

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 21 OCTOBER 2014

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. **Development Control and Enforcement Matters**

- | | | |
|-----|---|----------------|
| 4.1 | 14/00895/HHFUL - 80 Ledbury Road, Netherton, Peterborough, PE3 9PJ | 3 - 12 |
| 4.2 | 14/01033/FUL - 270 Eastfield Road, Eastfield, Peterborough, PE1 4BE | 13 - 32 |
| 4.3 | 14/01060/R3FUL - Thorpe Primary School, Atherstone Avenue, Netherton, Peterborough | 33 - 50 |
| 4.4 | 14/01375/FUL - Land To The Rear Of Barsby Cooked Meats, Northey Road, Peterborough | 51 - 68 |
| 4.5 | 14/01416/HHFUL - 33 The Orchards, Orton Waterville, Peterborough, PE2 5LA | 69 - 74 |



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 Philippa Turvey on 01733 452460 as soon as possible.

Committee Members:

Councillors: C Harper (Chairman), L Serluca (Vice Chairman), G Casey, P Hiller, N North, J Stokes, Sylvester, S Martin, D Harrington and C Ash

Substitutes: Councillors: B Rush, N Shabbir and B Saltmarsh

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

CASE OFFICERS:

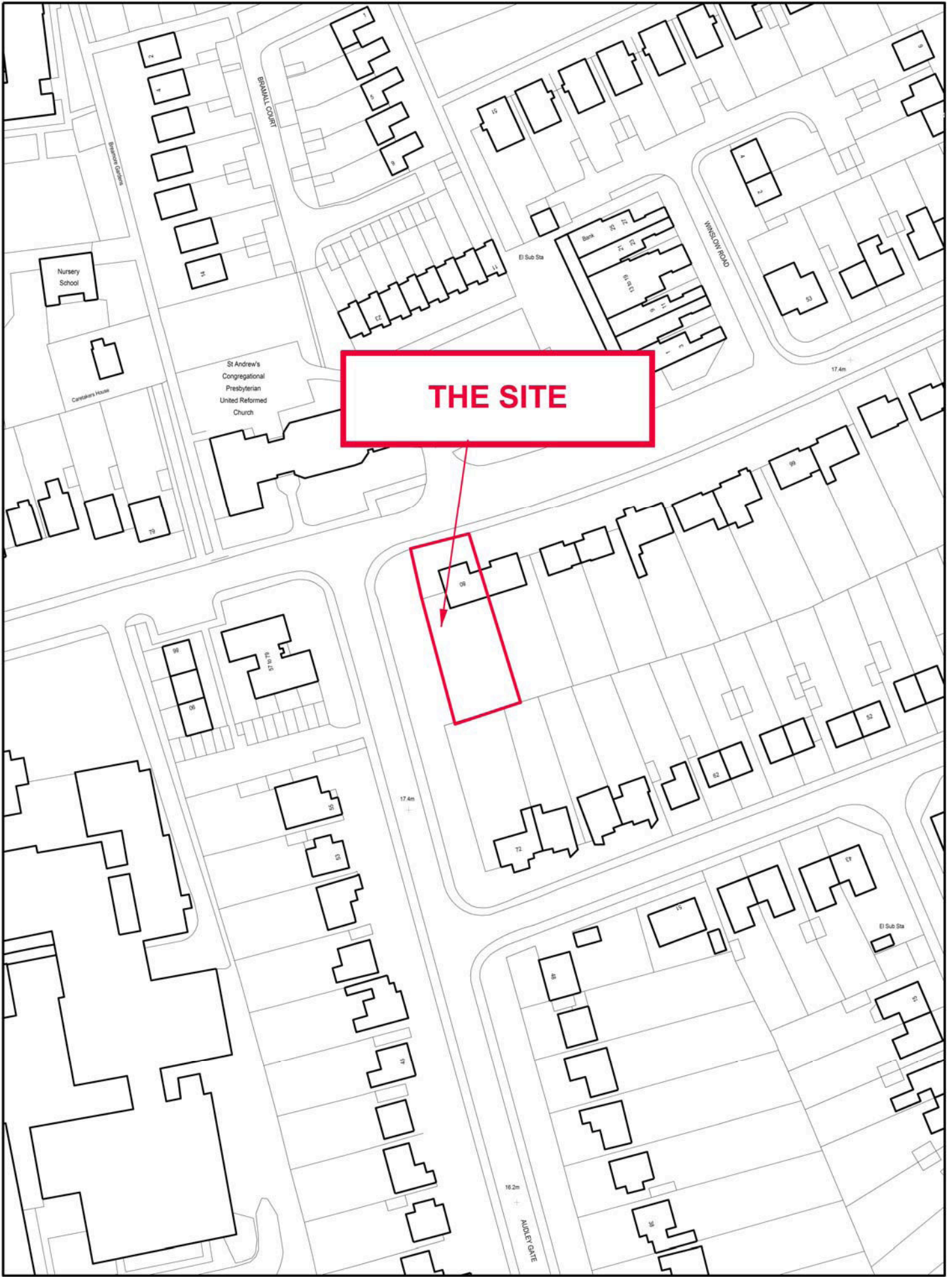
Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet MacLennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

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



LOCATION PLAN **14/00895/HHFUL**
 80 Ledbury Road, Netherton

Scale NTS **Date** 7/10/2014 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

Application Ref: 14/00895/HHFUL

Proposal: Two storey side extension and first floor rear extension

Site: 80 Ledbury Road, Netherton, Peterborough, PE3 9PJ
Applicant: Mr Shokat Ali

Agent: Mr N P Branston mrics
 Branston Assoc.

