site risk of flooding, and would accord with Policy CS22 of the Peterborough Core Strategy DPD (2011).
- Subject to the imposition of conditions with respect to uncovering unknown archaeology or unsuspected contamination, the proposal would accord with Policy CS17 of the Peterborough Core Strategy DPD (2011) and PP17 and PP20 of the Peterborough Policies DPD (2012).
- Subject to the imposition of conditions the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK and accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).
- The development is subject to a POIS contribution which will be secured through a Section 106 Legal Agreement. The proposal therefore accords with Policy CS13 of the Peterborough Core Strategy DPD (2011).

## **7 Recommendation**

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

- C 1 **Approval of the details of the access, design, appearance, layout and scale of the building(s), any outbuildings and the landscaping of the site (hereinafter called 'the**

reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 2 **Plans and particulars of the reserved matters referred to in condition 1 above, relating to the access, design, appearance, layout and scale of the building(s) and any outbuildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.**

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 3 **Application for approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 **The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 **With the exception of any demolition works, and notwithstanding the details shown on the submitted plans, the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development:**

**1) Samples of the materials to be used in the external surfaces of the building(s). These samples shall include brick, tile and any external cladding or other finishes proposed.**

**2) Details of the rainwater goods, all doors (including any garage doors) and fenestration. These details shall include the colour/finish, materials and profiles.**

**3) Details of any externally visible services.**

The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to secure a satisfactory external finish to the building in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Policies DPD (2012)

- C 6 **No development shall take place/commence until a programme of archaeological work including a written scheme of investigation, trial trenching and monitoring and recording brief of all groundwork has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete**

**accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.**

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD, the National Planning Policy Framework, particularly paragraphs 128 and 141 and PP17 of the Peterborough Policies DPD (2012)

**C 7 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.**

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

**C 8 No development other than demolition shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:**

**1) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.**

**2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

**3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.**

Reason: In the interest of preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution and to ensure that adequate site investigation information, prepared by a competent person, is presented, in accordance with Policy PP20 of the Peterborough Policies DPD (2012) and paragraph 109 and 121 of the NPPF (2012).

**C 9 A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy within Condition 8 are completed and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. These details shall be provided within one month of undertaking the above points.**

**Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.**

Reason: In the interest of preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution and to ensure that adequate site investigation information, prepared by a competent person, is presented, in accordance with Policy PP20 of the Peterborough Policies DPD (2012) and paragraph 109 and 121 of the NPPF (2012).

- C 10 **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.**

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner in accordance with Policy PP20 of the Peterborough Policies DPD (2012) and paragraph 109 and 121 of the NPPF (2012).

- C 11 **Notwithstanding the information submitted a detailed drainage design, which shall confirm how surface water shall be disposed of, confirmation of long term maintenance and ownership and details of overland flood flow routes shall be submitted to and approved in writing by the Local Planning Authority. No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Thereafter the development shall be carried out in accordance with the approval details.**

Reason: In the interest of providing a satisfactory drainage scheme and mitigating flood risk in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and paragraph 109 and 121 of the NPPF (2012).

- C 12 **Prior to the commencement of any development or demolition, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include (but not exclusively the following):-**

- o **Hours of working**
- o **Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles**
- o **Site compounds/storage areas**
- o **Temporary Access points**
- o **Wheel cleansing facility details**
- o **A noise management plan including a scheme for the monitoring of construction noise;**
- o **A scheme for the control of dust arising from building and site works**
- o **Details of remedial measures to be taken if complaints arise during the construction period.**
- o **Any temporary fencing**
- o **Any temporary lighting**

**The demolition and construction shall thereafter take place in accordance with the approved details.**

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012).

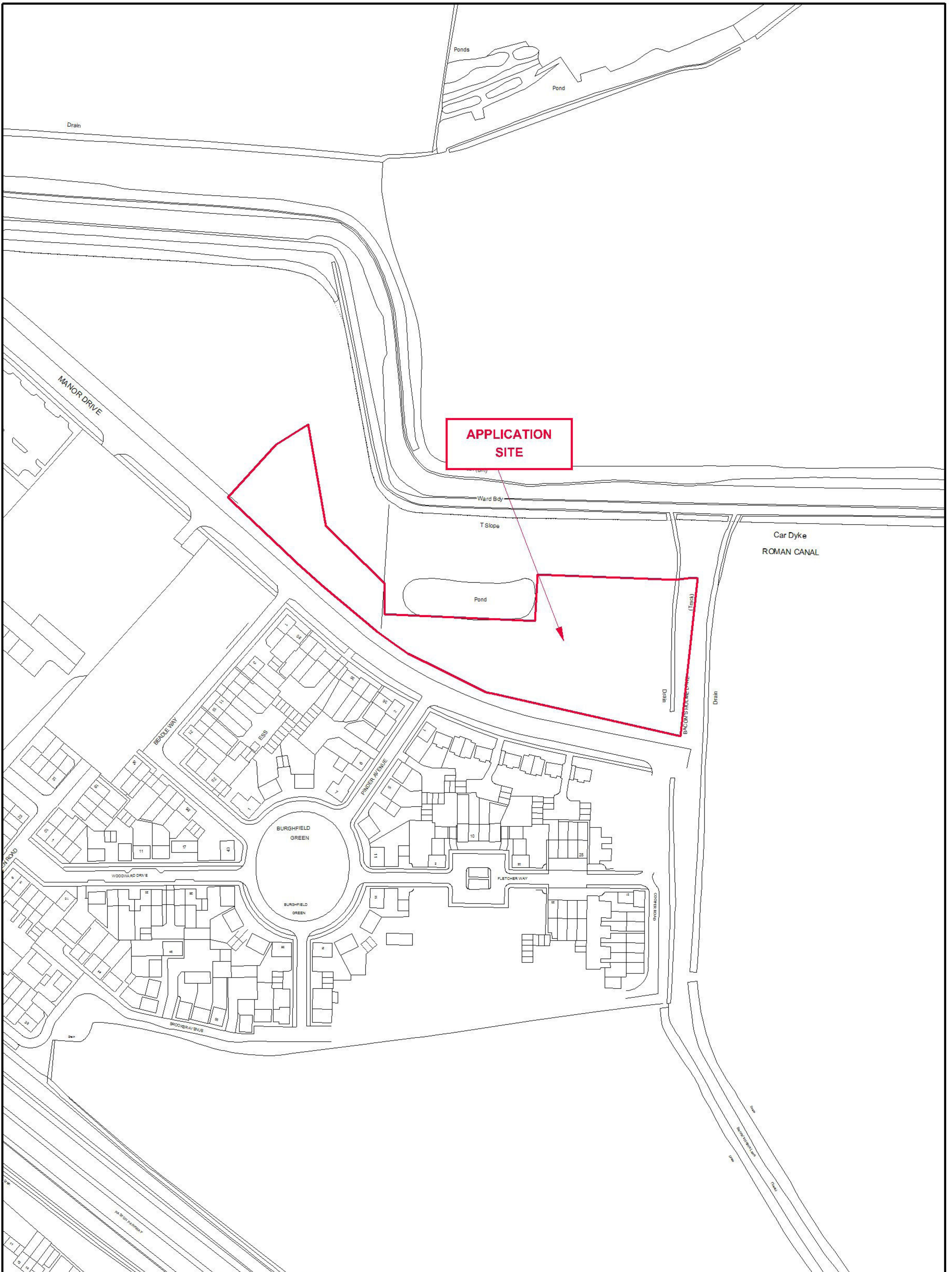
- C 13 **No development other than demolition shall commence on site until details of existing and proposed site levels, including finished floor levels of the dwelling, together with its associated garden area, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. These details shall also include the levels of the adjoining land**

**and any building within 15m of the boundary with the application site where access is reasonably possible. The development shall thereafter be carried out fully in accordance with the approved details.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

Copies to:  
Councillor Matthew Lee  
Councillor Lucia Serluca  
Councillor Nick Thulbourn





**LOCATION PLAN 13/00927/FUL**

Land at Manor Drive, Gunthorpe, Peterborough - Phase 4

Scale NTS

Date 26/9/2013

Name AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL



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**Application Ref:** 13/00927/FUL

**Proposal:** Construction of 46 dwellings and associated works - Phase 4

**Site:** Land At, Manor Drive, Gunthorpe, Peterborough

**Applicant:** Mr Steve Flowers  
Cross Keys Homes

**Agent:** Ms L Cooper  
LMC Architect

**Referred by:**

**Reason:**

**Site visit:** 01.08.2013

**Case officer:** Miss A McSherry

**Telephone No.** 01733 454416

**E-Mail:** amanda.mcsherry@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 covers an area of approximately 1.19 hectares. The site is mainly overgrown grassland which is unused, and enclosed by temporary fencing. The site is bounded to the north by Car Dyke, to the east by unused land that will be part of the future Paston Reserve urban expansion, the south by Manor Drive and the residential properties beyond, and to the west by Phase 5 residential development, which is currently under construction.

**Proposal**

Planning permission is sought for the erection of 46 affordable houses, 23 will be affordable rented and 23 will be affordable shared ownership. The development will comprise of 23 x 2 bedroom, 21 x 3 bedroom and 2 x 4 bedroom properties, 44 of which are two storeys and 2 of which are 2.5 storeys in height. The houses are a mixture of semi-detached and terraced properties.

Vehicle access to the site is from Manor Drive.

**2 Planning History**

Reference	Proposal	Decision	Date
11/01981/FUL	Construction of 52 dwellings and associated works - Phase 4	Application Permitted	22/05/2012
92/00001/OUT	Residential and employment development	Application Permitted	28/10/2005
94/00005/OUT	Residential development and local centre (including convenience goods store approx 15000sq ft) outline	Application Permitted	28/10/2005

**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)**

Local planning authorities should apply the presumption in favour of sustainable 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.

## **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.

### **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.

### **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.

### **CS17 - The Historic Environment**

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

### **CS19 - Open Space and Green Infrastructure**

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

### **CS21 - Biodiversity and Geological Conservation**

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

### **CS22 - Flood Risk**

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

## **Peterborough Site Allocations DPD (2012)**

### **SA01 - Urban Extensions**

Confirms the location of the urban extensions in accordance with Core Strategy policy CS5 and any planning permissions in place at the time of adoption.

## **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.

### **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.

### **PP17 - Heritage Assets**

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

## **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**

### **English Heritage**

No objection – This application forms part of a larger development, adjacent to the Car Dyke, a Roman canal which is a scheduled ancient monument. We do believe there will be some degree of harm to the setting of the designated heritage asset, however the principle however of the 30m buffer zone between Car Dyke and the development has previously been accepted by English Heritage. The Planning Inspector on a previous scheme concluded that the development would not cause substantial or significant harm to the scheduled monument or its setting. In line with the National Planning Policy Framework (NPPF) as there will be less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal.

### **Environment Agency**

No objection – subject to the imposition of a condition in respect of surface and foul water drainage.

### **Anglian Water Services Ltd**

No objection – Anglian Water have assets close to or crossing the site, which the developers will need to take into consideration.

### **Natural England - Consultation Service**

No objections – Natural England are satisfied that there is not likely to be an adverse effect on the Dogsthorpe Star Pit Site of Special Scientific Interest. The Local Planning Authority should give consideration to protected species, local landscape and biodiversity enhancements.

### **Fire Community Risk Management Group**

No objection – subject to the adequate provision of fire hydrants. This can be secured by planning condition.

### **Police Architectural Liaison Officer**

No objection – subject to conditions in respect of boundary treatments, lighting, landscaping and provision of self-closing, self-locking gates for shared rear access paths.

### **PCC Transport & Engineering Services**

No objections – The principle of development on this site has already been established under previous planning consents and the layout of this current application is similar to that which was permitted last year. The access roads off Manor Drive are to remain private. Subject to the imposition of conditions no objections are raised.

### **PCC Archaeological Officer**

No objections – The site has been subject to a series of archaeological investigations already. These investigations have provided sufficient information to assess the archaeological potential of the site. Recommend the implementation of the 30m landscape buffer zone to the scheduled ancient monument Car Dyke, with no development in this zone. A watching brief for all remaining ground work e.g. roads, service trenches, etc.

### **PCC Landscape Architect**

No objections.

### **PCC Drainage Team**

No objections – A condition requiring the submission of a surface water drainage scheme is recommended.

### **PCC Wildlife Officer**

No objections – Subject to the imposition of conditions in respect of protected species, nesting birds, landscaping including the retention of the eastern boundary hedge and biodiversity gain.

### **PCC Landscape Officer**

No objection – Subject to the landscaped details being agreed and the development being carried out in accordance with the submitted arboricultural documents.

### **PCC Pollution Team**

No comments received.

### **PCC National Grid**

No objections.

Initial consultations: 35

Total number of responses: 31 (some are from the same person but raise different points)

Total number of objections: 31

Total number in support: 0

31 letters of objection have been received raising the following concerns:-

- Lack of open space/children's play areas. Plans cannot be approved without consideration of this issue
- Existing residents would not have bought if they knew the site was going to go for affordable housing
- Property searches did not reveal these proposals
- Recognise the needs for affordable housing but the rights and interests of the whole community need to be taken into account
- Phase 1 affordable housing is already unkempt and in poor repair
- If approved over 50% of the housing on the development will be affordable
- Areas which have had mass affordable housing have had problems e.g. Orton , Bretton, Westwood
- If approved it will be difficult to sell our houses
- Roads will not be able to cope with the extra traffic
- Children play on roads on the estate as there is nowhere for them to go
- Loss of neighbouring property values
- There is a lack of services for residents; there is a lack of school places in the area; there are no nurseries; doctors; shops; bus routes; social community meeting space; parks or children's play spaces in the development
- No litter bins or post boxes within the development
- There is no safe walking route to existing schools or play areas
- The land was supposed to be open space and not built upon
- Feel Linden Homes/Stamford Home mislead residents when they bought their homes
- Loss of outlook and countryside views for existing properties
- Concentration of large numbers of social housing is a poor planning model, it should be more widely distributed within private housing
- Pond dangerous for children
- Many people already park on the roads, which leads to problems of access for fire engines and bin lorries, this development will increase this problem.
- Extra Traffic

- Parking problems
- Speeding traffic
- Problems for residents with ongoing building works
- Lack of pedestrian footpaths in the existing development is leading to pedestrian safety problems
- Road is not wide enough
- Proposed T junction on Beadle Way will be unsafe
- Flood Risk
- No school places available locally and the walk to the nearest school is not safe / pleasant to use. Where are the children going to go to school?
- Homeowners misled by Linden Homes when buying properties
- The land should be used to provide amenities for residents, not more housing
- Impact on local community
- Loss of aspect/view
- Effect on wildlife/protected species
- Crime/security problems
- Effect on landscape
- Youths congregating
- Low levels of lighting
- Why approve a development where there are no facilities
- Has Linden Homes built lots of social housing at Helpston and has the Council agreed that Linden Homes don't have to provide social housing at its White Willows site?
- No bus service is available
- Will have to leave the area if the plans are approved
- Builders should build what they promised to do
- Residents already have problems with construction vehicles parking on the road

A revised consultation on the submitted amended plans is at the time of writing the report still ongoing. Therefore any additional letters and comments received as a result of this will be reported to Members in the Update report.

A petition has been received with 176 signatures from the Burghfield Place Residents Group which objects to the application on many of the above grounds.

**Cllr Simons** – Objects. Residents were miss-sold their houses as they were told that the land would be used for something else. Proposal would create extra traffic making existing problems even worse. The amount of social housing being provided would be more than the allowed percentage. Promises of play area provision have been broken. Plans should not go ahead until residents concerns have been investigated.

**Cllr S Day** – Objects. Residents were miss-sold their houses as they were told that the land would be used for something else. Proposal would create extra traffic making existing problems even worse. Some households would not get the view of the countryside they were promised. The amount of social housing being provided would be more than the allowed percentage. The affordable housing should be pepper potted and should not be on the main road. There is no community infrastructure in place to encourage a strong community, no play facilities and no community hub. Plans should not go ahead until residents concerns have been investigated.

**Cllr Knowles** – Objects. The site is a long way to shops and schools. Quality of life for all residents, especially children, would be unacceptable. Shops and other facilities approved in 1994 should be built before further development. A community centre and green space are needed. The footpaths are unsafe and there is a risk of fatality. To approve the development may be seen as negligence.

**Stewart Jackson MP** – Objects. The Council and developer have failed to provide community facilities even though £12m is available to do so. There are traffic, parking and road infrastructure concerns, in particular, insufficient attention has been given to the future flow of traffic between

Beadle Way and Manor Drive and egress to the main development to the north and west (from the latter) as well as parking on Beadle Way. Proposal is contrary to the following policies:

OB18 – Development does not provide for a walkable neighbourhood

CS8 – Over provides social housing

CS19 - Does not provide open space and community facilities

OB4 – Lack of public transport prevents people from accessing facilities

OB7 - There is not a balanced mix of housing as no owner occupied housing is provided for

## **5 Assessment of the planning issues**

The main considerations are:

- Principle of development
- Affordable housing
- Design and layout
- Impact upon neighbouring sites
- Ecology
- Drainage
- Highway implications
- Impact on Car Dyke
- Community facilities
- S106 Obligations

### **a) The principle of development**

Outline planning permission was approved in 2005, for residential and employment and local centre under planning references 92/00001/OUT and 94/00005/OUT, covering 6 proposed phases, including the one currently under consideration. The masterplan identified the current application site as being used for a combination of open space, the green wheel route, the Car Dyke 30 buffer zone, a drainage balancing pond and housing.

Planning permission was granted under planning reference 11/01981/FUL in 2012 for residential development on the current application site Phase 4. 52 dwellings were approved 8 of which were proposed to be affordable housing. The balancing pond, 30m Car Dyke buffer zone and green wheel route will remain as part of the development as previously approved.

The application site together with surrounding sites are identified in the Site Allocations document as a committed mixed use urban extension, site SA1.2 Paston Reserve. The land to the east of this is also a proposed mixed use urban extension, site SA1.5 Norwood.

Therefore in view of the previous planning consent 11/01981/FUL for 52 dwellings on the site and the sites identification as part of the urban extension in the Site Allocations DPD, it is considered that the principle of residential development on the site is acceptable.

### **b) Affordable Housing**

Policy CS8 of the Core Strategy seeks on development sites of more than 15 dwellings, 30% affordable housing, unless the development is itself more than 30% affordable housing.

The scheme proposes 100% affordable housing of which half will be for rent and half will be shared ownership. The delivery of 46 affordable homes from this proposal would go some way to addressing housing need evidenced in the Peterborough Strategic Housing Market Assessment update 2010 (SHMA 2010), which evidences the need to provide 1008 new affordable homes per year to address existing and newly arising need. It is considered the unit types proposed, 23 x 2 bed, 21 x 3 bed and 2 x 4 bed would be appropriate to meet housing needs. The tenure mix is also appropriate. The delivery of 23 rented homes would help to meet the needs of some of the 5000 applicants currently awaiting re-housing on the Peterborough Housing Register. The delivery of 23 intermediate tenure homes will go some way to meeting the needs of the 22% of people in the Peterborough Sub region who are

unable to afford market housing (as evidenced in the SHMA 2010).

Taking into account the number of dwellings already completed, under construction and yet to be started, plus the proposed development, 43% of the Burghfield development would be affordable in nature. There is no evidence to support the suggestion that this would have the effect of unbalancing the community.

It is considered that 100% affordable housing on this site, in combination with the existing and proposed surrounding residential housing would secure a mixed community and would not be contrary to the provisions of Policy CS8.

It should also be noted that under the existing and implementable planning permission for the site, it would be lawful for all of the houses to be affordable as is currently proposed (albeit with different house types and layout changes). It would therefore be unreasonable to refuse planning permission on the grounds of over provision of affordable housing.

### **c) Design and layout**

The number of dwellings on the site has reduced from 52 approved under planning reference 11/01981/FUL to 46 now proposed. The heights of the properties have also reduced from that previously approved. The 11/01981/FUL scheme proposed 12 x 3 storey properties, 4 x 2.5 storey height and 36 x 2 storey properties. The current scheme proposes 44 x 2 storey properties and 2 x 2.5 storey properties.

The approved scheme 11/01981/FUL was similarly designed to the layout of the properties on the opposite side of Manor Drive, which a strong linear building frontage to Manor Drive with accesses to rear parking court areas. The original layout received under this application proposed single properties facing Manor Drive with open spaces containing gardens and parking between, which did not provide such a strong continuous built frontage to the Manor Drive streetscene. Amended plans were therefore received which rotated two of the proposed terrace blocks, so that two terrace blocks of 3 properties faced Manor Drive rather than two single dwellings, which would provide a stronger building line and less open garden space to Manor Drive. Officers consider this to be an acceptable visual improvement to the scheme, and will result in a better streetscene frontage to Manor Drive, in keeping with the surrounding character of development.

It is considered the proposed site layout provides each property with an adequate provision of amenity space, car parking, together with acceptable bin storage and access arrangements.

The houses are acceptably arranged on site in relation to one another to prevent any unacceptable overbearing or overshadowing impact. The layout has been designed to ensure as far as possible active frontages of properties are presented to the streetscene, to prevent unsightly large blank elevations. The proximity of the properties to the road is considered acceptable and the surrounding character is one property in close proximity to the road frontages. The property designs are considered to be visually acceptable, and the scheme will integrate acceptably into the surrounding streetscene.

It is considered that the proposal is in accordance with Policies CS16 of the Core Strategy and Policies PP04 and PP13 of the Planning Policies DPD.

### **d) The impact on neighbouring sites**

It is considered the houses proposed have been positioned sufficiently distant from the existing properties on Manor Drive so as to not result in any unacceptable reduction in current privacy, light levels or have any unacceptable overbearing impact.

As a result of the development there will be more traffic on Manor Drive, but this is not considered to be of a level that would unacceptably impact on the residential amenity of these neighbouring properties.



It is therefore not considered that the development would unacceptably impact on the residential neighbouring amenity of any surrounding sites.

The proposal therefore accords with Policies CS16 of the Core Strategy and Policies PP03 of the Planning Policies DPD.

**e) Ecology**

An ecological assessment was undertaken, which identified the potential for the site to support breeding bird species, foraging bats, Great Crested Newts and reptiles. The assessment identified that no further ecological surveys were considered necessary due to the negligible ecological value of the site. The ecological mitigation measures proposed were to clear vegetation on site outside the bird nesting season, erect any necessary tree protection fencing to protect the root protection of trees, and to implement a non-licensed method statement for vegetation clearance to prevent impacts on reptiles and Great Crested Newts (GCN). If GCN are found on site, licensed mitigation may be required. The biodiversity enhancement measures proposed includes the incorporation of bird and bat boxes into the development, and the use of native species in the landscape scheme.

Officers consider the ecological assessment to be acceptable and would recommend that the ecological mitigation and biodiversity enhancement measures are secured by way of planning conditions. The proposal is therefore considered to be in Policies CS21 of the Core Strategy and PP16 of the Planning Policies DPD.

**f) Drainage**

The flood zone mapping shows the site falls within Flood Zone 1, where it is considered there is low probability of flooding. Residential development is considered appropriate within this Flood Zone. It is considered the proposed development would not cause an increase in flood risk in the wider catchment area from flood flows from the developments drainage, subject to provision of an acceptable surface water drainage design to take into account the increased impermeability of the site.

Subject to the imposition of drainage conditions, the proposal is in accordance with Policy CS22 of the Core Strategy.

**g) Highway Implications**

The principle of development on this site has already been established under the previous planning consents, and the layout is similar to that granted planning permission under planning reference 11/011981/FUL, in 2012.

Whilst Manor Drive is the adopted public highway, none of the roads off it are proposed for adoption. The plans submitted indicate that vehicle to pedestrian visibility splays can be achieved on either side of this access. Whilst no vehicle splays are shown on the plans, the Local Highway Authority is satisfied that they can be achieved within the public highway.

Footpath/cycle paths are proposed on the Manor Drive site frontage.

There is sufficient capacity in the surrounding road network to accommodate the level of residential development and associated traffic proposed.

The scheme proposes two car parking spaces for each property, there are no garages proposed within the development, this level of parking provision is in accordance with the revised parking standards of the Planning Policies DPD 2012. These revised parking standards have increased the car parking requirement for this development to 92 spaces which are being proposed, whereas previously under the old standards only 69 spaces would have been required. It is hoped these new increased car parking standards might help allay existing resident's concerns that this proposal would be deficient in car parking, which would

lead to further on street parking by residents, causing perceived highway safety problems. Officers therefore do not consider it will be a deficiency in car parking for the proposal.

The proposal is therefore considered to be in accordance with Policies PP12 and PP13 of the Planning Policies DPD.

**h) Impact on Car Dyke, Scheduled Ancient Monument**

The site is located to the south of the scheduled ancient monument Car Dyke, which was a Roman canal. A 30m landscape boundary is proposed between the proposed development and Car Dyke. This 30m buffer zone has previously been accepted by English Heritage and the Planning Inspector. The Inspector concluded that the proposal would not cause substantial or significant harm to the scheduled monument or its setting. Whilst there may be some harm to the setting of the monument this has to be weighed against the benefit of providing affordable housing. Officers therefore consider, in line with the previous Planning Inspector that the benefits of the scheme outweigh any harm.

The proposal is therefore in accordance with Policies CS17 and PP17 of the Core Strategy and Planning Policies DPD.

**i) Community Facilities**

The master plan for the Burghfield Place made no provision for a community hub and identified two areas of open space. The first was the circular village green and the other being the buffer zone adjacent to the Car Dyke. Rightly or wrongly, it was never the intention to provide play areas in each of the phases as well as the two areas of open space previously amended. The issue of the lack of open space on the Burghfield Place development was considered by an Inspector when he considered an appeal against the refusal of planning permission for Phase 4 Ref 10/01329/FUL as objectors to the development had raised this point. On the issue the Inspector said the following:

*31. Concern was also raised about open space provision and the effect that this would have on living conditions. It is appropriate that this should be required for developments of this nature. Suitable provision would not only ensure the residents in the new development had adequate recreational facilities, but it would also safeguard the amenities of those living close to the site, as it would avoid undue pressure being placed on existing facilities nearby. While the buffer zone could be used for informal recreation, there was a shortfall of 0.295ha in the amount of more formal open space associated with the scheme. The Council accepted that payments can be made in lieu of such provision to allow it to enhance or provide an off-site facility. It also acknowledged that the financial contributions in the submitted Unilateral Undertaking of 26 August 2011 (the Undertaking) were sufficient to address this matter adequately. Such an approach is reasonable, allowing larger better facilities to be created that serve a number of developments. I consider this aspect of the Undertaking accords with the tests in Regulation 122 of the Community Infrastructure Levy Regulations (the CIL Regulations) and so I afford it significant weight.*

*32. The Council said it would probably spend the money to improve facilities at Unity Park. This is an existing play area some 1.1km away, with pedestrian access from the site being along a route that is, at times, convoluted and secluded. Local residents contended this would be of little use to those living at the scheme, and, given the nature and distance of the route, this is a view with which I have some sympathy. There was also concern about the size of the contribution. However, to my mind the amount of money and where the Council chooses to spend it is not a matter over which the Appellant has control. It was also apparent at the Hearing that appellant was willing to discuss an alternative location for this additional open space provision that would be better related to the appeal site. Consequently, this matter does not offer a ground to resist the proposal.*

As can be seen from the extract above, the Inspector accepted that an off-site contribution in lieu of on-site provision is appropriate and that this issue did not warrant a reason for refusal. It should also be noted that as the development is only for 27 dwellings, only a small area of open space could ever be provided on the site making it impractical for the intended purpose.

Whilst the Council has been criticised for not having spent any of the open space / play equipment Section 106 moneys that it has received as a consequence of the development to date, this is for good reason. Officers have been mindful of the fact that some residents have made it clear they don't want any play equipment putting on the green and that Unity Park is considered too far away. Officers have been in discussions with the adjacent landowner and have asked if some land due to be provided for school / community use could be made available at least on an interim basis as a play area. It should also be noted that a play area is due to be provided on the development of the first housing phase on the adjacent site.

#### **j) S106 Obligation**

Under the Planning Obligations Implementation Scheme a S106 Contribution of £234,000 should normally be paid for the development proposed. However the amount has been reduced to £38,858.04 (plus monitoring fee) to be used for neighbourhood infrastructure (i.e. excluding strategic infrastructure) and £7,141.96 for public open space, in light of the economic viability information submitted by the applicant. The applicant has indicated a willingness to complete a Unilateral Undertaking for the sum sought.

#### **k) Other matters**

In response to the objections raised which are not discussed above:

- Residents have raised concerns that the development will affect their property values. The impact of development on property values is not a material planning consideration that can be taken into consideration in the determining of planning applications.
- The roads on the existing development have not been put forward for adoption by the developer and the Council cannot make the developer do this. Nevertheless, the width and alignment and visibility at junctions accords with highway design standards.
- The amount of development taking place at Burghfield Place is not yet sufficient to support a commercial bus service as otherwise one would be provided by an operator.
- The scale of development at Burghfield Place is insufficient to support a primary school. A primary school is proposed on the adjacent Paston Reserve site.
- The local planning authority cannot be held responsible for the alleged miss-selling by Linden Homes
- The local planning authority cannot take into account the loss of views when deciding planning applications as they do not constitute material planning considerations
- Construction parking – It is not possible to accommodate all construction related parking off road. Whilst this does result in some inconvenience to existing residents, it is short lived in relation to the life of the completed development
- Affordable Housing at White Willows (Phase 5) – 5 affordable housing units are being provided on this site
- Affordable Housing at Linden Homes Helpston Site – 6 affordable housing units are being provided (reduced from 13 due to viability issues on the site)

## **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 weighting against relevant policies of the development plan and specifically:

- Planning permission has previously been granted for housing under planning reference 11/011981/FUL and the site is allocated for redevelopment in the Site Allocations document, therefore the principle of residential use is acceptable and in accordance with Policies CS2 of the Core Strategy and SA1 of the Site Allocations DPD.

- The development provides an acceptable safe vehicle access to the site, together with sufficient car parking. Therefore the proposal would not have any adverse impact upon highway safety. This is in accordance with Policy PP12 of the adopted Planning Policies DPD.
- The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore is in accordance with policy PP3 of the adopted Planning Policies DPD.
- The design and layout of the development is considered to be acceptable with no adverse visual impact on the surrounding area. The proposal is therefore in accordance with Policies CS16 of the Core Strategy, and PP02 of the Planning Policies DPD.
- Biodiversity enhancements are to be secured by way of a planning condition, in accordance with Policies PP16 of the adopted Planning Policies DPD and CS21 of the adopted Core Strategy DPD.
- Subject to the imposition of conditions to deal with surface water drainage the proposal is in accordance with Policy CS22 of the adopted Core Strategy DPD.
- A financial contribution will be secured by way of a legal agreement, for the infrastructure needs of the development, in accordance with Policy CS13 of the Peterborough Core Strategy.

## **7 Recommendation**

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

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

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

- C2 Prior to the commencement of development a scheme of surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority.**

**Full details and the confirmation the scheme is as described, should be provided at detailed design stage. This should include but is not limited to:-**

- **Details of the ownership and responsibilities of maintenance of all drainage elements for the lifetime of the development, plus maintenance programme.**
- **Actual storage calculations to be provided, the drainage strategy currently states approximate volumes**

**The scheme shall thereafter be implemented in accordance with the approved details before the development is completed.**

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012).

- C3 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: In the interest of safeguarding residential amenity in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C4 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 it has been demonstrated to the Local Planning Authority that immediately prior to the proposed commencement of works a survey has been undertaken to show that the site is free of nesting birds.**

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

- C5 Prior to the first occupation of any dwelling a scheme of bird and bat boxes for a range of different species e.g. house sparrow, starling, swift, as well as bat roosting features, including details of their proposed location and design, shall be submitted to and approved in writing by the Local Planning Authority. The development shall therefore be carried out in accordance with the approved details.**

Reason: In the interests of biodiversity in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

- C6 The development hereby approved shall be carried out strictly in accordance with the non-licensed method statement set out in section 6.2 of the Ecological Appraisal Report – Phase 4 and 6 Land off Manor Drive July 2013, to include:-**

- **Vegetation to be strimmed in a two stage cut, directional to ‘push’ animals into retained habitat, during suitable weather conditions. Strimming only the minimum area needed for the works.**
- **Keep all works within the strimmed area/ short grassland, and store all vehicles, equipment etc on the grassland, road or away from site.**
- **Should any Great Crested Newts be found within works area, all activity to stop and advice sought from suitably qualified ecologist.**

Reason: In the interests of protecting any Reptile and Great Crested Newts that may be present on the site, in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

- C7 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.**

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

- C8 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.

- C9 No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.**

Reason :To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure, in accordance with Policy CS22 of the Peterborough Core Strategy DPD.

- C10 Prior to the commencement of development, 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 Peterborough Core Strategy DPD (2011).

- C11 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:-**  
**- Planting plans including retained trees, species, numbers, size and density of planting**

**The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier, or in case of the public open space its completion.**

**Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping within the Public Open Space (but not 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 policy PP16 of the adopted Planning Policies DPD.