Referred by: **Simon Machen – Director of growth and regeneration**

Reason: Level of public interest

Site visit: 14.06.2014

Case officer: Mr Lee Collins
Telephone No. 01733 453414
E-Mail: david.jolley@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site is a significantly extended two storey property located on a corner plot. The street scene comprises large detached and link detached properties with a school to the west and Netherton local centre to north-east. The property benefits from two off-street parking spaces to front.

History

The site received planning permission in 2009 for the erection of a single storey front extension, first floor extension above garage to the eastern side, two storey side extension to the western side and single storey rear extension. The development that took place was not in accordance with the approved plans which also contained a number of discrepancies. As a result, subsequent applications were submitted to regularise the situation, including the current application.

Under the 2009 consent the width of the western two storey side extension was approved at 4.8 metres wide. Application number 13/01691/HHFUL approved an increase in the width of the western extension to 5.2m. In addition, at first floor permission was given for an additional 1.8m from the original rear wall to facilitate a usable disabled bathroom. The previous approved application did not extend beyond the rear wall at first floor. However the 2013 approval did not include the large single storey rear extension shown on the 2009 plans.

A garage/outbuilding has also been partially erected in the rear garden with a tarmac vehicular access. This aspect does not form part of this application.

Currently the enforcement team are monitoring the property in relation to a number of points:

- The ground floor single storey rear extension is larger than approved under the 2009 consent and was not included in the subsequent 2013 planning application has now been demolished.
- The applicant has partially erected a hoarding around the site, the hoarding has been moved to an agreed position and to an agreed height.

- The outbuilding has been altered and is considered to now be permitted development, providing the roof does not exceed 4.0 metres and it is not used as a separate dwelling.

Proposal

The Applicant seeks to regularise what has been constructed on site.

The two storey side extension adjacent to the neighbour's garage on the eastern side has been constructed approximately 1.0 metre further forward than the approved scheme under application number 09//00156/FUL and 13/01691/HHFUL. The applicant also seeks to alter the two storey side extension to the west side of the property, creating a gable end as opposed to the two dormer window arrangement approved under 13/01691/HHFUL.

2 Planning History

Reference	Proposal	Decision	Date
13/01691/HHFUL	Construction of 2 X two storey side extensions and single storey rear extension (part retrospective)	Permitted	15/01/2014
09/00156/FUL	Two storey side extension, first floor extension above garage, single storey rear extension	Permitted	29/07/2009

3 Planning Policy

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

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

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

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

4 Consultations/Representations

Enforcement Team

The latest position with regard to enforcement has been discussed above.

Local Residents/Interested Parties

Initial consultations: 21
Total number of responses: 8
Total number of objections: 8
Total number in support: 0

Below are the results of the initial consultation 02/06/2014

- The floor plans do not tie in with what has already been erected on the site. Object to both as overdevelopment of a prominent corner site. The proposed ground floor and first floor rear extensions, which are already under construction, will result in a massive house out of keeping with the scale of its neighbours. Its impact will be exacerbated by the proposed outbuilding which is far larger than any other in the vicinity and appears to take up more than half of the remaining garden. Only a small part of the building appears to be a garage which begs the question of what use the remaining two-thirds will put to, given the presence of what appear to be significant windows and doors in what has already been constructed.
- The rear walls as built on site project farther into the garden than the two storey side extension shown on these plans, covering the hatched area shown on the block plan. I assume that the inclusion of this extension on the block plan, although not on the detailed floor plans, could not be used to circumvent the need for planning permission in future if the owner wanted to retain it should planning permission be granted for this proposal. In addition the very substantial outbuilding at the end of the garden is not included in this application even though it has been partially erected.
- Taking on board one of the resident's complaints about the appalling state of 80 Ledbury Road and the hope that something can be done under the Untidy Land Notices (Section 215 of the Town and Country Planning Act).
- It seems the building is already under construction, plus a separate dwelling in the garden with access across private land.
- There have been several planning applications for this building and it seems the property owner will build what he wants with no care for the environment and community. If he had any respect for the neighbourhood the house would have been completed some time ago and been in sympathy with the area.
- It has long been the owner's intention to build an old peoples home here and he is simply trying to confuse the situation with various planning applications.