- C12 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following details of the maintenance schedules. The development shall thereafter take place in accordance with the approved details.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD.

- C13 Notwithstanding the details hereby approved the "approach" to the principal entrance to the dwellings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C14 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.

- C15 The dwellings shall not be occupied until the associated parking spaces and parking courts shown on the approved plans have been constructed, and that area shall not thereafter be used for any purpose other than parking of vehicles, in connection with the use of the dwellings.**

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

- C16 No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to turn so that they may enter and leave the parking courts in forward gear, and that area shall not thereafter be used for any purpose other than the turning of vehicles.**

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

- C17 Before any new access is brought into use, pedestrian visibility splays as indicated on the approved plans of dimensions 2m x 2m and cyclist visibility splays of 2.4m x 30m measured from and along respectively the highway boundary shall be provided on both sides of the accesses and shall be maintained thereafter free from any obstruction over a height of 600mm.**

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

- C18 All shared driveways off Manor Drive shall be 5m wide for a distance of 10m from the edge of the carriageway and the shared footway/cycleway running along Manor Drive adjacent to the site shall be 3m wide.**

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

- C19 The gradient of the driveways accessed off Manor Drive shall not exceed 1 in 10 for a distance of 5m from the back of the public highway and will be designed to ensure that no loose surfacing material or private surface water shall cross the access onto the existing public highways at Manor Drive.**

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

- C20 Development shall not commence on any part of the site before full details of the reconstruction of Manor Drive along the site frontage are submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied before the works have been completed in accordance with the approved plans.**

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

- C21 Lighting of privately maintained areas shall be arranged, with the source of illumination not being directly visible to users of the public highway, so that no danger or inconvenience is caused to users of the adjoining public highway.**

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

- C22 Temporary facilities shall be provided clear of the public highway for parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

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

- C23 No dwelling on the development shall be occupied before the access roads linking that dwelling to the existing public highway at Manor Drive have been completed to base course level and all footways and footway/cycleways have been completed to surface course level.**

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

- C24 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public Highway at Manor Drive. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy PP12 of the adopted Planning Policies DPD (2012).



**C25 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of residential amenity and to protect wildlife in accordance with policy CS16 and CS21 of the Peterborough Core Strategy DPD (2011).

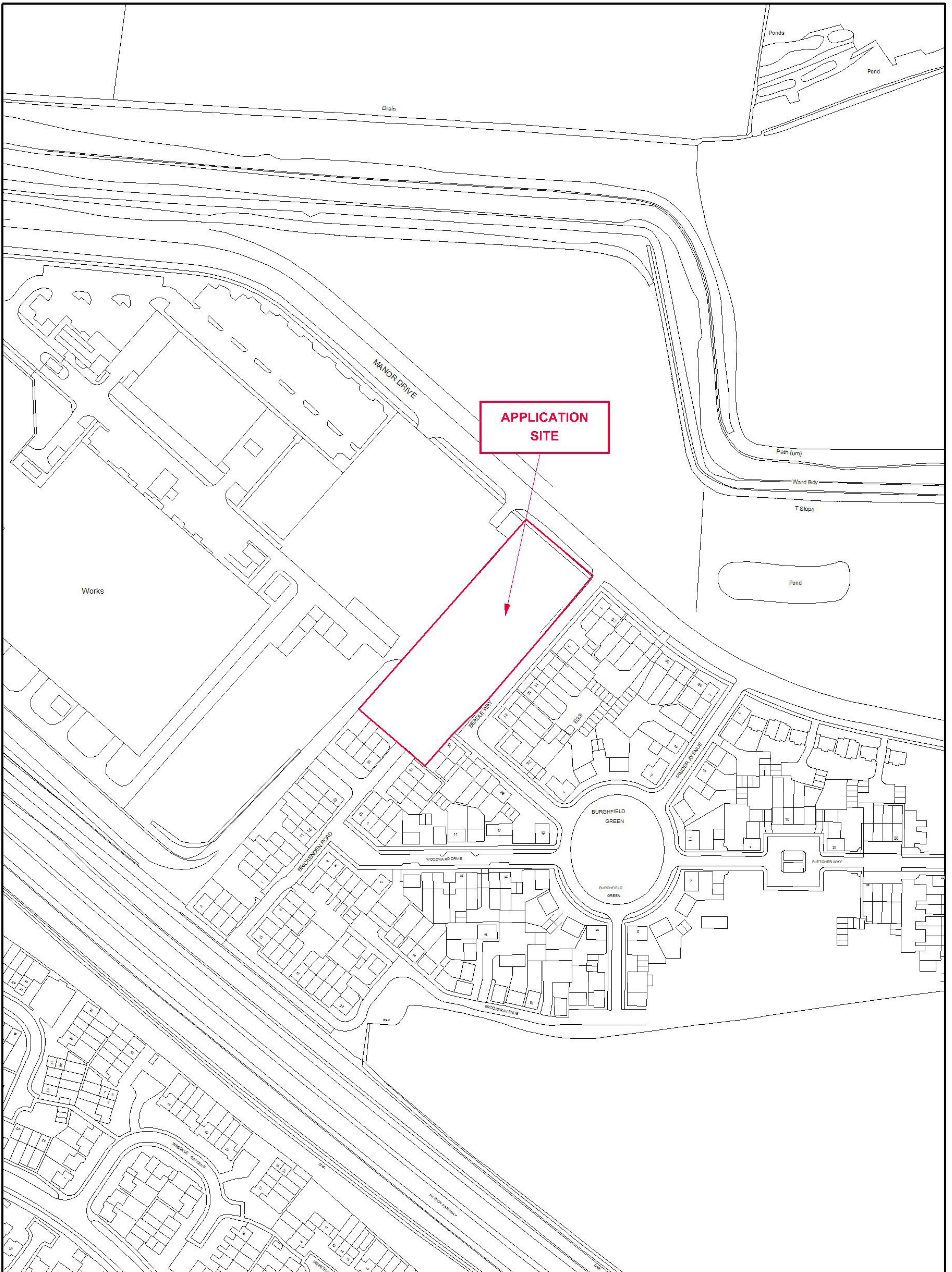
**C26 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. This shall include details of the proposed fencing around the pond. Development shall be carried out in accordance with the approved details and shall be completed before first occupation.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS of the Peterborough Core Strategy.

Copies to:  
Councillor Sue Day  
Councillor John Knowles  
Councillor George Simons

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**LOCATION PLAN 13/00928/FUL**

Land at Manor Drive, Gunthorpe, Peterborough - Phase 6

Scale NTS

Date 24/9/2013

Name AA Department Planning Services





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**Application Ref:** 13/00928/FUL

**Proposal:** Construction of 27 dwellings and associated works - Phase 6

**Site:** Land At, Manor Drive, Gunthorpe, Peterborough

**Applicant:** Mr Steve Flowers  
Cross Keys Homes

**Agent:** Ms L Cooper  
LMC Architect

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** Level of public interest

**Site visit:** 01.08.2013

**Case officer:** Miss A McSherry

**Telephone No.** 01733 454416

**E-Mail:** amanda.mcsherry@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 covers an area of approximately 0.54 hectares. The site is mainly overgrown grassland which is unused, and enclosed by heras fencing. There is however part of the site, adjacent to Manor Drive, which is cut grass with some landscaping. The site is bounded to the east by Beadle Way road and the residential properties beyond, to south by the residential properties on Brickenden Road, to the west by the Barker Perkins site and car parking, and to the north by Manor Drive and the Phase 5 residential development, which is currently under construction.

**Proposal**

Planning permission is sought for the erection of 27 affordable houses, 14 will be affordable rented and 13 will be shared ownership. The development will comprise of 20 x 2 bedroom, 5 x 3 bedroom and 2 x 4 bedroom properties, 25 of which are two storeys and 2 of which are 2.5 storeys in height. The houses are a mixture of semi-detached and terraced properties.

Vehicle access to the site is from Manor Drive and Beadle Way.

**2 Planning History**

Reference	Proposal	Decision	Date
10/01357/FUL	Construction of Phase 5 and 6 consisting of 72 residential dwellings (6 x 2 bed, 33 x 3 bed, 12 x 4 bed houses and 9 x 2 bed, 12 x 3 bed affordable homes) and associated works	Application Permitted	22/05/2012
92/00001/OUT	Residential and employment development	Application Permitted	28/10/2005
94/00005/OUT	Residential development and local centre (including convenience goods store approx 15000sq ft) outline	Application Permitted	28/10/2005

### **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)**

Local planning authorities should apply the presumption in favour of sustainable 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.

#### **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.

##### **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.

##### **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.

##### **CS17 - The Historic Environment**

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

##### **CS19 - Open Space and Green Infrastructure**

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

##### **CS21 - Biodiversity and Geological Conservation**

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

## **CS22 - Flood Risk**

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

## **Peterborough Site Allocations DPD (2012)**

### **SA01 - Urban Extensions**

Confirms the location of the urban extensions in accordance with Core Strategy policy CS5 and any planning permissions in place at the time of adoption.

## **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.

### **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.

### **PP17 - Heritage Assets**

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

## **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**

### **English Heritage**

No objection – This application forms part of a larger development, adjacent to the Car Dyke, a Roman canal which is a scheduled ancient monument. We do not consider that the development proposed will cause any harm to the significance of the Car Dyke or its setting.

### **Police Architectural Liaison Officer**

No objection – subject to conditions in respect of boundary treatments, lighting, landscaping and provision of self closing, self locking gates for shared rear access paths.

### **Environment Agency**

No objection – subject to the imposition of a condition in respect of foul water drainage.

### **Anglian Water Services Ltd**

No objection – A condition in respect of the proximity of the development to a sewage pumping station is recommended.

### **Natural England - Consultation Service**

No objections – Natural England are satisfied that there is not likely to be an adverse effect on the Dogsthorpe Star Pit Site of Special Scientific Interest. The Local Planning Authority should give consideration to protected species, local landscape and biodiversity enhancements.

### **Fire Community Risk Management Group**

No objection – subject to the adequate provision of fire hydrants. This can be secured by planning condition.

### **PCC Transport & Engineering Services**

No objections – The principle of development on this site has already been established under previous planning consents and the layout of this current application is similar to that which was permitted last year. The access roads off Manor Drive are to remain private. Subject to the imposition of conditions no objections are raised.

### **PCC Archaeological Officer**

No objections – The site has been subject to a series of archaeological investigations already. These investigations have provided sufficient information to assess the archaeological potential of the site. Therefore it is considered no further archaeological work is required.



### **PCC Drainage Team**

No objections – A condition requiring the submission of a surface water drainage scheme is recommended.

### **PCC Wildlife Officer**

No objections – Subject to the imposition of conditions in respect of protected species, nesting birds, landscaping and biodiversity gain.

### **PCC Landscape Officer**

No objection – Subject to the landscaped details being agreed.

### **PCC Pollution Team**

No comments received

### **Local Residents/Interested Parties**

Initial consultations: 28

Total number of responses: 35 (some of these are from the same person but raise different points)

Total number of objections: 35

Total number in support: 0

35 letters of objection have been received raising the following concerns:-

- Not enough public consultation / poor communication / no consideration of points raised
- Lack of open space/children's play areas / nearest play area is too far away / unsafe to get there / Council has not spent the section 106 money it has on providing community facilities
- Linden Homes said the site was for shops / community facilities / open space
- Many people park on street as the garages not big enough, this leads to problems of access for fire engines and bin lorries, this development will increase this problem.
- The proposed T junction access is not safe, this piece of road is already hazardous, this development will add to these problems
- Roads become icy in winter and there have been accidents e.g. Beadle Way
- Extra Traffic / traffic problems made worse by the lack of on site facilities including school and lack of bus service
- Parking problems as not enough parking space . garages too small / parking taking place on street making is difficult / dangerous to use the roads / junctions e.g. Beadle Way
- Appearance of dwellings fronting Manor Drive is very different to the existing houses
- Council is not going to adopt the roads so why was development allowed in the first place
- Proposed housing will add to wear and tear on road but will not be contributing to the upkeep
- Construction traffic and parking, is currently causing problems for residents
- Lack of pedestrian footpaths in the existing development is leading to pedestrian safety problems
- Homes proposed very close to the road
- Road is not wide enough
- Concentration of large numbers of social housing is a poor planning model, it should be more widely distributed within private housing
- Loss of neighbouring property values
- Homeowners misled by Linden Homes when buying properties – e.g. that affordable houses were for key workers, that there would be a cap on the number of affordable homes, that only the commercial area was to be built on with the rest being landscaped or for recreation, views to the countryside would be protected, there would be shops, that houses opposite me would be the same design
- The land should be used to provide amenities for residents, not more housing
- Impact on local community
- Loss of aspect/view
- Effect on wildlife/protected species
- There is a lack of services for residents; there is only 1 primary school which has a waiting list;

there are no nurseries; doctors; shops; bus route; parks or children's play spaces.

- Loss of light from houses into garden
- This land was supposed to be developed into a community area
- Disruption during construction
- Noise from adjacent business
- Risk of flooding
- Affordable housing in phase 1 is untidy / in disrepair
- Crime/security/anti-social behaviour problems will become worse and there is no guarantee Cross Keys will manage tenants property
- Low levels of lighting
- There is no safe walking route to schools or play areas or bus stop
- Do not want the fence removed that currently separates the site with Brickenden Road, to create a through road, and would like this fence to be replaced by a wall
- Unacceptable size/scale
- Were told by Linden Homes that the traveller site was to be moved in 2/3 years
- Large concentrations of social housing in other areas have caused problems e.g. Bretton, Orton, Westwood.
- Why build family homes where there are no facilities
- Loss of views
- Further devaluation of property
- No safe way of leaving the development, no bus service, bridge crossing unsafe
- Does Linden Homes plan to build a large amount of social housing at Helpston?
- Has Council agreed with Linden Homes that there will be no affordable housing at the White Willows site?
- Developer should build what they promised to build
- Mistakes of the past should not be repeated
- Will have to leave the area because of the problems
- There are no post boxes / litter bins etc.
- Village green not safe / suitable for play
- No community social space

A petition has been received with 176 signatures from the Burghfield Place Residents Group raising many of the above points.

**Cllr Simons** – Objects. Residents were mis-sold their houses as they were told that the land would be used for something else. Proposal would create extra traffic making existing problems even worse. The amount of social housing being provided would be more than the allowed percentage. Promises of play area provision have been broken. Plans should not go ahead until residents concerns have been investigated.

**Cllr S Day** – Objects. Residents were mis-sold their houses as they were told that the land would be used for something else. Proposal would create extra traffic making existing problems even worse. Some households would not get the view of the countryside they were promised. The amount of social housing being provided would be more than the allowed percentage. The affordable housing should be pepper potted and should not be on the main road. There is no community infrastructure in place to encourage a strong community, no play facilities and no community hub. Plans should not go ahead until residents concerns have been investigated.

**Cllr Knowles** – Objects. The site is a long way to shops and schools. Quality of life for all residents, especially children, would be unacceptable. Shops and other facilities approved in 1994 should be built before further development. A community centre and green space are needed. The footpaths are unsafe and there is a risk of fatality. To approve the development may be seen as negligence.

**Stewart Jackson MP** – Objects. The Council and developer have failed to provide community facilities even though £12m is available to do so. There are traffic, parking and road infrastructure concerns, in particular, insufficient attention has been given to the future flow of traffic between

Beadle Way and Manor Drive and egress to the main development to the north and west (from the latter) as well as parking on Beadle Way. Proposal is contrary to the following policies:

OB18 – Development does not provide for a walkable neighbourhood

CS8 – Over provides social housing

CS19 - Does not provide open space and community facilities

OB4 – Lack of public transport prevents people from accessing facilities

OB7 - There is not a balanced mix of housing as no owner occupied housing is provided for

## **5 Assessment of the planning issues**

The main considerations are:

- Principle of development
- Affordable housing
- Design and layout
- Impact on neighbouring sites
- Ecology
- Drainage
- Highway implications
- Impact on Car Dyke
- Community facilities
- S106 Obligations

### **a) The principle of development**

The application site together with surrounding sites are identified in the Site Allocations document as a committed mixed use urban extension, site SA1.2 Paston Reserve. The land to the east of this is also a proposed mixed use urban extension, site SA1.5 Norwood.

Outline planning permission was approved in 2005, for residential and employment and local centre under planning references 92/00001/OUT and 94/00005/OUT, covering 6 proposed phases, including the one currently under consideration. The masterplan identified the current application as being used for a local centre.

Planning permission was granted under planning reference 10/01357/FUL in 2012 for Phase 6 to be developed for housing (34 dwellings of which 5 were to be affordable) as an alternative to the originally approved local centre. The loss of the local centre was considered acceptable for the following reasons:

1. There was no commercial interest in the site.
2. The wider Paston Reserve Urban Extension allocation is planned to provide an indicative 1,154 dwellings with community facilities and a school and the proposed Norwood Urban extension to provide an indicative 2,300 dwellings, 2 hectares of employment land and new local centre. It was envisaged that these further phases of urban extension would be master planned to help ensure that this whole area would function as one integrated urban extension rather than separate ones positioned adjacent to each other.

Therefore in view of the previous planning consent 10/01357/FUL for 34 dwellings on the site and the sites identification as part of the Urban extension in the Site Allocations DPD, it is considered that the principle of residential development on the site is acceptable.

It should be noted that the planning permission 10/01357/FUL can be implemented on the site.

### **b) Affordable Housing**

Policy CS8 of the Core Strategy seeks on development sites of more than 15 dwellings, 30% affordable housing, but does not per se prevent a higher proportion being affordable.

The scheme proposes 100% affordable housing. Half are to be for rent and the other half are to be shared ownership. The delivery of 27 affordable homes from this proposal would go some way to addressing housing need evidenced in the Peterborough Strategic Housing Market Assessment update 2010, which evidences the need to provide 1008 new affordable homes per year to address existing and newly arising need. It is considered the unit types proposed, 20 x 2 bed, 5 x 3 bed and 2 x 4 bed would be appropriate to meet housing needs. The tenure mix is also appropriate. The delivery of 14 rented homes would help to meet the needs of some of the 5000 applicants currently awaiting re-housing on the Peterborough Housing Register. The delivery of 13 intermediate tenure homes will go some way to meeting the needs of the 22% of people in the Peterborough Sub region who are unable to afford market housing (as evidenced in the SHMA 2010).

Taking into account the number of dwellings already completed, under construction and yet to be started, plus the proposed development, 43% of the Burghfield development would be affordable in nature. There is no evidence to support the suggestion that this would have the effect of unbalancing the community.

It is considered that 100% affordable housing on this site, in combination with the existing and proposed surrounding residential housing would secure a mixed community and would not be contrary to the provisions of Policy CS8.

It should also be noted that under the existing and implementable planning permission for the site, it would be lawful for all of the houses to be affordable as is currently proposed (albeit with different house types and layout changes). It would therefore be unreasonable to refuse planning permission on the grounds of over provision of affordable housing.

#### **c) Design and layout**

The number of dwellings on the site has reduced from 34 approved under planning reference 10/01357/FUL to 27 now proposed. The heights of the properties have also reduced from that previously approved. The 10/01357/FUL scheme proposed 4 x 3 storey properties, 11 x 2.5 storey height and 19 x 2 storey properties. The current scheme proposes 25 x 2 storey properties and 2 x 2.5 storey properties.

The site layout proposed is very similar to that previously approved under planning reference 10/01357/FUL, albeit there are fewer dwellings.

It is considered the proposed site layout provides each property with an adequate provision of amenity space, car parking, together with acceptable bin storage and access arrangements.

The houses are acceptably arranged on site in relation to one another to prevent any unacceptable overbearing or overshadowing impact. The layout has been designed to ensure active frontages of properties are presented to the street scene, to prevent unsightly large blank elevations. The proximity of the properties to the road is considered acceptable and the surrounding character is one properties in close proximity to the road frontages. The property designs are considered to be visually acceptable, and the scheme will integrate acceptably into the existing surrounding street scene.

It is considered that the proposal is in accordance with Policies CS16 of the Core Strategy and Policies PP04 and PP13 of the Planning Policies DPD.

#### **d) The impact on neighbouring sites**

It is considered the houses proposed have been positioned sufficiently distant from the existing properties on Beadle Way and Manor Drive so as to not result in any unacceptable reduction in current privacy, light levels or have any unacceptable overbearing impact.

The properties proposed to the rear of the existing properties on Brickenden Road, would be positioned to the north east of these existing properties therefore there would be no significant overshadowing for these existing properties. It is considered that there is sufficient separation distance between the properties so that there would be no unacceptable overbearing impact.

The development proposes a road connection into the existing residential housing in Brickenden Road, which is currently a no through road as the application site is undeveloped. The residents in this street have expressed a preference to remain a no through road and not connect up with the proposed road within the site. The previous planning approval for housing proposed a similar road connection. It is a good urban design principle to have interconnection between adjacent housing to allow permeability and connectivity, rather than having each development isolated and separated by boundary treatments. It is not considered that this proposed road connection would cause significant harm to the residential amenity of the residential on Brickenden Road. Therefore it is considered that the benefits of the increased permeability with the road connection would outweigh any reduction to residential amenity.

As a result of the development there will be more traffic on Beadle Way and Manor Drive, but this is not considered to be of a level that would unacceptably impact on the residential amenity of these neighbouring properties.

It is therefore not considered that the development would unacceptably impact on the residential neighbouring amenity of any surrounding sites.

The proposal therefore accords with Policies CS16 of the Core Strategy and Policies PP03 of the Planning Policies DPD.

**e) Ecology**

An ecological assessment was undertaken, which identified the potential for the site to support breeding bird species, foraging bats, Great Crested Newts and reptiles. The assessment identified that no further ecological surveys were considered necessary due to the negligible ecological value of the site. The ecological mitigation measures proposed were to clear vegetation on site outside the bird nesting season, erect any necessary tree protection fencing to protect the root protection of trees, and to implement a non-licensed method statement for vegetation clearance to prevent impacts on reptiles and Great Crested Newts (GCN). If GCN are found on site, licensed mitigation may be required. The biodiversity enhancement measures proposed includes the incorporation of bird and bat boxes into the development, and the use of native species in the landscape scheme.

Officers consider the ecological assessment to be acceptable and would recommend that the ecological mitigation and biodiversity enhancement measures are secured by way of planning conditions. The proposal is therefore considered to be in Policies CS21 of the Core Strategy and PP16 of the Planning Policies DPD.

**f) Drainage**

The flood zone mapping shows the site falls within Flood Zone 1, where it is considered there is low probability of flooding. Residential development is considered appropriate within this Flood Zone. It is considered the proposed development would not cause an increase in flood risk in the wider catchment area from flood flows from the developments drainage, subject to provision of an acceptable surface water drainage design to take into account the increased impermeability of the site.

Subject to the imposition of drainage conditions, the proposal is in accordance with Policy CS22 of the Core Strategy.

#### **g) Highway Implications**

The principle of development on this site has already been established under the previous planning consents, and the layout is similar to that granted planning permission under planning reference 10/01357/FUL, in 2012.

The access roads off Manor Drive are to remain private, and as such the Local Highway Authority can only require access criteria to be met on accesses that have direct access from Manor Drive, e.g. the parking court serving plots 625 to 627. The plans submitted indicate that vehicle to pedestrian visibility splays can be achieved on either side of this access.

Even although the developer is not proposing to ask the Local Highway Authority to adopt the roads, the Local Highway Authority do not consider the addition of the shared surface access to the existing bend in Beadle Way to be unsafe as it has adequate vehicle to vehicle and vehicle to pedestrian visibility. The very nature of the connection, dropped crossing, will mean that vehicles will stop before proceeding into Beadle Way whilst being able to see any approaching vehicles from either direction of Beadle Way. The current bend in Beadle Way was designed purposely at 90 degrees to ensure vehicles are forced to slow down at that point, further reducing the risk of accidents. Therefore any accidents that do presently occur in this area are probably as a result of cars driving too fast for the road or weather conditions. In respect of the concerns raised by residents about ice on existing roads, residents should approach Linden Homes or their management company to ask for the roads to be salted or for a salt bin to be installed.

Footpaths will be provided on the Beadle Way and Manor Drive frontages of the site.

There is sufficient capacity in the surrounding road network to accommodate the level of residential development and associated traffic proposed.

The scheme proposes two car parking spaces for each property, there are no garages proposed within the development, this level of parking provision is in accordance with the revised parking standards of the Planning Policies DPD 2012. These revised parking standards have increased the car parking requirement for this development to 54 spaces which are being proposed, whereas previously under the old standards only 34 spaces would have been required. It is hoped these new increased car parking standards might help allay existing resident's concerns that this proposal would be deficient in car parking, which would lead to further on street parking by residents, causing highway safety problems. Officer therefore do not considered the will be a deficiency in car parking for the proposal.

The proposal is therefore considered to be in accordance with Policies PP12 and PP13 of the Planning Policies DPD.

#### **h) Impact on Car Dyke, Scheduled Ancient Monument**

The site is located to the south of Manor Drive, therefore it is considered that the site is sufficiently distant from the Car Dyke, Roman canal, scheduled ancient monument, so as not to cause any harm to the significance of the Car Dyke or its setting.

The proposal is therefore in accordance with Policies CS17 and PP17 of the Core Strategy and Planning Policies DPD.

#### **i) Community Facilities**

The master plan for the Burghfield Place made no provision for a community hub and identified two areas of open space. The first was the circular village green and the other being the buffer zone adjacent to the Car Dyke. Rightly or wrongly, it was never the intension to provide play areas in each of the phases as well as the two areas of open space previously amended. The issue of the lack of open space on the Burghfield Place development was considered by an Inspector when he considered an appeal against the refusal of planning permission for Phase 4 Ref 10/01329/FUL as objectors to the development had raised this

point. On the issue the Inspector said the following:

*31. Concern was also raised about open space provision and the effect that this would have on living conditions. It is appropriate that this should be required for developments of this nature. Suitable provision would not only ensure the residents in the new development had adequate recreational facilities, but it would also safeguard the amenities of those living close to the site, as it would avoid undue pressure being placed on existing facilities nearby. While the buffer zone could be used for informal recreation, there was a shortfall of 0.295ha in the amount of more formal open space associated with the scheme. The Council accepted that payments can be made in lieu of such provision to allow it to enhance or provide an off-site facility. It also acknowledged that the financial contributions in the submitted Unilateral Undertaking of 26 August 2011 (the Undertaking) were sufficient to address this matter adequately. Such an approach is reasonable, allowing larger better facilities to be created that serve a number of developments. I consider this aspect of the Undertaking accords with the tests in Regulation 122 of the Community Infrastructure Levy Regulations (the CIL Regulations) and so I afford it significant weight.*

*32. The Council said it would probably spend the money to improve facilities at Unity Park. This is an existing play area some 1.1km away, with pedestrian access from the site being along a route that is, at times, convoluted and secluded. Local residents contended this would be of little use to those living at the scheme, and, given the nature and distance of the route, this is a view with which I have some sympathy. There was also concern about the size of the contribution. However, to my mind the amount of money and where the Council chooses to spend it is not a matter over which the Appellant has control. It was also apparent at the Hearing that appellant was willing to discuss an alternative location for this additional open space provision that would be better related to the appeal site. Consequently, this matter does not offer a ground to resist the proposal.*

As can be seen from the extract above, the Inspector accepted that an off-site contribution in lieu of on-site provision is appropriate and that this issue did not warrant a reason for refusal. It should also be noted that as the development is only for 27 dwellings, only a small area of open space could ever be provided on the site making is impractical for the intended purpose.

Whilst the Council has been criticised for not having spent any of the open space / play equipment Sec 106 moneys that it has received as a consequence of the development to date, this is for good reason. Officers have been mindful of the fact that some residents have made it clear they don't want any play equipment putting on the green and that Unity Park is considered too far away. Officers have been in discussions with the adjacent landowner and have asked if some land due to be provided for school / community use could be made available at least on an interim basis as a play area. It should also be noted that a play area is due to be provided on the development of the first housing phase on the adjacent site.

**j) S106 Obligation**

Under the Planning Obligations Implementation Scheme a S106 Contribution of £126,000 should normally be paid for the development proposed. However the amount has been reduced to £22,309.84 (plus monitoring fee) to be used for neighbourhood infrastructure (i.e. excluding strategic infrastructure) and £4,691.16 for public open space, in light of the economic viability information submitted by the applicant. The applicant has indicated a willingness to complete a Unilateral Undertaking for the sum sought.

**k) Other matters**

In response to the objections raised which are not discussed above:

- Residents have raised concerns that the development will affect their property values. The impact of development on property values is not a material planning consideration that can be taken into consideration in the determining of planning applications.
- The roads on the existing development have not been put forward for adoption by the

developer and the Council cannot make the developer do this. Nevertheless, the width and alignment and visibility at junctions' accords with highway design standards.

- There amount of development taking place at Burghfield Place is not yet sufficient to support a commercial bus service as otherwise one would be provided by an operator.
- The scale of development at Burghfield Place is insufficient to support a primary school. A primary school is proposed on the adjacent Paston Reserve site however.
- The local planning authority cannot be held responsible for the alleged mis selling by Linden Homes
- The local planning authority cannot take into account the loss of views when deciding planning applications
- Noise from adjacent businesses – this can be mitigated by way of planning condition
- Construction parking – Recommended condition 22 requires temporary facilities to be provided clear of the public highway for parking, turning, loading and unloading of all vehicles visiting the site during the period of construction
- Affordable Housing at White Willows (Phase 5) – 5 affordable housing units are being provided on this site
- Affordable Housing at Linden Homes Helpston Site – 6 affordable housing units are being provided (reduced from 13 due to viability issues on the site)
- Development is different to what was previously approved. Once a development is approved the owner/developer is within their right to apply to revise their proposal. This does not mean that the changes will be approved. Equally the changes can't be rejected just because they are different to the approved plans.

## **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 weighting against relevant policies of the development plan and specifically:

- Planning permission has previously been granted planning for housing under planning reference 10/01357/FUL and the site is allocated for redevelopment in the Site Allocations document, therefore the principle of residential use is acceptable and in accordance with Policies CS2 of the Core Strategy and SA1 of the Site Allocations DPD.
- The development provides an acceptable safe vehicle access to the site, together with sufficient car parking. Therefore the proposal would not have any adverse impact upon highway safety. This is in accordance with Policy PP12 of the adopted Planning Policies DPD.
- The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore is in accordance with policy PP3 of the adopted Planning Policies DPD.
- The design and layout of the development is considered to be acceptable with no adverse visual impact on the surrounding area. The proposal is therefore in accordance with Policies CS16 of the Core Strategy, and PP02 of the Planning Policies DPD.
- Biodiversity enhancements are to be secured by way of a planning condition, in accordance with Policies PP16 of the adopted Planning Policies DPD and CS21 of the adopted Core Strategy DPD.
- Subject to the imposition of conditions to deal with surface water drainage the proposal is in accordance with Policy CS22 of the adopted Core Strategy DPD.
- A financial contribution will be secured by way of a legal agreement, for the infrastructure needs of the development, in accordance with Policy CS13 of the Peterborough Core Strategy.

## **7 Recommendation**

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



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

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

- C2 Prior to the commencement of development a scheme of surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority.**

Full details and the confirmation the scheme is as described, should be provided at detailed design stage. This should include but is not limited to:-

- Details of the ownership and responsibilities of maintenance of all drainage elements for the lifetime of the development, plus maintenance programme.
- Actual storage calculations to be provided, the drainage strategy currently states approximate volumes

The scheme shall thereafter be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012).

- C3 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: In the interest of safeguarding residential amenity in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C4 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 it has been demonstrated to the Local Planning Authority that immediately prior to the proposed commencement of works a survey has been undertaken to show that the site is free of nesting birds.**

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

- C5 Prior to the first occupation of any dwelling a scheme of bird and bat boxes for a range of different species e.g. house sparrow, starling, swift, as well as bat roosting features, including details of their proposed location and design, shall be submitted to and approved in writing by the Local Planning Authority. The development shall therefore be carried out in accordance with the approved details.**

Reason: In the interests of biodiversity in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

**C6 The development hereby approved shall be carried out strictly in accordance with the non-licensed method statement set out in section 6.2 of the Ecological Appraisal Report – Phase 4 and 6 Land off Manor Drive July 2013, to include:-**

- **Vegetation to be strimmed in a two stage cut, directional to ‘push’ animals into retained habitat, during suitable weather conditions. Strimming only the minimum area needed for the works.**
- **Keep all works within the strimmed area/ short grassland, and store all vehicles, equipment etc on the grassland, road or away from site.**
- **Should any Great Crested Newts be found within works area, all activity to stop and advice sought from suitably qualified ecologist.**

Reason: In the interests of protecting any Reptile and Great Crested Newts that may be present on the site, in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

**C7 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.**

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

**C8 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.

**C9 No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.**

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure, in accordance with Policy CS22 of the Peterborough Core Strategy DPD.

**C10 Prior to the commencement of development, 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 Peterborough Core Strategy DPD (2011).