The following objections were received from the attached neighbour (02/06/2014)

- I would like your assurance that my views will be taken into account when this planning application comes before the officers-planning committee and in particular about the eaves of the new extension overhanging my boundary, the damage to my garage roof and the joining of the new extension to my garage which does not I think comply with correct building regulations as the photos show.

The following was received from the neighbour following the 11/09/2014 reconsult

- Planning Application Reference 14/00895/HHFUL – 13.097/2E
- I would like to bring some points of concern to your attention and explain the problems I am facing in relation to the building works taking place at 80 Ledbury Road.
- In regard to the new drawing submitted (13.097/2E) all this seems to do is cover up the

mistake made when the original drawing (13.097/2C) was not adhered to. The 80 Ledbury Road extension has not been built according to the plans and this has caused problems on my property. The present flooding which occurs above and in my garage (see photos below) shouldn't happen if the building work had been done according to the plans which Mr. Ali (the owner of 80 Ledbury Road) provided to the Council in his original planning application.

- On 26 June Mr. David Jolley the Planning Officer visited and inspected my property, took some photos and was able to see the problems I am facing. Mr Sam from Building Control also visited, inspected and promised me that he would not sign off the extension works until the issue was sorted out.
- Mr. Ali has offered to try to correct the problem by drilling through my garage roof and putting a PVC pipe along my garage roof, down the end wall and into my garden. I do not want this to be done to my property and as the problem should never have occurred I do not understand the attitude of the Council Officers who appear to think that as long as Mr. Ali is offering to rectify the problem via this means I should have no need to complain and that because Mr. Ali has offered to try to solve the problem the Council can do nothing to help me – this cannot be right or just.
- As well as the side extension at 80 Ledbury Road not been built according to the plans as the eaves of the extension overhang my property which also is not correct.
- I would be grateful if you would look carefully at the problems which have arisen following the building work which has (and will be) taking place at 80 Ledbury Road and please take my views into account when Mr. Ali's latest planning application comes before you.

The following was received from Longthorpe and Netherton Residents Association (LANRA) after the reconsultation of 11/09/2014

- I have also received today copy of an email the neighbour has sent to you re the amended drawing (13.097/2E) for the above planning application, which was not mentioned in your letter to me. The amending drawing does appear to simply to have added another pencil line thereby closing the gap that should be visible between the two storey side extension to 80 Ledbury Road and the single storey garage belonging to 78 Ledbury Road as shown in the original approved planning application (13.097/2C). As we now know the change to the approved plans that occurred whilst the extension was being built is causing water retention on the neighbour garage roof and water seeping into his garage, plus the eaves of the two storey extension overhang Mr Oommen's garage which I understand does not meet planning regulations.
- Whilst I am aware Mr Ali offered to "fix" the water problem, Mr Ali's solution did not meet with the neighbour approval. He did not want a PVC pipe drilled through his garage roof nor did he want the pipe running along his garage wall and out into his back garden. He feels strongly that the problem should never have arisen if the extension had been built to the original plans – with a gap between the buildings. To be told "there is no planning reason to refuse consent because Mr Ali has offered to fix the issue plus it is unclear whether the damage is even a planning issue to begin with" seems incomprehensible especially as the problem lies with the fact that the extension was not built to the approved plans. There was no water problem outside or inside the neighbours garage until the extension was built so how can it not be a planning issue?
- Planning rules are there for a reason and when they are not adhered to and problems then arise, doesn't that prove the point and isn't that why rules should be followed so as not to cause disruption to others as has happened in this case.

The following objections were received after the reconsulation of 11/09/2014

- The additional buildings on this site are in my opinion a considerable over development when you consider the type of location.
- This project constitutes considerable over development of the site in a very obvious way at a very visible corner.
- The extension has been going on for too long and is out of character and should not have been given approval in the first place
- The extensions should be demolished
- The workmen are noisy and cause disturbance

5 Assessment of the planning issues

The main considerations are;

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings
- Objections

This report will focus on the differences between the previously approved applications and what is now being proposed. This is because the applicant has already substantially extended the house under the 2013 planning permission. Therefore the key consideration for members is assessing what impact the latest changes would have on neighbour amenity and the character of the area.

The impact of the proposal on the character of the area

The bringing forward of the two storey side extension by 1.0 metre so that it is level with the neighbour's garage and adjoining it, will have no material impact upon the character of the area as the extension will still appear subservient to the host dwelling because the ridge of the extension sits below the main house roof.

The alteration to the first floor of the two storey extension on the opposite side of the dwelling is considered to be neutral in impact. Whilst it increases the bulk and depth of this element of the proposal by extending out a further 2.3 metres, it removes the double dormer arrangement of the previous approvals. There is no precedent of dormers within the local area and it is considered that a more conventional design for the extension is beneficial to the overall character of the area.

The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

The impact of the two storey side extension adjacent to the neighbour's garage has become a complex matter in so far as an acceptable drainage solution between the applicant and the neighbour has not been found.

Notwithstanding this, it is not considered to be a material planning consideration. The issue of drainage is a private and civil law matter; the operation of private and civil law provisions between neighbours may be used to resolve any outstanding issues. The public law planning process is not intended to deal with such issues.