- C11 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a scheme for the soft landscaping of the site has been submitted to an approved in writing by the Local Planning Authority. The scheme shall include the following details:-**  
**- Planting plans including retained trees, species, numbers, size and density of planting**

**The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier, or in case of the public open space its completion.**

**Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping within the Public Open Space (but not 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 policy PP16 of the adopted Planning Policies DPD.

- C12 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following details of the maintenance schedules. The development shall thereafter take place in accordance with the approved details.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD.

- C13 Notwithstanding the details hereby approved the "approach" to the principal entrance to the dwellings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C14 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.

- C15 The dwellings shall not be occupied until the associated parking spaces and parking courts shown on the approved plans have been constructed, and that area shall not thereafter be used for any purpose other than parking of vehicles, in connection with the use of the dwellings.**

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

- C16 No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to turn so that they may enter and leave the parking courts in forward gear, and that area shall not thereafter be used for any purpose other than the turning of vehicles.**

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

- C17 Before any new access is brought into use, pedestrian visibility splays as indicated on the approved plans of dimensions 2m x 2m measured from and along respectively the highway boundary shall be provided on both sides of the accesses and shall be maintained thereafter free from any obstruction over a height of 600mm.**

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

- C18 The shared driveway serving plots 625 to 627 shall be 5m wide for a distance of 10m from the edge of the carriageway.**

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

- C19 The gradient of the driveways accessed off Manor Drive shall not exceed 1 in 10 for a distance of 5m from the back of the public highway and will be designed to ensure that no loose surfacing material or private surface water shall cross the access onto the existing public highways at Manor Drive.**

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

- C20 The dwellings shall not be occupied until the agreed reconstruction works along the site frontage in Manor Drive have been completed.**

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

- C21 Lighting of privately maintained areas shall be arranged, with the source of illumination not being directly visible to users of the public highway, so that no danger or inconvenience is caused to users of the adjoining public highway.**

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

**C22 Temporary facilities shall be provided clear of the public highway for parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

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

**C23 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of residential amenity and to protect wildlife in accordance with policy CS16 and CS21 of the Peterborough Core Strategy DPD (2011).

**C24 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. This shall include details of the proposed fencing around the pond. Development shall be carried out in accordance with the approved details and shall be completed before first occupation.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS of the Peterborough Core Strategy.

Copies to:  
Councillor Sue Day  
Councillor John Knowles  
Councillor George Simons

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**LOCATION PLAN 13/00967/FUL**

Land to the North of 4 Werrington Bridge Road, Milking Nook, Peterborough

Scale NTS

Date 26/9/2013

Name AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL



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**Application Ref:** 13/00967/FUL

**Proposal:** Proposed two static caravans and two touring caravans with facilities block for one extended gypsy/traveller family

**Site:** Land To The North Of 4, Werrington Bridge Road, Milking Nook, Peterborough

**Applicant:** Mrs Jamie Harris

**Agent:** Architectural & Surveying Services Ltd

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** Level of public objection

**Site visit:** 17.07.2013

**Case officer:** Mr A Cundy

**Telephone No.** 01733 454416

**E-Mail:** amanda.mcsherry@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 small parcel of land measuring approximately 0.012 hectares, sited within a wider open pasture field located on the eastern side of Werrington Bridge Road. The site lies to the west of the village of Newborough and north of the area known as Milking Nook.

The boundaries to the site comprise an open ditch running along the eastern boundary adjacent to Werrington Bridge Road, with some semi-mature and matures trees and shrubs to the north-western most corner. The northern boundary comprises a low post and rail fence with the remaining extent of the site open to the wider field. There are residential dwellings located to the south, screened from the site by mature conifer hedging between 3 and 4 metres in height.

Vehicular access to the site is currently taken by an informal gate across the existing grass verge running along Werrington Bridge Road. A telegraph pole is situated to the front of the site, albeit within the highway verge and outside the extent of the red line boundary.

### **Proposal**

The application seeks planning permission for the siting of two static caravans 3.2 by 9.2 metres by 3 metres high and two touring caravans 2.4 by 6.6 metres for use by a single extended gypsy/traveller family. Associated ancillary development includes internal driveway, parking, turning and a facilities block 3.1 x 4.5 metres by 3.4 metres high. The static caravans will have a 1 metre high wall with flood boards.

## **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 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

##### **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.

#### **Peterborough Core Strategy DPD (2011)**

##### **CS22 - Flood Risk**

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

##### **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.

##### **CS09 - Gypsies and Travellers**

Sites for permanent pitches will be identified through a separate SPD document. Specific criteria will be used to identify suitable sites.

##### **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.

## **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

### **MW26 – Mineral Safeguarding Areas**

Mineral Safeguarding Areas are designated for deposits of minerals that are considered to be of current or future economic importance in order that proven resources are not needlessly sterilised.

## **Peterborough Planning Policies DPD (2012)**

### **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.

### **PP01 - Presumption in Favour of Sustainable Development**

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

### **PP02 - Design Quality**

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

### **PP03 - Impacts of New Development**

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

### **PP12 - The Transport Implications of Development**

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

## **Material Planning Considerations**

Planning Policy for Traveller Sites (DCLG) March 2012

## **4 Consultations/Representations**

### **PCC Local Highway Authority (16.07.13)**

Additional information requested - The access as shown on the submitted drawings is not adequate and should be widened, relevant vehicle-to-vehicle visibility splays should also be provided. A total of 2 parking spaces should be provided for each static caravan, not the number shown on the submitted drawings. The turning area within the site is adequate however, any gates to the access should be set back a minimum of 15 metres from the back edge of the highway to

allow vehicles to pull clear. Details of refuse collection should also be provided.

**PCC Wildlife Officer (30.07.13)**

No objections - The proposal is unlikely to have an impact upon the features for which the Freshwater Drain County Wildlife Site has been designated. In addition the ditch which runs alongside the road, being dry and with no sign of wetland vegetation, is not suitable to support protected species. Further the field where the proposed development would take place does not represent a suitable habitat for protected species. The wildlife officer is also satisfied that the trees/hedgerow (off site) to the north of the site would not be affected by the proposal and that there would not be any impact on associated species such as nesting birds. The officer acknowledges that the Biodiversity Checklist was not completed correctly, however given that the proposal is unlikely to have an impact on ecology felt it was unreasonable to pursue the matter with the applicant.

**PCC Drainage Team (05.08.13)**

No objection - Recommend a pre-commencement condition requiring details of proposed surface water drainage to be submitted and approved in order to reduce the impact of potential flooding upon occupants of the development.

**PCC Archaeological Officer (09.09.13)**

No objections - Whilst the contents of the application and supporting material lack detail and there is known historic and archaeological background to the site, archaeological investigation may be secured by condition.

**PCC Minerals And Waste Officer (Policy) (31.07.13)**

Objection - The proposal lies within a Minerals Safeguarding Area and insufficient information has been provided to assess the proposal against adopted policy in terms of potential mineral loss.

**PCC Pollution Team**

No comments received.

**North Level District Internal Drainage Board (24.07.13)**

No objection in principle - Formal Land Drainage Consent will be required to construct the proposed access. In addition, details of the impermeable areas to be drained into the watercourse will be required as a development levy will be payable.

**Environment Agency (14.08.13)**

No objections - The submitted information satisfactorily demonstrates that the proposed sleeping accommodation will be located in Flood Zone 2, not 3a. Request condition relating to development in accordance with the approved Flood Risk Assessment.

**Anglian Water Services Ltd**

No comments received.

**Newborough & Borough Fen Parish Council (23.07.13)**

Objection - The application fails to refer to the ditch on site that could contain water voles. The site is in a flood zone and no flood risk information has been submitted. There is a general concern that the site would extend and not be kept to a residential use. There are already numerous gypsy sites around Newborough and the proposal would overload the locality.

**Local Residents/Interested Parties**

Initial consultations: 6  
Total number of responses: 189  
Total number of objections: 183  
Total number in support: 5

A total of 134 objections have been received using a standardised objection template. A copy of this can be found at Appendix 1, with a summary of the objection points provided below:

- The land is not fit for human habitation.
- There are no pedestrianized areas connecting the site to essential services that a family would need.
- The site is at significant risk from flooding, as shown on the submitted drawings. Between November 2012 and April 2013, significant flooding on this site, would have been a danger to occupants and every winter the site serves as a flood plain.
- The proposal will increase the risk of flooding to existing residents as it would significantly weaken the effectiveness of drains running adjacent to the land.
- The only development on agricultural land should be to the benefit of agriculture.
- The site is within the open countryside and the development would significantly alter the character of the landscape.
- No consultation with local residents has taken place. The failure to accord with this requirement set out in national guidance has meant that local residents have not been given the opportunity to have their concerns heard by the Applicant.

In addition, 47 non-standardised objections have been received on the following grounds:

- The proposed development is contrary to Policy CS9 of the Peterborough Core Strategy DPD.
- The proposed structures would be clearly visible and prominent in the general landscape and the proposed landscaping would further diminish the openness of the character of the area with incongruous landscape features.
- The site is 2km away from the nearest settlement (Newborough) which is an inappropriate distance to travel to obtain services and facilities. In addition, there are no public footpaths meaning trips by private car only which is unsustainable.
- Safe and convenient access to the site cannot be provided.
- The level of detail submitted with the application is vague and lacking.
- The application has failed to demonstrate any assessed need for this site or any evidence that the proposed occupants do meet the definition of Gypsies and Travellers.
- Eric Pickles has revoked previous equality and diversity in planning tests and as such, planning rules should not be applied differently dependent upon the background of individuals involved.
- The application fails both the sequential and exception tests in relation to flood risk.
- Surface water run-off from the site will increase flood risk to neighbouring existing properties.
- The site is within Flood Zone 3 and suffers from flooding during winter months, it cannot be suitable for development.
- The development may weaken the effectiveness of existing surface water drainage.
- The existing sewerage system has suffered with problems and the addition of new properties will exacerbate this.
- Peterborough and North Cambridgeshire are already well provided for with Gypsy/Traveller sites.
- The site is on open ground which has continuously been refused for any other sort of development in the past.
- There is no certainty that the site would not expand in the future and could result in a 'mini' Oxney Road in the middle of a hamlet.
- The proposal will result in associated pollution, nuisance and crime/security issues.
- The proposed caravans will appear out of place in a historically rural farming community.
- An application for non-conventional dwellings should not be allowed when development for a permanent dwelling would not (already happened in an adjoining field).
- Concern that no checking of compliance with conditions, which has already occurred on the

'Lazy Acre' development.

- Approving the application would create another precedent for similar projects and increase the loss of land available for agriculture.
- The comparison proposed in the application with the 'Lazy Acre' development cannot be made as this site had no neighbouring residential properties.
- Concern that the development would affect wildlife in the area (sparrow, hawks, foxes, red kites, owls, newts etc.).
- The level of public consultation has been insufficient and the Council has failed to effectively engage with the local community, as required by the National Traveller Policy.
- A full and thorough Flood Risk Assessment must be undertaken prior to the determination of the application.
- The application has failed to adequately assess the impact of the proposal upon wildlife and ecology. In particular, the submitted 'Biodiversity Checklist' has been incorrectly completed. At the least, a Preliminary Ecological Appraisal should have been submitted with the application which would likely have revealed the need for further survey work. Council officers have not complied with the constitution/code of conduct as they have failed to ask for the info and the rights of residents have been overridden in favour of the applicant.
- There are Scheduled Monuments within the vicinity of the site and no assessment has been undertaken as to the impact of the proposal upon their setting.
- The site itself has potential to include heritage assets with archaeological interest and a field evaluation should be carried out.
- The site is near to a County Wildlife Site which identifies an area of high quality wildlife habitats.
- The outlook of neighbouring properties would be harmed.
- The development would generate more traffic which already causes problems for local residents.
- The bus service in the area is under review and is likely to be either reduced or withdrawn.
- The proposed site has the potential to infringe on other property boundaries.
- Concern regarding the ability of the Planning Department to enforce any planning misdemeanours.
- Werrington Bridge Road is already suffering from subsidence and damage from the traffic using it and the proposal would make matters worse.
- The residents of the area already have our fair share of these sites in the area. These sites should be distributed over the whole area, not Newborough alone.
- The local infrastructure is already at breaking points and the proposed development would exacerbate this.
- What will the rest of the land be used for?
- Planning a site in the middle of homes is unfair.
- There have been violent incidents in the past on the traveller site at the bottom of the road. The proposed site is linked to the same family and concerned that similar events could occur in an area with elderly and young people.
- Property values will decrease.

5 letters of support have been received, raising the following comments:

- The Applicants are community-spirited and just want to settle down.
- The existing site where the Applicants live is very overcrowded and the development will allow them their own land, privacy and more room.
- The development will allow the family to have a base from which the children can go to school.

### **Stewart Jackson MP**

Objection – Concerned that there has been inadequate consultation by the Local Planning Authority with neighbours. The decision to allow a residential development on the site contravenes planning policy on building in the open countryside and any such development will change the character of what has been pasture used for agricultural purposes. The site is in a high flood risk area with a high probability of flooding and comments from the Environment Agency need to be heeded in determining this application. There is poor access and egress to the main road and the site is also situated adjacent to notable nature sites.



## 5 **Assessment of the planning issues**

The main considerations are:

- Principle of development
- Access to services
- Landscape impact
- Vehicular access and highway implications
- Flood risk
- Residential amenity
- Archaeology

### **a) Introduction and background**

The applicant currently lives at Oxney Road Gypsy and Traveller site. The applicant has advised that the site is now overcrowded. The applicant has one child and they currently attend Parnwell School. The Councils Gypsy and Traveller Liaison Officer confirms this to be the case. Officers are satisfied that the applicant meets the definition of a Gypsy as described in Annex 1 of the Planning policy for traveller sites (DCLG 2012).

### **b) Principle of development**

Proposals for Gypsy and Traveller sites are assessed primarily against policy CS9 of the Adopted Peterborough Core Strategy DPD whereby the criteria of this policy is used to assess the site characteristics and constraints to development. The National Planning Policy Framework and its supporting document 'Planning Policy for Traveller Sites' are also material planning considerations in assessing the proposal. Planning Policy for Traveller sites March 2012 states that when considering applications local planning authorities should attach weight to such matters as effective use of previously developed (brownfield), untidy or derelict land, sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness, promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children, not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

There are currently no new sites allocated for permanent Gypsy and Travellers occupation within the Proposed Site Allocations Document DPD and there is a demonstrable need for Gypsy and Traveller sites as identified in the Cambridgeshire sub-Regional Gypsy and Traveller Accommodation Needs Assessment 2011. This assessment states that there is a need for 53 pitches by 2031. Policy CS9 of the Adopted Peterborough Core Strategy DPD states that the Council will be prepared to grant permission for sites in the countryside (i.e. outside the Urban Area and Village Envelopes) provided that there is evidence of a need (as identified in the local assessment).

The main thrust of local and national Gypsy and Traveller policy is that there is a presumption in favour of granting consent for use and in assessing the proposal it is therefore necessary to balance the need for Gypsy and Traveller sites against other policy considerations. Policy CS9 (a) of the Adopted Peterborough Core Strategy states that the site and its proposed use should not conflict with other development plan policies or national planning policy relating to issues such as flood risk, contamination, landscape character, protection of the natural and built environment or agricultural land quality. These issues will be addressed within this report.

### **c) Access to Services**

Criteria (b) of Policy CS7 - requires the site to be located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school.

The site is within approximately 1 mile from Newborough Primary School with associated

facilities and 5 miles from Parnwell School which the applicant's child attends. It is considered that these distances are reasonable travelling distances to these services. The National Planning Policy for traveller site states that issues of sustainability are important and should not only be considered in terms of transport mode and distances from services. Other considerations include the wider benefits of easier access to GP's, other health services and children attending school on a regular basis with the provision of a settled base that reduces the need for travel by car. On balance it is considered that the location of the site is sustainable as shops + health and other facilities are available in Newborough. The site is locationally comparable to that of a Gypsy caravan site proposed off the A47 near to Wansford which the Local Planning Authority (PCC) refused planning permission. The applicant appealed the decision and whilst the Planning Inspectorate dismissed the appeal the Inspector was satisfied the location was sustainable in that the site was within walking distance and only a short car journey away from the services in Wansford which contains various shops and a health centre. It is considered that the proposal therefore accords with policy CS9 (b) of the Adopted Peterborough Core Strategy DPD.

**d) Landscape impact**

The application site is not located in an area of the district that has been identified as having the best landscape value although the immediate area does have a rural quality that affords a pleasing visual amenity. The site has had a long history of agricultural use and has established itself by way of its hedging and trees such that its condition is considered compatible with the rural nature of the immediate area.

It is considered that some adverse impact upon the appearance and character of the local area is likely to arise from the development and use of land as a Gypsy and Traveller site, but the key test is whether such harm would be unacceptable. Specifically officers accept that the development could never be assimilated into the local landscape as it would be impossible to contain the visual impact of up to four caravans, a facility block and associated vehicles. Notwithstanding this Members are reminded that there are currently no sites allocated for Gypsy and Travellers within the Proposed Site Allocations Document DPD and there is a demonstrable need for Gypsy and Traveller sites. It is considered that the harm caused is not so significant to outweigh the need for a Gypsy and Traveller pitch. Planning conditions are recommended to ensure that hard landscaping and boundary treatment are kept to a minimum to ensure that the landscape impact is minimised.

**e) Vehicular access and highway implications**

Criteria (c) of Policy CS9 of the Peterborough Core Strategy DPD (2011) requires safe and convenient pedestrian and vehicle access to and from the public highway, and adequate space for vehicle parking, turning and servicing.

The Council's Highway Authority has requested additional information. Specifically the access as shown on the submitted drawings is not adequate and should be widened, that relevant vehicle-to-vehicle visibility splays should also be provided and that a total of 2 parking spaces should be provided for each static caravan. Planning officers are satisfied that a safe access and sufficient off road car parking can be achieved and recommend that this element be conditioned.

**f) Flood risk**

The submitted information satisfactorily demonstrates that the proposed sleeping accommodation will be located in Flood Zone 2, not 3a. The Environment Agency raises no objection subject to the imposition of a condition requiring the development to proceed in accordance with the applicants flood risk statement.

**g) Residential Amenity**

The location of the caravans and associated development would be set within the site by 10m

and over 30m from the nearest dwelling. It is unlikely that the use of the site for one Gypsy family would have any adverse impact upon the amenities of occupiers of nearby residential properties and therefore accords with policy CS9 (e) of the Adopted Peterborough Core Strategy DPD.

**h) Archaeology**

The Archaeological Officer has advised that the site may contain remains of interest but would not require an archaeological investigation prior to the determination of the planning application. A planning condition is recommended requiring archaeological investigation works prior to the commencement of development.

**i) Impact on Minerals Safeguarding Area**

The Council's Minerals and Waste Officer advises that the proposal lies within a Minerals Safeguarding Area and insufficient information has been provided to assess the proposal against adopted policy in terms of potential mineral loss. Planning officers consider that the site is very small and is near to other development. In this context it is not considered that the proposal significantly compromises the safeguarding area.

**j) Other matters**

Objectors have raised a number of other points and these are addressed below:

- ***The land is not fit for human habitation.***

Officer response: The Environment Agency has revised its position in light of additional flood prevention measures submitted by the Applicant. In light of this, it is considered that the site will not pose any unacceptable flood risk to future occupants and as such, is suitable for the proposed use.

- ***The only development on agricultural land should be to the benefit of agriculture.***

- ***The site is on open ground which has continuously been refused for any other sort of development in the past.***

- ***An application for non-conventional dwellings should not be allowed when development for a permanent dwelling would not (already happened in an adjoining field).***

Officer response: In accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011), the Council is prepared to grant permission for Gypsy/Traveller sites within the open countryside providing that there is evidence of need and that the intended occupants meet the definition as set out in Government guidance. In line with the assessment detailed above, it is considered that the proposal accords with these criteria's.

- ***No consultation with local residents has taken place. The failure to accord with this requirement set out in national guidance has meant that local residents have not been given the opportunity to have their concerns heard by the Applicant.***

- ***The level of public consultation has been insufficient and the Council has failed to effectively engage with the local community, as required by the National Traveller Policy.***

Officer response: The national policies set out in Planning Policy for Traveller Sites (2012) place a requirement for consulting with local residents in allocating land for sites. Notwithstanding this, the Local Planning Authority has a statutory duty to consult all adjoining residents and where they cannot be readily identified, erecting a site notice. This requirement has been fulfilled in respect of this application and therefore legally compliant..

- ***The level of detail submitted with the application is vague and lacking.***

Officer response: Officers consider that the level of information provided with the application has been sufficient to allow detailed assessment and determination against adopted planning policies.

- ***There is no certainty that the site would not expand in the future and could result in a 'mini' Oxney Road in the middle of a hamlet.***  
 Officer response: Planning applications cannot be determined on the presumption of what development may take place in the future and Members must consider that application presented to them on its own merits. Any potential future development would require the benefit of planning permission which, if submitted, would be considered on its own merits.
- ***Concern there will be no checking of compliance with conditions which has already occurred on the 'Lazy Acre' development.***
- ***Concern regarding the ability of the Planning Department to enforce any planning misdemeanours.***  
 Officer response: This is a matter of Enforcement, not a material planning consideration in the determination of applications. If planning permission were to be granted and any complaint made to the Local Planning Authority, this would be fully investigated in accordance with established procedures as has been the case at Lazy Acre.
- ***Approving the application would create another precedent for similar projects and increase the loss of land available for agriculture.***  
 Officer response: Any planning application is determined upon its own merits and as such, the approval of the current proposal would not set a precedent for future sites in the area. With regards to the loss of agricultural land, the site extends to a total area of 0.012 hectares and is not considered to be of the highest quality. Given its limited size, it is not considered that the proposal would result in an unacceptable loss of agricultural land.
- ***The comparison proposed in the application with the 'Lazy Acre' development cannot be made as this site had no neighbouring residential properties.***  
 Officer response: Whilst the supporting documentation submitted with the planning application makes reference to this site, comparisons have not been made by Officers during the determination of the current scheme.
- ***The outlook of neighbouring properties would be harmed.***  
 Officer response: Whilst the impact upon the character and appearance of the locality is a material consideration (discussed above), in planning terms, nobody has a right to a view and as such, this is not a valid planning objection.
- ***The proposed site has the potential to infringe on other property boundaries.***  
 Officer response: The application boundary is clearly defined on the submitted Location Plan and it is only this area to which the application relates. The application cannot be determined on the basis of potential future unauthorised expansion.
- ***What will the rest of the land be used for?***  
 Officer response: The application boundary is clearly defined on the submitted Location Plan and it is only this area to which the application relates. The remaining surrounding land will be retained for agricultural purposes unless planning permission is given for an alternative use.
- ***Planning a site in the middle of homes is unfair.***  
 Officer response: The impact upon the amenity of neighbouring occupants has been discussed in the assessment above.
- ***There have been violent incidents in the past locally involving travellers.***  
 Officer response: The planning application cannot be determined on the basis of public perception of characteristics of the gypsy + traveller community.
- ***Property values will decrease.***  
 Officer response: This is not a material planning consideration.

- ***Lack of an ecological appraisal***

Officer response: Post receipt of the application it was established that the proposal should have been submitted with an ecological assessment. However an inspection by the PCC Wildlife Officer concluded that the site has low ecological potential.

## **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: it is considered that there will be no unacceptable impact on the amenities of neighbours, that the site is within a reasonable distance of local services and facilities, that there is sufficient parking and has a safe vehicular access. It is considered that the harm caused to character and appearance of the local area which can be partially mitigated by a conditioned landscape scheme is not so significant to outweigh the need for a Gypsy and Traveller pitch. Planning conditions are recommended to ensure that hard landscaping and boundary treatment are kept to a minimum to ensure that the landscape impact is minimised. It has been demonstrated that the sleeping accommodation is in a safe location in flood risk terms within the site. The proposal won't be harmful in ecological terms and a foul water condition will ensure that the risk of pollution is mitigated. The proposal is therefore in accordance with Policy CS9, CS14, CS20, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies PP01, PP02, PP03, PP12, PP13, PP16 PP19 of the Peterborough Planning Policies DPD (2012) and the Planning Policy for Traveller Sites (DCLG) March 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 This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined by as set out in Annex 1 of the Planning Policy for Traveller Sites (2012).

Reason: In order to control development in the open countryside, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011).

C 3 The site shall be limited to one pitch containing no more than four caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, at any one time only two of which shall be static.

Reason: In order that the Local Planning Authority can control the impact of the use of the site on the locality, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011).

- C 4 Prior to the siting of any static caravans on the site, full details of the caravan(s) to be sited shall be submitted to and approved in writing by the Local Planning Authority. The details shall include dimensions (including width, depth and height) and the external appearance.

Reason: In order to protect the visual amenity of the surrounding area, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 5 No development shall take place until details of the materials to be used in the construction of the external surfaces of utility block hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to protect the visual amenity of the surrounding area, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 6 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with paragraphs 128 and 141 of 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).

- C 7 Notwithstanding the submitted drawings and prior to first use of the site, drawings detailing the access to the site (which shall be a minimum of 5.5 metres wide for the first 10 metres and then 5 metres wide thereafter) shall be submitted to and approved in writing by the Local Planning Authority. The access shall be implemented in accordance with the approved drawings and prior to first occupation of any caravan.

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

- C 8 Notwithstanding the submitted drawings and prior to first use of the site, drawings showing vehicle-to-vehicle visibility splays measuring 2.4 metres x 215 metres on both sides of the access shall be submitted to and approved in writing by the Local Planning Authority. The splays shall be provided prior to first occupation of any caravan and maintained free of any obstruction above a height of 600mm in perpetuity.

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

- C 9 Notwithstanding the submitted drawings and prior to first use of the site, drawings showing two parking spaces for each static caravan shall be submitted to and approved in writing by the Local Planning Authority. Those spaces shall be provided prior to first occupation of the



caravan to which they relate and shall thereafter be maintained for the purposes of parking only.

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

- C10 Notwithstanding the submitted drawings, any gates to be provided at the access to the site shall be set back a minimum distance of 15 metres from the back edge of the public highway carriageway.

Reason: To ensure vehicles can stand clear of the adjacent carriageway whilst the gates are in operation and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C11 Prior to first use of the site, a scheme for the hard and soft 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 caravan.

The scheme shall include:

- external paving and surfacing materials (including parking and turning areas);
- all boundary treatments; and
- planting plans including retained trees, species, numbers, size and density of planting.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies CS9 and CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C12 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 or become diseased 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 to those 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 Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C13 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Statement (Architectural and Surveying Services email dated 6 August 2013) and the Supporting Statement (reference PE1092-SPPS)

The mitigation measures shall be fully implemented prior to first occupation of any caravan and subsequently in accordance with the timing/phasing arrangements embodied within the approved scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C14 Prior to first use of the site, a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans/specifications at such time(s) as may be specified in the approved scheme.

Reason: To reduce the impact of pollution and flooding on the proposed development and prevent any increased flood risk elsewhere, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C15 Prior to first use of the site, drawings/specifications shall be submitted to and approved in writing by the Local Planning Authority which shows detailed bin storage and collection facilities for each caravan. The approved scheme shall be provided prior to the first occupation of the caravan which it serves and those areas shall be retained thereafter for the storage of refuse and recycling bins only.

Reason: In order to ensure that adequate bin storage space is available and to protect the visual appearance of the street scene in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C16 No external lighting shall be installed/erected within the site until details (including light spillage and lux levels) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- C17 Any lighting installed/erected at the site shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in environmental zone E1 in the Institution of Lighting Engineers document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. In the event of any reasonable complaint to the Local Planning Authority in respect of light intrusion to neighbouring properties, the Applicant (or their successors in title) will be required to demonstrate compliance with these limits.

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

- C18 Notwithstanding the provisions of Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or means of enclosure shall be erected within the site unless expressly authorised by any future planning permission.

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

C19 Prior to commencement of development revised plans showing vehicle to pedestrian visibility splays of the following dimensions 2.m x 2.m on both sides of the access shall be submitted and approved in writing to the LPA. The splays shall be provided prior to occupation and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m 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: and Policy PP12 of the adopted Planning Policies DPD:

Copies to:  
Councillor David Harrington

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15 AUG 2013

**Appendix 1**

I am writing to register the strongest possible objection to the above planning application because the land is not fit for human habitation. In addition there are no pedestrianised areas connecting this site to the essential services that a gypsy/traveller family would need.

This site is at significant risk from flooding and the submitted plan even recognises this. Between November 2012 and April 2013 the significant flooding on this site would have been a danger to health and life. Every winter this site serves as a flood plain. Not only will this plan be a significant risk to the family living on the site it will also increase the risk for existing residents. Without a doubt the proposed plan would significantly weaken the effectiveness of drains running adjacent to the land and place adjacent properties at risk of damage.

It is also significant that this site is proposed upon agricultural land in the countryside. The only development allowed on such land should benefit agriculture. In addition this site is in the open countryside and this development would significantly alter the character of the landscape.

No consultation with local residents has taken place. National guidance suggests that in order for gypsy/traveller sites to gain support from the local community widespread consultation should take place. The failure to do this has meant that local residents have not been given the chance to have their concerns heard by the applicant.

To conclude this land should be retained for pasture as it is not suitable for habitation.

*Print Name*

*Signature*

*Address (inc. Post Code)*

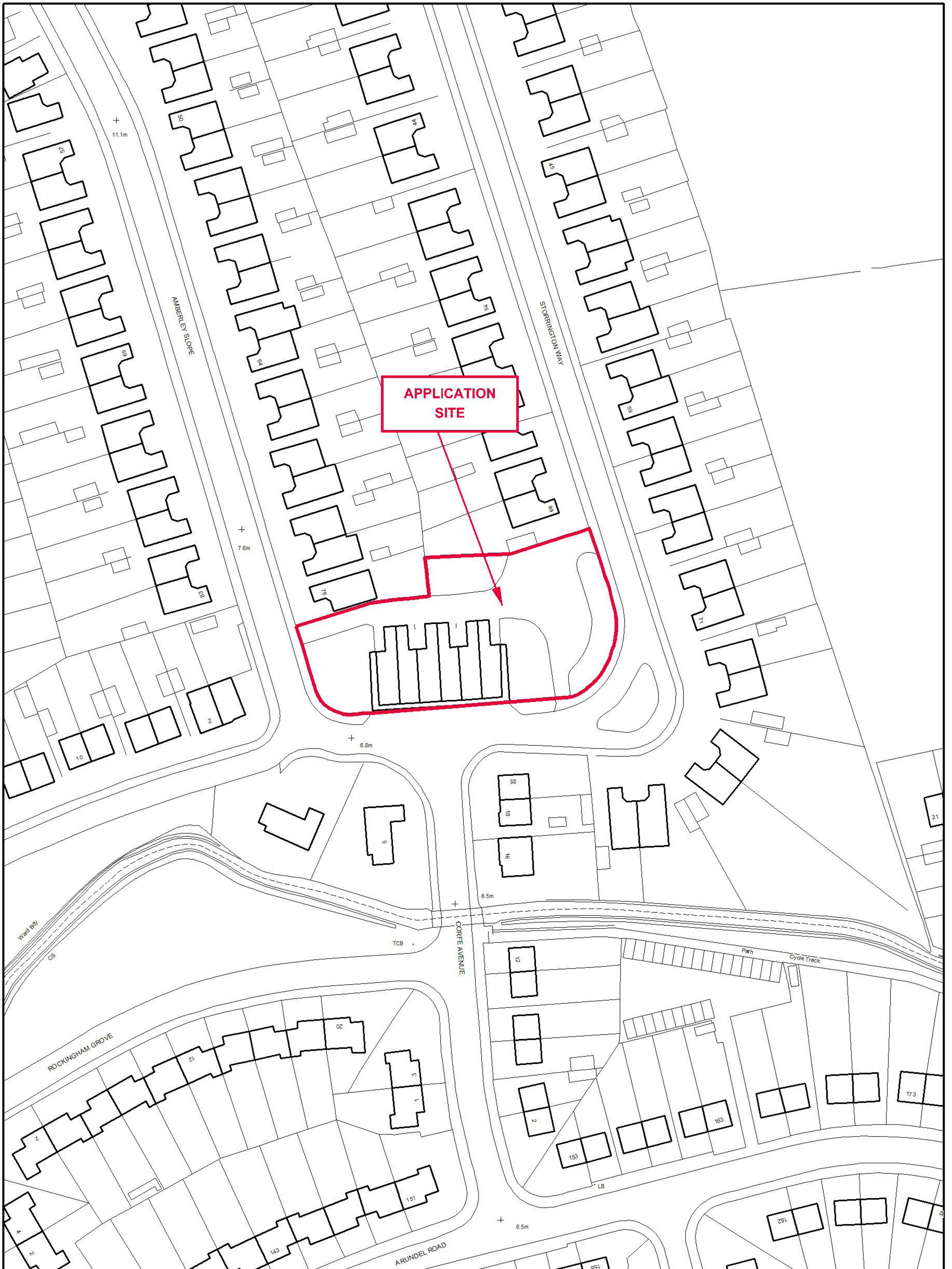
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**LOCATION PLAN 13/01263/FUL**  
 70-80 Storrington Way, Werrington, Peterborough

**Scale** NTS    **Date** 26/9/2013    **Name** AA    **Department** Planning Services





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**Application Ref:** 13/01263/FUL

**Proposal:** Extension to retail floorspace with two flats above

**Site:** 70 - 80 Storrington Way, Werrington, Peterborough, PE4 6QP  
**Applicant:** Deangate Properties Ltd

**Agent:** Mr David Shaw

**Referred by:** Cllr Paula Thacker  
**Reason:** Impact on the general amenity of the area  
**Site visit:** 26<sup>th</sup> September 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 located on the northern side of Storrington Way and on the corner with Amberley Slope to the west and is a grassed area adjacent to the western end unit within a Local Centre. The Local Centre comprises a terraced shopping parade with commercial units at ground floor and flats at first and second floors. There are parking bays for up to 4 cars to the front of the parade and a car park is located to the east and accessed off Storrington Way. The surrounding character is predominantly residential comprising bungalows and 2 storey properties. There are currently 2 trees located in within the grassed area to the west of the site.