It is the Local Planning Authorities view that the proposal to bring the extension forward by 1.0 metre and adjoin the neighbour's garage will have no greater impact upon the amenity of the neighbour than the development approved under applications numbers 09/00156/FUL and 13/01691/HHFUL. It does not overshadow the neighbour and will not have an overbearing impact.

The neighbour has also objected on the grounds that the eaves of the roof of the extension overhang his property. The granting of planning permission does not permit the applicant to

overhang neighbouring land. The neighbour's permission is required in order to do this. This is a private land law matter and will not be dealt with through the planning process.

The two storey side extension to the west flank of the dwelling has no impact upon neighbour amenity as it is sufficiently far from all neighbours so as not to cause overshadowing or be overbearing.

Building control issues

Some of the objections raise concern about drainage; these are Building Regulations issues and must be dealt with outside of the planning regime. The building regulations team are currently considering an application for Building Regulations approval.

Objections

Eight letters of representation were received in relation to the proposal, including five from the revised consultation of 11/09/2014.

The LANRA have highlighted the untidiness of the land. This is not a material consideration in the determination of this application.

An objector states that the development is taking too long. This is not a material consideration in the determination of the application.

An objector states that the dwelling will be used for an old people's home. This change would require planning permission and does not form part of this application and as such is not a material consideration.

An objection relates to the description of development. The objector states that the detached outbuilding and single storey rear extension that has been constructed should be included. The garage to the rear of the garden does not form part of the consideration of this application. The single storey rear extension shown on the block plan is included in error and it is recommended that if Committee is minded to approve the application that the proposed condition C2 below is included to expressly exclude the extension from the approval. In any case the rear ground floor extension has now been demolished.

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 will not unacceptably harm the character of the area or the amenity of the occupiers of neighbouring dwellings; in accordance with policy CS16 of the Peterborough Core Strategy (DPD) and policies PP2 and PP3 of the Peterborough Planning Policies (DPD) 2012.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

C 1 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

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 2 Notwithstanding the approved plans, the hatched area within the proposed block plan shown on drawing number 13.097/2 E does not form part of this application and no extension in this location is approved under this permission.

Reason: To preserve the character of the area; in accordance with policy PP3 of the Peterborough Planning Policies (DPD) 2012 and policy CS16 of the Peterborough Core Strategy (DPD) 2011.

Copies to Councillors N Arculus, Y Maqbool

This page is intentionally left blank



LOCATION PLAN **14/01033/FUL**
 270 Eastfield Road

Scale NTS **Date** 7/10/2014 **Name** AH **Department** Planning Services



© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS

This page is intentionally left blank

Planning and EP Committee 21 October 2014

Application Ref: 14/01033/FUL

Proposal: Change of use of original building from office building to Elderly Care Home plus side and rear extensions to provide overall 56 No bedroom Elderly Care Home for the over 65s

Site: 270 Eastfield Road, Eastfield, Peterborough, PE1 4BE
Applicant: Mr Simon Kidner

Agent: Mr Michael Lavender
michael.lavender.architects

Referred by: **Cllr Shearman**

Reason: Impact on neighbours, possible future change of use, parking, over-development

Site visit: 27/8/14

Case officer: Ms L Lewis
Telephone No. 01733 454412
E-Mail: louise.lewis@peterborough.gov.uk

Recommendation: **GRANT** subject to conditions

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

The site was originally a residential plot, laid out in the mid-19th century, when Eastfield Road was comparatively lightly developed. The site frontage is to the east of the site and is about 50m wide, and the site extends back for about 80m. At a point about 45m back from the street the site extends to the north, behind the gardens of Nos 272-276 Eastfield Road.

The house is set about 28m back from the front boundary, approximately centrally on the plot. There is an access driveway at the north side of the frontage, which extends into the site, along the boundary to No 272, and leads to parking areas in front of the house and in the north-east part of the site.

For several decades, the house has not been in normal residential (class C3) use. It is understood that it was used as apprentice accommodation in the 1960s, and it was for some time used as part of the nearby College. Most recently the site was occupied by Family Care, a Diocesan organisation working with troubled families. To support these uses, various elements of extension have been added to the rear of the original house. These are wider than the original building, and are highly visible from the street.

The proposal is to remove the modern extensions to the building, and to construct substantial side and rear extensions to the building to create a 56-bedroom care home (including three double rooms for couples) for elderly persons, with the usual facilities in the way of living areas, gardens and vehicle parking. The retained house is two-storey, a Victorian house and therefore relatively high. The side extension to this, facing Eastfield Road, would be similarly scaled and also two storey in order that levels would follow through internally, and that the external manifestations of internal levels also followed through.

The extension to the rear would be approximately T-shaped, coming westwards off the rear of the original building then having wings to north and south as the site widens out at the rear. The rear part would be two-and half storey above ground, but with a basement to accommodate the kitchen, other service areas, and activity areas for residents such as a small pool, cinema room etc.