**Proposal**

The application seeks approval for the erection of an extension to the western end unit within the shopping parade. The extension would provide 136m<sup>2</sup> of retail (A1) floorspace at ground floor and 2 no. 1 bed flats at first floor. The flats would be accessed via an external staircase at the rear in a similar way to the existing flats. The commercial units would also be serviced from the rear. Two parking spaces would be provided to serve the flats. The footprint of the extension would be 11m in length x 13m in depth. The roof would have a gable end style to match the existing building at a height of 7.2m. A small terraced area would be available to both flats on the southern elevation (front) and a small amenity/drying area would be provided to the rear.

**2 Planning History**

Reference	Proposal	Decision	Date
04/00969/FUL	Erection of 11 flats and associated parking	Application Withdrawn	12/08/2004
07/00721/FUL	Erection of 7 flats with car parking	Not Determined Allowed at Appeal	21/08/2007

### **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 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)**

##### **CS15 - Retail**

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

##### **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)**

##### **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.

##### **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.

#### **PP09 - Development for Retail and Leisure Uses**

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

#### **PP11A - (a) Shop Frontages (including signage)**

Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

#### **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**

**PCC Landscape Officer** – No objections -There are 2 semi-mature trees on site; these specimens appear to be the “fastigate” variety which are deemed to be suitable for planting in urban areas due to their compact nature. Whilst these 2 trees are obviously part of the landscape in a location which is largely denuded of vegetation, they do have the appearance of being just “dropped in” and are somewhat incongruous in their surroundings. I would suggest therefore that if consent is granted, a more sustainable solution would be to allow for these 2 trees to be removed subject to appropriate mitigating planting which could be secured by way of a standard condition.

**PCC Archaeological Officer** – No objections. The proposed development area contains no known heritage assets.

**PCC Building Control Surveyor** - Building regulations approval required.

**PCC Transport & Engineering Services** - No objections to the proposal subject to appending a condition for parking provision to be retained.

**PCC S106 Planning Obligations Officer** - A Section 106 contribution is sought for the proposal. A 2% Monitoring Fee of £120 is also required.

**Werrington Neighbourhood Council** - Whilst we can find little in terms of formal planning objections to the application, we consider this to be an overdevelopment of the site, shops and flats are currently unoccupied, the site is in a residential area and the shops were originally intended to provide local services, they are now somewhat rundown and we would hazard to suggest that they do not truly meet that intent, the proposed development is on a difficult junction especially as Storrington Way is served by double decker buses, the approach of which is likely to be obscured to other road users by the new development. This concern is enhanced by the relative proximity of the primary school, which is not without its own traffic problems. Residents are concerned relating to general maintenance of the existing property public areas. The grassed areas are unkempt and the car park is in extremely poor condition.

#### **Local Residents/Interested Parties**

Initial consultations: 20 Total number of responses:

Total number of objections: 7 Total number in support:

Objections have been received from 7 neighbouring occupiers raising the following issues:

- The proposal will have an adverse impact on the sale of my property
- We have recently written to our MP, Stewart Jackson regarding the state of this building due to it's ill repair, poor road access and the unsanitary conditions of the flats.
- The site needs improving and a new building added to it would be hideous and look completely out of place.
- The site is a mess and requires bulldozing and replacing with new Cross Keys Homes. A new building on the existing site is in our opinion absolutely ridiculous.
- We feel there is no need for a further two shops. They cannot fill the existing shops, some have been empty for several years.
- Loss of light to our property
- We do not want another 'eyesore' outside our home.
- Impact on television reception which is already poor
- Increase in traffic
- Traffic already speed down Amberley Slope
- The side road needs repairing, this is just tip of the iceberg!
- The roads servicing these properties are already too restricted and dangerous
- There is certainly no room for any more patrons.
- The effects on traffic, road access and visibility, parking and highway safety is already a problem at the site.
- The development would cause a blind spot for traffic and would be dangerous
- There is already inadequate parking provision
- One recent application has just fallen through again.
- The current retail units pay towards the maintenance of the grassed areas but it is left to the tax payer to foot the bill because the landlord won't do anything about it
- The protruding concrete balcony around the flats is dangerous with children and teenagers
- The back of the shops and flats is like a rubbish tip and the access road is very poorly maintained.
- Storrington Way, Amberley Slope & Cissbury Ring are quiet residential roads with the majority of the residents being elderly
- I don't see any benefits for the residents in building more shops and flats. And I can't think of any retail business that would enhance the area or the residents lives,



- The impact on the character of the area, where the present grassed area will be destroyed along with two mature trees depriving local children of a play area
- The impact on adjoining properties in terms of privacy, and daylight
- The appropriateness of the proposed land use.
- Another (potential) nuisance smell from yet another take-away restaurant added to the existing stink from the Chinese take-away
- I am in the process of purchasing 78, Amberley slope, Werrington, which adjoins the site. My objections are that any extension of the shops and residential flats would mean an increase of traffic to the car park, the entrance to which runs along the side of the property and residents of the flats would overlook the garden.
- We do not need another food outlet, the development is too cramped and we already have to put up with food and litter
- No information on what type of trade this will be
- Only 3 residents were consulted in Amberley slope

## **5 Assessment of the planning issues**

### a) The Principle of Development

The site is located within a Local Centre and therefore the principle of retail development on this site is acceptable and accords with policy CS15 of the Adopted Peterborough Core Strategy DPD and policy PP9 of the Adopted Peterborough Planning Policies DPD.

In addition, the site has an extant planning consent for 7 flats (ref. 07/00721/FUL) having been allowed at appeal in 2007 and works have commenced on site. The site is in an area which is predominantly residential in character and the mixed development is consistent with the existing development on this site. The principle therefore of residential development is already established.

### b) Design and Visual Amenity

The existing building was built in the 1960s/70s and the design is typical of that period and has no particular architectural merit. To the rear of the building are single storey storage elements serving the commercial properties and a rear balcony/terrace which provides the amenity area serving the existing flats. The rear of the building is particularly untidy in appearance. It is hoped that the development if implemented would encourage some investment into the site and encourage a sense of responsibility for the appearance of the building as a whole.

A number of objections have been received regarding the lack of upkeep of the existing buildings and the grassed areas and parking areas within the site. It is unfortunate that the buildings and areas outside are not being adequately maintained. However, this is not a material planning consideration.

The design of the extension is considered to be in keeping with the existing building and the style of the shopfront serving the ground floor would be sympathetic in style and proportions to the shop front within the existing building. Whilst the first floor windows within the front elevation do not have a vertical emphasis as do the first floor windows in the existing building they are in keeping with the windows within the second floor of the existing building and have a more domestic appearance.

The amenity/drying area to the rear of the flats would appear as a continuation of the fencing to the terrace which serves the existing flats.

It is considered that the extension could be accommodated within the site and would not be detrimental to the character and appearance of the existing building or to the street scene as a whole. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core

Strategy DPD and policies PP2 and PP11 of the Adopted Peterborough Planning Policies DPD

c) Residential Amenity

It is considered that the proposal would provide a satisfactory level of amenity for the future occupiers of the first floor flats. There is a small amenity/drying area to the rear and a small terrace area to the front which would be south facing. The rooms within the flats appear spacious and are all served with windows to provide natural light. The flats would be located within a residential area which is well served by shops and services to meet the residential needs of the future occupiers. The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy DPD and policy PP4 of the Adopted Peterborough Planning Policies DPD.

d) Neighbouring Amenity

The extension would be positioned approximately 10m from the side elevation to the neighbouring property at 78 Amberley Slope which is a bungalow. The proposed extension would not unduly impact upon the amenity of the occupiers of this property in terms of overbearing impact or loss of light due to the separation distance.

The initial proposal included a window within the first floor rear elevation of the extension which would serve a bedroom. There is a window within the side elevation of the neighbouring property at number 78 and therefore the agent has been asked to amend the drawing and to delete the first floor window. This is acceptable and there is a window within the side elevation which would serve the bedroom. This would avoid any direct overlooking to the neighbouring properties.

A representation has been received from a prospective purchaser of no. 78 Amberley Slope raising concerns with increase in traffic to the car park and overlooking from the flats. The access to the adjacent property would only serve the servicing to the shops and the occupiers of the flats and would not provide access to the main car park. It should be noted that this is a current access.

In addition, there is already the potential for overlooking to this property from the balconies which serve the existing flats. The new flats would not result in any direct overlooking to the neighbouring property.

It was apparent from the site visit that the neighbour at number 78 has solar panels on the south roof slope however, it is considered that the positioning of the extension is such that it would not have a significant impact on the effectiveness of the panels.

The proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

A neighbour has questioned the number of neighbour consultations undertaken. A total of 20 neighbours were consulted and these included all properties adjacent to the site. The Local Planning Authority has therefore complied with the necessary requirements.

e) Highways

The Local Highways Authority have considered the proposal and raise no objection. Two parking spaces would be provided for the flats and the existing secure gates would be repositioned to enable space to be provided for staff parking, turning and loading to serve the extension within the secure perimeter.

A number of objections have been raised regarding the impact the proposal would have on the adjacent highway in terms of additional traffic, parking and impact on visibility. The site lies within a local centre which is intended to serve a local catchment area. Parking is provided to the front of the site and it is considered that there is capacity for some parking on the street. The positioning of the building would not result in any impact on users of the public highway in terms of obscuring visibility and the roads are designed to an appropriate standard to accommodate the capacity of

traffic they are designed to serve. The Local Highways Authority raises no objections to the proposal. The extension would not result in any adverse highway implications and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

f) Landscaping

It is noted that there are two trees located on the western boundary which would need to be removed in order for the development to be implemented. It was the view of the Inspector when considering the previous approval that these trees could be replaced. The Landscape Officer has advised that in his opinion, although the trees are part of the landscape they do have the appearance of being just 'dropped in' and are somewhat incongruous in their surroundings. It would be appropriate to allow the trees to be removed and replaced with a more appropriate variety. This would be secured by condition. The proposal would not result in the loss of trees which contribute positively to the setting and an enhanced landscaping scheme could be provided by the development in line with policy PP16 of the Adopted Peterborough Planning Policies DPD.

g) S106

The proposal would give rise to a S106 contribution in accordance with the Planning Obligations Implementation Scheme (POIS). The contribution of £6,000 plus monitoring fee is sought.

h) Misc

- The proposal is unlikely to impact on TV reception
- The application is for a shop and not a takeaway which would require planning permission
- The poor condition of the existing building and immediate locality cannot be considered when deciding this application
- Alternative uses for the site cannot be considered by the Local Planning Authority

## **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 for retail development within a local centre;
- The site has extant planning consent for 7 flats therefore the principle of residential is already established;
- The proposal would not be detrimental to the surrounding character or to neighbouring amenity;
- The proposal would provide a satisfactory level of accommodation for the future occupiers of the flats;
- The proposal would not result in any adverse highway implications; and
- The proposal would provide for replacement tree planting.

Hence the proposal accords with policies PP2, PP3, PP4, PP12, PP9, PP11, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS15 and CS16 of the Adopted Peterborough Core Strategy DPD 2011 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 other than groundworks and foundations shall take place until details of materials to be used in the external elevations of the development 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 Prior to the occupation of the development hereby approved, the two parking spaces shown on plan ref. AP0101\_A shall be provided and thereafter maintained as parking in association with the proposed development.

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

C 4 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 replacement trees, species, numbers, size and density of planting

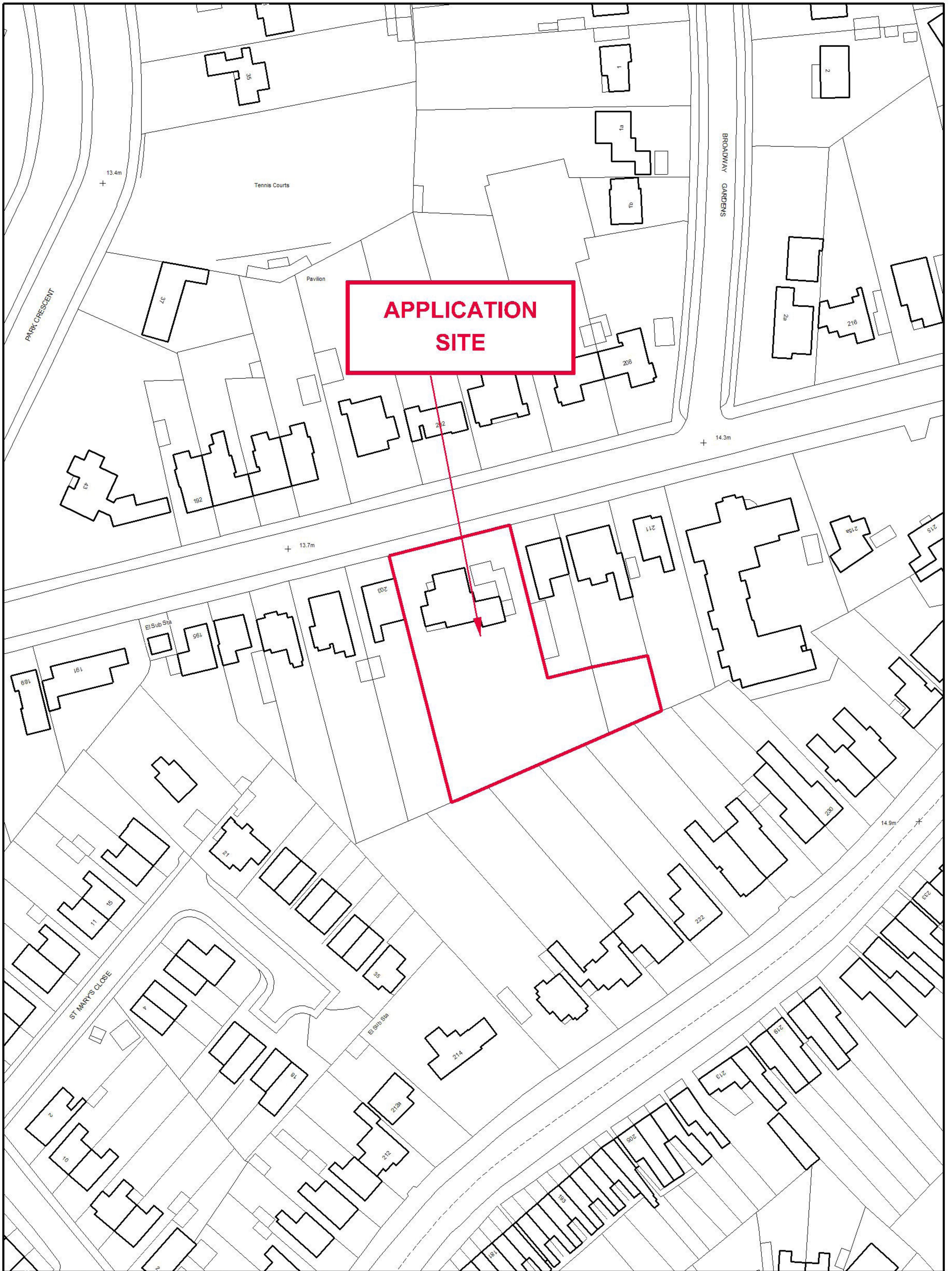
Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

C 5 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 or become diseased 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 to those 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 Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

Copies to:  
Councillor Julia Davidson  
Councillor Darren Fower  
Councillor Paula Thacker







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**Application Ref:** 13/01272/FUL

**Proposal:** Proposed extension to care home to form 3 bedrooms and a lounge

**Site:** Lavender House, 205 Broadway, Peterborough, PE1 4DS

**Applicant:** Mr Ajay Marjara  
Peterborough Care Ltd.

**Agent:** Portess Richardson  
Portess and Richardson

**Referred by:** Cllr Peach

**Reason:** Overdevelopment and impact on the Conservation Area

**Site visit:**

**Case officer:** Mrs J MacLennan

**Telephone No.** 01733 454438

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

**Recommendation:** **GRANT** subject to relevant conditions

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

The application site is located on the south side of Broadway and within the Park Conservation Area Boundary. The site contains a large two storey property which dates from the early 20<sup>th</sup> Century which has had significant extensions and now operates as a residential care home run by Peterborough Care. The surrounding area is predominantly residential in character and there is another care home 'Broad Leigh' further to the east at 213 Broadway, also run by Peterborough Care.

The site currently has 31 rooms, two of which are double rooms and most are equipped with en-suite facilities. The care home is currently registered for 33 beds.

**Proposal**

The application seeks approval for a single storey extension to an existing single storey rear element of the existing building. The extension would be located on land which is currently the far rear garden of number 209 Broadway. The extension would provide 3 bedrooms with en-suite facilities and a lounge. The dimensions of the extension are 9.6m in length x 11.2m in width. The height would align with the existing single storey element of the building. The proposal would replace 2 no double rooms and enable the provision of en-suite facilities to bedrooms within the existing care home. The 33 registered number of beds would remain the same. The proposal would not result in any additional employees at the care home.

## 2 Planning History

Reference	Proposal	Decision	Date
02/00704/FUL	Extension and conversion of old laundry room to provide two bedrooms with en-suites and extension to kitchen	Application Permitted	16/09/2002
02/00762/FUL	Conversion of existing dining room to form two new bedrooms and extension to form a new dining room and quiet lounge	Application Refused	16/09/2002
02/00763/FUL	Extension to provide three new bedrooms with en-suites	Application Refused	16/09/2002
03/00066/FUL	Conversion of old dining room to form two new bedrooms and the construction of a new dining room area	Application Refused	21/03/2003
03/00070/FUL	Extension to provide two new bedrooms with en-suites	Application Refused	21/03/2003
04/01330/FUL	Single storey extension to create two extra bedrooms	Application Permitted	11/10/2004
07/00127/FUL	Single storey conservatory extension	Application Refused (including at appeal)	26/06/2007
07/00130/FUL	Single storey extension to lounge	Application Refused (including at appeal)	26/06/2007
07/00431/ADV	Externally illuminated fascia sign (retrospective)	Application Refused	22/05/2007
12/00972/FUL	Proposed relaxing room	Application Withdrawn	14/11/2012
13/00522/FUL	Proposed extension to include 4 bedrooms and a lounge	Application Withdrawn	14/06/2013

### Site History

The site has operated as a residential care home since 1992 and has had a number of extensions. In 2007 planning permission was refused for two applications; 07/00129/FUL 'Conservatory' to the west elevation and 07/00130/FUL 'single storey rear extension' to the south elevation at the south western corner of the site. The 2 applications were subsequently dismissed at appeal.

It was the Inspector's view that the existing building has been significantly extended and as such was generally at odds with the established character of the building due to the amount of development that had already taken place to the rear of the site. It was considered that this had already had an urbanising impact on the quiet, green and landscaped character which exists to the rear of the housing in the immediate vicinity. The Inspector considered that the small remaining areas to the west and south of the existing building were important to retain some sense of space and landscaping between the site and the neighbouring plots. The proposed extensions would push the building closer to the boundaries taking up more of the limited open spaces. As such the proposal would have had a harmful urbanising impact of the character of the area due to the loss of open space around the building.

Furthermore, the extensions would have resulted also in the loss of trees to the south western corner of the site which contribute to the character of the area and provide screening; the loss of which would result further in a reduction of the suburban character of the site.

In addition and in relation to the addition of the conservatory to the west of the site, the Inspector

concluded that there would be an adverse impact upon the amenity of the occupiers of no. 203 Broadway due to additional noise, disturbance and lighting glare.

### **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 - Backland Development**

Inappropriate development of residential gardens where harm would be caused to the local area should be resisted.

##### **Section 6 - Residential Development in the Open Countryside**

Housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the open countryside should be resisted unless there are special circumstances.

#### **Peterborough Core Strategy DPD (2011)**

##### **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.

##### **CS17 - The Historic Environment**

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

#### **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.

### **PP16 - The Landscaping and Biodiversity Implications of Development**

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

### **PP17 - Heritage Assets**

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

## **4 Consultations/Representations**

**Conservation Officer** - No objections - the extension would have little or no impact on the setting of the conservation area or the amenity of neighbouring properties. The resubmission has reduced the size of the footprint to the earlier scheme and I therefore do not wish to sustain any objection to this application.

**Landscape Officer** - No objections - The tree survey provided has been carried out in line with BS5837:2012. The trees within the applicant's ownership provide virtually no public visual amenity value and none are worthy of a Tree Preservation Order (TPO). I have no objections to them being removed to facilitate the development. In terms of NT1 and NT2, I am of the opinion that there will be little impact on the Root Protection Areas (RPAs), the majority of the RPAs are unaffected being off-site. 2 off-site trees NT3 & NT4 are implicated by the development here but have been afforded appropriate protection measures. The Tree Survey and plan 2350.TPP should be secured by condition.

**Victoria Park Residents Association** - No comments received

**Building Control Surveyor** - Building regulations approval required.

**Transport & Engineering Services** - No objections - The proposal would not result in the increase in bedrooms and therefore there are no highway objections.

**Councillor J Peach** - The care home at 205 Broadway has been the subject of multiple extensions over recent years to the point where the extensions cover a far larger footprint than the original house. The extensions now occupy a large proportion of the site, including an extension over a large part of what was originally the garden of 207 Broadway. This site is already grossly overdeveloped and is in the Park conservation area.

The proposed development further extends the property over a large part of the back garden of what is now 209 Broadway. Broadway is a leafy area with good sized gardens, and the trees and shrubs are an important part of the character of the Park Conservation area. The area is gradually being degraded by back garden development. Extension of the care home over another back garden would be detrimental to the conservation area through further loss of green space.

**Cllr J Shearman** - I have received representations from both the applicant and the Broadway Residents' Association over this application. There are merits on both sides. On the one hand, with the Council's closure of two care homes, and the dramatic increase in dementia both nationally and in Peterborough, there is clearly a need for additional care accommodation in the City. On the other hand the application address is within a conservation area and the environmental impact of the proposed development is a serious consideration. Although I believe, on balance, the environmental issues are of greater significance.

## Local Residents/Interested Parties

Initial consultations: 23

Total number of responses: 6

Total number of objections: 5

Total number in support: 1

**Broadway residents Association** - The site is already overdeveloped. The extension would include the rear garden of no. 209 and another garden, which would be detrimental to the Conservation Area through the loss of green space. The development would almost link up with Broad Leigh Care home leaving only the garden at 211. The applicant has referred to consultation with the Broadway Residents Association which is noted in section 4.6 of the Design and Access Statement. Our response has not been included and our views misrepresented. Our response was 'While the care at Lavender House and Broadleigh are no doubt to a very high standard and we understand the wish to improve standards, this is not relevant to the planning application.

2 neighbour objections have been received raising the following objections:

- The extension will upset the balance between the residential and business uses along Broadway – *Whilst the proposal does result in the loss of part of a residential garden, the loss is modest.*
- The 2 sizable care homes have a significant impact on an otherwise residential neighbourhood and residential area – *The proposal does not increase the number of rooms at the care home and so no increase in impact over and above what happens now is expected.*
- The extension would have an adverse impact on amenity due to increased noise, traffic – *There is no increase in bed space and no additional employees and so no intensification of use on the existing site*
- The extension would degrade the leafy character of the conservation area – *The trees that would be felled are not visible from the Conservation Area and are not worthy of a TPO. Only glimpses of the extension would be observed from the street.*
- Development should not take place unless it would improve or enhance the Conservation Area – *Addressed in report*
- The loss of the garden area would have a negative impact on the Broadway area – *Addressed in report*
- Plans that were sent to us by the agent show further development adjacent to our property. The applicants clearly intend further development. – *The Council can only consider the proposal as submitted.*
- We refer to previous refusals by the Planning and Environmental Protection Committee and appeals and we contend that the density and layout of the proposal would harm the character and appearance of the area – *Addressed in report*
- Inappropriate backland development is discouraged in the National Planning Policy Framework –*Addressed in report*
- Loss of green corridor and leafy aspect – *Addressed in report*

- Overdevelopment of the site and impact on area – *Addressed in report*
- The care home is constantly lit impacting on our amenity – *This would not be made worse by the development*
- The site has reached its limit for further extensions – *Addressed in report*
- Signs have been erected in the car park for which no consent has been sought – *This is not relevant to the application*
- Solar panels have been erected to the rear of the property and trees have been cut down without appropriate consent – *This is not relevant to the application*
- Parties are held in the garden without notifying us – *This is not a planning matter*
- We are constantly hearing residents crying out for help – *This is not a planning matter*
- The development is contrary to policy – *Addressed in report*
- The business has outgrown the site and should consider relocating – *This is not a planning matter*

1 letter in support of the application stating:

- Since the City Council closed the two care homes that it ran, it has been left to the private sector to fill the gap, and with an ever aging population leading to greater numbers requiring care and support, we feel that it is important to assist by approving this, and other similar applications.
- The impact on the Conservation Area would be negative in that this small extension cannot be seen from any road or public place.
- It will not increase the traffic in the area, and while there are a small number of trees to be removed, the Council's Tree Officer had previously declared that these were all of little value, and supported their removal.

## **5 Assessment of the planning issues**

### a) Background

An application was submitted earlier this year for an extension to the rear of the property to provide 4 bedrooms and a lounge (ref. 13/00522/FUL). The applicant was advised by the planning officer to withdraw the application as it was considered the extension would be an overdevelopment, would not provide a satisfactory level of amenity for the future residents due to the extension's proximity to the boundary, poor outlook for residents and lack of external amenity space. The revised scheme has addressed the officer's concern with the previous proposal.

### b) Impact on Character and Visual Amenity of the Area

The original building dates from the early 20th century. It is typical of the period and although the building has been extended and remodeled to the side and rear the house still makes a positive contribution to the conservation area.

The extension would be to the rear and to the east of the existing building and would be positioned on land which is currently part of the far rear garden to no. 209 Broadway. The footprint of the



extension would occupy half of the acquired land; the remaining half would provide an external amenity area to serve the care home. This is an improvement on the original submission where the proposed extension would have almost occupied the whole of the acquired garden land and would have been an overdevelopment of the site leaving little amenity space.

It is noted that the National Planning Policy Framework advises that local planning authorities should resist inappropriate development of residential gardens where development would cause harm to the local area. It is considered that the extension would not cause harm and would not be visible from the street scene or from the Conservation Area.

The existing residents of 209 Broadway could implement their permitted development rights and erect an outbuilding within the rear garden and the Local Planning Authority would have no control over this.

Comments have been made regarding an Inspector's decision to dismiss an appeal at the site in 2007 when the Local Planning Authority refused permission for a conservatory extension to the west and a single storey extension to the rear. This is referred to in the 'Site History' section above.

In this instance there would be no further loss of space and landscaping within the care home site. The extension would be on garden land to the neighbouring property and the proposal would include the provision of external amenity space for use by the residents of the care home. The proposal would result in at least 130m<sup>2</sup> of additional amenity space which would be a significant enhancement on existing provision.

It is considered that the design, scale and proposed materials of the proposed extension would harmonise with the existing building.

The conservation officer's views are that the extension would have no impact on the character and appearance of the Conservation Area. The proposal therefore accords with policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD and policies PP2 and PP17 of the Adopted Peterborough Planning Policies DPD.

#### c) Neighbouring Amenity

Objections have been received from the neighbouring occupier to the west of the site regarding the likely increase in noise and activity that would result from the extension. However, the extension would not result in any additional residents or staffing at the site and seeks only to improve the existing facilities. As such it is not considered that the extension would result in any intensification of use of the site or additional vehicular activity.

The extension would be to the south eastern corner and would be located at an adequate separation distance to neighbouring properties on Eastfield Road to the rear or properties on Broadway. The proposal would not unduly impact upon the amenity of the occupiers of neighbouring properties and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policies PP3 of the Adopted Peterborough Planning Policies DPD.

#### d) Residential Amenity

The proposal would provide enhanced facilities for the occupiers of the existing care home in terms of en-suite facilities and an additional lounge. There are few external sitting areas around the building and the proposal would provide an enhancement to the existing provision. The details for the landscaping of the amenity will be secured by condition. The proposal therefore accords with policy PP4 of the Adopted Peterborough Planning Policies DPD.

e) Landscape Implications

A tree survey has been undertaken and a report has been submitted in support of the application. There are existing trees along the eastern boundary which will be removed in order to implement the development. The trees consist of a number of Limes that have been pollarded historically, some fruit trees and some young Hollies. None of the trees justify a grade higher than 'C'. None of the trees can be seen from a public place (with the possible exception of a glimpsed view of Pear 1410).

None of the trees are deemed worthy of a Tree Preservation Order. There are two Scots Pine trees within the neighbouring site at no. 209 which show no visible defects. There are two plum trees within the middle of the site which are fully mature and now showing signs of structural degradation. It is considered that grade C trees can continue to offer amenity value however they should not prevent development. The development would result in the loss of 1 no Pear, 4 no. Limes, 3 no Hollies, 4 no Plums, one Silver Birch and Privet Hedge. These trees broadly offer no public visual amenity and their value is restricted to site.

The neighbouring Pine trees to the north of the site remain unaffected by the proposal. Neighbouring trees have root protection areas that lie within the site although would not be significantly affected by the proposal as root protection measures are proposed.

Overall, the proposed layout will have no effect on the visual amenity of the area or lead to a loss of trees that make a positive contribution to the landscape.

The extension would be minimally affected by shade from neighbouring trees, however, it is unlikely that the minor morning shade cast by the trees would lead to calls for their removal.

The Landscape Officer has considered the proposal and is content with the information provided subject to the tree protection measures contained with the report being secured by conditions.

The proposal has considered the trees within the site and makes provision for additional landscaping which would be secured by condition. Hence the proposal accords with policy PP16 of the Adopted Peterborough Planning Policies DPD.

f) Highway implications

The proposal would not result in any additional residents or staffing levels and therefore there would be no additional parking requirements needed to serve the development. As such the Local Highways Authority raises no objections to the proposal. The extension would not result in any adverse highway implication and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

g) Ecological implications

An ecological scoping survey was undertaken at the rear of 209 Broadway and Lavender House. The survey concluded that the site provided limited nesting opportunities for birds; there was no evidence of badgers, reptiles or bats on either site. The sites were considered to be of low ecological value. An informative shall be appended to any grant of planning permission advising that if any trees or shrubs are to be removed then this should be carried out outside the bird breeding season (March to September) inclusive, if this is not practical then a qualified ecologist should make an inspection of any trees and shrubs prior to removal. The biodiversity value of the site could be improved by the provision of bird boxes, the details of which shall be secured by condition.

h) Enhancement of facilities

The extension would provide improved facilities and will allow for modifications and improvements to be made to the existing rooms. The applicant has provided information on the demand for all forms of care both locally and nationally as the elderly population continues to increase. This is not disputed. It is considered that the proposal would enable the enhancement of facilities within this established care home which provides for a particular housing need as encouraged by section 6 of the National Planning Policy Framework.

## **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 extension would be to the rear of the site and would not harm the character and appearance of the conservation area;
- It is considered that the design, scale and proposed materials of the proposed extension would harmonise with the existing building;
- The proposal would provide enhanced facilities for the existing residents in terms of accommodation and external amenity space;
- The extension would not result in any adverse impact on the amenity of the occupiers of neighbouring properties;
- The proposal would not result in the loss of high quality trees; and
- The proposal would not result in additional bed space or employees and would not result in any adverse highway implications.

Hence the proposal accords with policies PP2, PP3, PP4, PP12, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

## **7 Recommendation**

The case officer 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 other than groundworks and foundations shall take place until details of materials to be used in the external elevations of the extension; 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 (a) Works shall be carried out in strict accordance with the tree survey/tree protection

measures submitted in support of this application dated March 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.

C 4 Prior to the commencement of development a scheme for the landscaping of the external amenity area to the east of the extension 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

- Planting plans including retained trees, species, numbers, size and density of planting
- type and location of bird boxes

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

C 5 No lighting shall be erected unless it is in accordance with details which have been submitted to and approved by the local planning authority. The lighting shall be erected in accordance with the approved details.

Reason: In the interests of neighbouring amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

C6 Surface water to be disposed of by soakaway or by an alternative method (if percolation test deem this unsuitable) to be submitted to and approved 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.

Copies to Councillors: P M Kreling, J Shearman, J P Peach



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