The existing access and driveway would be retained, with some parking to the front and some in the rear corner of the site.

The design of the front part has been influenced by the existing building, as the two elements will be seen together from Eastfield Road, in the context of the mostly inter-war development nearby. To the rear, the design would be modern.

2 Planning History

07/01413/FUL	Retention of mobile	PER	28.08.2007	07.11.2007
09/00630/FUL	Proposed part change of use from D1 (non residential education use) to part use as offices for family community and support services by Family Care and part retention of D1 use	PER	10.06.2009	28.07.2009
09/01213/FUL	Construction of new entrance gates and front boundary fence and lifting of the crowns of 7 Lime trees by 3m and removal of dead wood	PER	19.10.2009	09.12.2009
13/00660/FUL	Demolition of existing office building and erection of 2 blocks of student accommodation incorporating 8 flats and 31 studios	REF	03.06.2013	26.09.2013

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 12 - Conservation of Heritage Assets

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

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

Peterborough Core Strategy DPD (2011)

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.

CS12 - Infrastructure

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

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

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

Victoria Park Residents Association

No comments received

Landscape Officer (29.09.14)

No objection.

A Tree Preservation Order protects Lime and Yew trees on the eastern boundary. The principle of the overflow car parking subject to no-dig construction and limited facilitation pruning is acceptable, however further information will be required under condition to ensure suitable protections and methods.

Conservation Officer (01.10.14)

No objection (to revised scheme).

The revised front extension is reduced in size and although it is still large it does not dominate the original building or views from Eastfield Road.

Adult Social Care

No comments received

Police Architectural Liaison Officer (02.07.14)

No objection.

Recommend a condition relating to site security overall.

Building Control Manager

No comments received

Drainage Team (14.07.14)

No objection.

Proposed use of SuDS is supported, although there are limited details. A condition requiring full details is recommended.

Waste Management

No comments received

Wildlife Officer (11.07.14)

No objections.

Conditions recommended relating to bird and bat boxes, nesting birds, landscaping and demolition method.

Archaeological Officer (15.07.14)

Based on the available evidence, the site appears to have low archaeological potential. Therefore, there is no need to secure a programme of archaeological work by condition.

Education & Childrens Dept - Planning & Development

No comments received

Pollution Team

No comments received

Transport & Engineering Services (26.09.14)

There is overspill parking shown for visitors however four of the spaces could not be used independently and therefore must be discounted. Another bay could be provided in the area of landscaping adjacent to the ambulance bay.

The access width is sufficient at the entrance, it will require widening to 4.5m where it passes the

building.

The LHA would wish to see a Construction Management Plan for this site given the limited space and constraints. It would be preferable for this to be submitted prior to determination however a condition would be acceptable.

Senior Recreation Officer

S106 request received

Section 106 Officer

Requests from individual service departments should be considered.

Travel Choice (30.06.14)

Travel Plan condition recommended

Strategic Housing (04.07.14)

A contribution to affordable housing may be required if there is any self-contained accommodation

Childcare Market Facilitation Manager (T Laws)

No comments received

Local Residents/Interested Parties

Initial consultations: 52

Total number of responses: 18

Total number of objections: 15

Total number in support: 1

The following comments have been made in respect of the revised plans:

- How can “overflow” parking spaces be classified as such and not permanent? If they are permanent they will have an adverse effect on the appearance of the locally listed building.
- How would this be affected if a second phase is applied for [on adjoining land]? What would the effect be on traffic, noise pollution?

The following comments were made in respect of the initial submission

- In favour of elderly persons care home but would be concerned about a change of use to other C2 use such as hospital, residential school etc
- Site still appears to be overdeveloped with accommodation for 62 elderly people on site
- Parking is not adequate, people will park in College Park
- There should be stricter parking restrictions in College Park which are enforced by the Council.
- PCC parking standard is one space per full time member of staff and one visitor space for 3 beds, this standard is not met
- Very busy on Eastfield Road at peak times, there could be congestion problems
- Concept of visitors pre-booking a space is impractical
- Buildings would have an overbearing impact on neighbouring properties due to the new building extending very close to the boundaries of the site
- Rear extension will overlook our property [4 College Park]
- Overlooking from first floor bedrooms to 266 and 272 Eastfield Road
- Most parking spaces will lead to increased vehicular noise
- Security to [4 College Park] – doesn't look as though there is much of a fence
- Rear block will be approx. 11m from our back fence [5 College Park] and will cause unacceptable loss of light and daylight; also it will overlook
- Rear block has increased in length from the previous design
- Parking adjacent to our boundary [5 College Park] would cause noise and disturbance
- Could be noise and views into our property [262 Eastfield Road]

- Loss of view, privacy and light [2 College Park]
- Plans for trees [at the front of the site] are not clear
- The parking spaces will have an adverse effect on the established landscaping and wildlife
- Works for parking spaces [at the rear of site] may harm our Leylandii
- Scale of development is not in keeping with surrounding properties
- Overdevelopment – there will be virtually no separation between the extension and 266 Eastfield Road
- Proposal will dominate nearby residential buildings
- Surrounding plots are family homes and are less intensively developed
- Proposal is inappropriate and insensitive
- Density is higher than that of the local area
- Attention should be paid to detail to ensure a good outcome
- Concerns about possibly future change of use to flats
- Is this NHS funded or part-funded, it is not clear
- 62 beds was quoted by the applicant as being the minimum number needed to make the scheme viable, so we have a proposal based on economics not design considerations
- Only one of the seven reasons for refusal of the previous application has been addressed so how can this be accepted

One neighbour (at 266, to the immediate south) has written in support of the application, stating that the site has been neglected, become an eyesore, and presents a security risk.

Councillor Shearman has raised the following points:

- Overlooking and privacy to College Park, in particular No 2. An assessment of shading should be made, as on the first application.
- Concern that the use of the building could be changed without planning permission. Requests that a condition is imposed to restrict changes of use without planning permission
- Number of parking spaces is inadequate. Applicant has referred to a staff mini bus but I understand that this would be unenforceable. In view of the impact large numbers of staff using their own vehicles could have on nearby streets, I request that officers and the Planning Committee request a change in the plans in order to accommodate an increased number of staff vehicles.
- There is concern that the development constitutes over-development. The Planning Committee should be made aware of any guidelines/legislation relating to the optimum number of persons residing within a specified floor space.

5 Assessment of the planning issues

Principle of development

The application site is in an urban area, and is not allocated for any particular use. It is an established residential area, interspersed with various shops and other facilities, including the Regional College. Eastfield Road is a main route through the city leading from the Boongate Roundabout to Dogsthorpe, Newark, and on to Parnwell and the A47.

The last occupant on the site was an organisation called Family Care. The site was used partly as offices and partly as an education/resource centre. Use on Saturdays is understood to have been only occasional, and a planning condition prohibited use on Sundays and bank holidays. That consent was granted in 2009; previously the building was used by the College. The existing use is therefore a mixed B1 and D1 use, which could recommence subject to the restrictions imposed in 2009.

Industrial uses would not be supported on the site, as they would not be consistent with the residential character, and the site access could not accommodate significant numbers of larger

vehicle movements. Leisure or retail uses also would not be supported on the site, due to the residential surroundings and restricted parking.

As this is a residential area, residential use of the site would be supported. There are good facilities within easy reach, including the city centre which is slightly less than one mile away. A care home is a residential use, which falls into use class C2 and in principle would be acceptable.

Recent Site History

Most Members will be aware, and some might recall, that an application for demolition of the existing house and the construction of student accommodation blocks was refused by the Committee last year. The reasons for refusal were:

1. The existing house was proposed for demolition, but was added to the Local List during the application process. The applicant had not demonstrated that the loss of the existing building was necessary to enable a scheme to go ahead.
2. Insufficient car parking (spaces were proposed for student bedrooms – car ownership could have been restricted, and was in line with level required at other student sites)
3. Design
4. Overlooking
5. Overbearing impact
6. Disturbance to neighbours from use of the access road around the perimeter of the site (not a feature of this proposal)
7. Disturbance to neighbours from use of the bin store.

Design

The design of the front part of the new building has been informed by, and respects, the retained building. The horizontal lines of the Victorian house would be followed through on the new building and the new part set back from the front of the existing house by about 1.5m from the main wall, so that long views of the corner of the building and the bay would be retained. The link would be flat roofed and glazed to maximise the impression of separation.

The new building is shown with a square bay to the front, projecting about 0.8m, to break up the front elevation and pick up on the staggered front of the existing building although in a simpler form.

The parts of the building to the rear are more simply designed, and the floor levels would be slightly reduced from those to the front part. This allows for accommodation within the roofspaces without taking the roof height above that of the original building, and still allowing for good internal spaces.

The rear part of the new building would not be generally visible from the street. Some of it would be, if people looked along the driveway, but at a distance of nearly 50m so this would not affect views of the original building. The windows are shown of a plain design, being almost square with four lights. The cills would be low to allow views out for residents when seated, and the windows well sized to meet lighting and ventilation requirements. The size of the windows would also ensure that the elevations of the building are well balanced between masonry and window. The spacing of the windows is balanced and regular, and presents a pleasant appearance.

The design is considered appropriate for the site, location and use; and will fit with the strong character of the existing house. Details of materials and construction detailing will be required by condition.

Amenity for future residents

Levels of residential amenity for residents of care homes must be good, as residents are more likely to have restricted mobility and to spend most of their time at home. In this case, each bedroom would have a decent outlook. Although some rooms would be north facing and look out over the driveway, these rooms on the ground and first would also be closest to the large

communal lounges, which would have a southerly outlook over the resident's courtyard garden. The 8 rooms in the roofspaces would not have access to a lounge on the same level, but would benefit from longer views.

The outdoor amenity areas would be adequate for the nature of the occupation. They are proposed to the south and west of the site, bounding other gardens, and so would be quiet and should benefit from as much sunshine as possible. The plans show paths which should be suitable for persons of restricted mobility.

Access and Parking

The existing access would be re-used. This is set just under 5m from the back edge of the footway, which allows for small vehicles to pull completely clear of the footway outside the gates, and larger vehicles to pull partly clear of the footway. The gates would be electric-controlled. A condition is recommended requiring that they are fob-activated so that regular users of the site do not have to delay or get out of their cars to open the gates. An intercom system would be needed for visitors.

The driveway would be 5m wide for 15m into the site, narrowing as it passes the building. It is intended that only staff should have to drive further into the site than this. The LHA has recommended that the driveway is 4.5m as it passes the building, in the interests of the site operating efficiently internally although this is not a critical issue. Members should note that there would be bedroom windows along the ground floor, and a decent landscaping buffer should be retained outside these windows. The driveway would not be intensively used, and there would scope for drivers to wait while others come through the narrowest part. Currently the landscaping buffer is shown at just under 3m wide, and it is considered more important to retain this than to widen this section of the driveway.

Several neighbours have commented on the proposed parking provision. The adopted maximum standard is one space per full-time member of staff, and one visitor space for three bedrooms. The applicant has stated that there will be 18 full-time members of staff, but some of these are likely to be working shifts.

Parking is shown in two areas. There is an area indicated as "staff parking" at the rear, with 9 car spaces, one mini-bus space, and a 12-cycle store for staff. Visitor parking is shown to the front with eight tandem spaces (four x two) of which the "inner" spaces are under the trees and would be of grasscrete or similar, four other normal spaces, two disabled spaces, and four spaces under the trees, which would be grasscrete or similar and used only at the busiest times.

The nature of the "overflow" parking has been questioned. In this instance, they would be permanent spaces but not tarmacked, instead being spaces which are available for use but likely only to be used when all the other spaces are occupied. The softer surfacing would reduce the visual impact.

The applicant has advised that it is unlikely that all of the staff will drive to work. Care staff are not generally well paid, perhaps may not be able to afford to run a car, and the applicant explained that the offer of a mini-bus to and from work, which would usually pick up and drop off at a few central points, aids staff retention. Some neighbours have questioned whether this mini-bus service is realistic, but the applicant's explanation is reasonable. The site is easily accessible from many areas of the city by foot, bus and cycle, and there is no reason why all staff would be expected to drive to and from work. It is likely also that the four "inner" of the tandem spaces could be used by staff who would be there all day, with the four "outer" spaces left free for visitors to come and go during the day.

Taking away the "inner" spaces there would be 14 visitor parking spaces. The maximum standard for the proposed 56 bedrooms would be 18-19 spaces, so given that the site is well located for visitors to come by foot, cycle and bus, this is considered acceptable.

Initially, the proposal included only ten visitor parking spaces and the applicant was proposing that these be pre-booked. This would not have been a practical proposition and the applicant has increased the provision by 8 spaces, albeit four of these are inner tandem spaces that would have to be carefully managed. In addition, the number of bedrooms has reduced.

Given that the parking standards are maximums, it is not considered that lack of parking could be used to justify a refusal. It is for site management to arrange exactly how the parking is used – for example, a regular visitor such as a doctor might use the staff parking area. Officers do not anticipate parking problems, however if it becomes evident that there are parking problems then site management will have to find a way to deal with this.

Impact on Neighbours

266 Eastfield Road

This dwelling is to the south of the site. It is a detached house with windows on the north elevation, some to habitable rooms, less than 2m from the boundary with the application site. There is hedging along this boundary, about 1.8-2m for most of the boundary alongside the house, but lower adjacent to the windows.

It is proposed to place parking spaces just over 17m from the windows. A footpath would run across the site frontage at a distance of 7m from the boundary.

The parking spaces in question are the “overspill” spaces. These are so-called as it is likely that they would be required and used only at peak visiting times, and so impact on occupants from this parking would be slight and occasional. The path would be from a secondary, pedestrian/cyclist gate.

The new side wing was initially placed about 1.5m from the boundary, but has been reduced in width so that it is now proposed at about 5m from the boundary.

There would be windows about 11m from the neighbour’s windows. Initially these were to be bedroom windows, which would have given rise to unacceptable overlooking, but the plan has been amended so that these would now be to a staircase and would be obscure glazed without detrimental impact on the external appearance. The next-closest new windows would be about 17m away, at a steep angle.

The usual minimum window-to-window separation distance, for directly facing windows to habitable rooms, is 21m. This can be reduced if views are not direct, but there is no formula for deciding when the angle outweighs the closeness. 17m, at the angle proposed, is considered sufficient to ensure that there is no harmful overlooking.

The side wing, at 14m deep and 6m to eaves, is not a small element, but being set 5m from the boundary, and to the north of the garden/patio to 266, it is not considered that there would be any unacceptable shading or overbearing impact.

The occupant of this dwelling has written in supporting the proposal.

272 Eastfield Road

This dwelling is to the north of the site, and the south side wall of the dwelling runs along the site boundary. There are various trees along the boundary to the garden.

The occupant has objected on the grounds of facing windows overlooking their windows and the garden, and also regarding the location of the bin store (which is adjacent to the ends of gardens at 272-276 Eastfield Road).

In respect of overlooking, the rear of 272 has a first floor window facing west, and a ground floor window (which appears to be a patio door) also facing west off the back of a single storey rear

extension. The closest bedroom windows at first floor on the new building would be 24m from the first floor window, and 19m from the ground floor window. The windows would not directly face, and views would be oblique. This separation is considered acceptable.

There would be a closer window to the first floor hair salon, which would be 22m from the first floor window at 272 and about 18m from the ground floor window. This room is unlikely to be used continuously, and the separation is considered acceptable. The window could be obscure glazed.

This neighbour has also objected regarding overlooking to the garden. It is noted that the existing house has side windows, and there are windows in the existing post-war extensions, which could have given rise to overlooking for the last several decades. It has to be recognised that people living in a care home are likely to spend more time looking out of windows than would people using the building as an office, but even so it is considered that overlooking to rear gardens is common in urban environments and the proposal cannot be resisted on this ground. The area immediately to the rear of the house, usually considered to be the most private sitting-out area of a garden, is further away from the proposed bedroom windows.

Occupants have also objected on the grounds of disturbance from use of the bin store. This would be set in a corner of the site, just behind the boundary with the gardens to 274 and 276 Eastfield Road, and the refuse collection vehicle would collect from an area just within the site gates.

Given the nature of the proposed occupation, refuse would most likely be taken to the store by staff in an organised way, and probably during the day. There is no reason to suppose that this would lead to any more disturbance than that caused by any people putting rubbish in bins – less so, perhaps, as the store would be covered and enclosed. The bins would have to be moved down the drive on collection day, but this would take a few minutes only and should not cause any unusual or unacceptable disturbance.

Dwellings in College Park

College Park is the cul de sac which runs behind the site. It was built in the mid-1980s on land which formerly belonged to the college. There are five dwellings on College Park which have back gardens sharing a boundary with the site. Some residents have commented that the proposed building would block sunlight to their houses and gardens. Assessments have been carried out to establish the loss of day/sunlight to these dwellings.

An assessment has been carried out for 6 College Park, which is the dwelling potentially most significantly affected to the west of the site. Impact on direct sunlight would vary from some slight shading to gardens early in the morning at midsummer, to an increase in shading which would extend to the house wall on midwinter mornings. The relationship between the two buildings is very similar to that proposed last year, so the impact in this respect would be very similar.

Occupants of No 5 College Park have objected on loss of light and privacy, however the situation in respect of shading would be slightly better than for No 6, and the window-to-window separation distance meets the requirement.

One neighbour has commented that the parking area to the rear would cause noise and disturbance. There is already a parking area at the rear, and given that the area would be used for staff and mini-bus parking there is no reason to suppose that the number or noise of traffic movements should be significant or harmful. The size of the parking area would be significantly reduced from that already existing.

The assessment has also been carried out for No 2 College Park, which is the dwelling potentially most affected to the north of the site. There would be some shading to the back of the house in the middle of the day, which would occur for about three months around midwinter. For most of the year the sun will be high enough in the sky that shading would not affect this property. The proposed building would be slightly closer to this dwelling than was the previously refused student accommodation, and so the shading will reach slightly further up the back wall of the house.

During mornings and afternoons however the sun would be to one side of the new building, when viewed from No 2, and so there would be no shading.

Dwellings across the road

Immediately opposite the application site are 285 and 301 Eastfield Road. Given the front-to-front distance of at least 50m, and taking into account that Eastfield Road is a main route through the city, used by vehicles and pedestrians, it is not considered that there would be any significant impact on occupiers of dwellings across the road in terms of overlooking, overshadowing, or overbearing impact.

Other dwellings and potential impacts

Traffic noise has been mentioned. Residents might be aware of this, but any residential development on the site would be likely to use the same access point, as it is furthest from the bend in Eastfield Road, and the number of vehicles using the access is likely to be fairly low. Residents are accustomed to a site that is not in use at evenings and weekends and has been vacant for some years, but it is not realistic to expect this situation to continue.

Occupants of 274 commented last year, however it is understood that the house has been sold to new owners since then.

Occupants of 262 Eastfield Road have commented regarding overlooking and noise. This dwelling is over 25m from the site boundary so is unlikely to be affected by overlooking or noise, especially as the nature of the use is likely to be fairly quiet.

Neighbours have also mentioned the impact of having lights outside the building. Lighting could easily be agreed by condition, and external lights could be specified with hoods directing the light downwards, and shielding neighbours.

Comparison with 13/00660/FUL

Windows on the student accommodation proposals were small, and angled so that direct views towards neighbours were not possible. This would have resulted in a poor outlook for students, which Officers considered acceptable due to the temporary nature of occupation. That compromise would not be acceptable in a care home, which is a permanent home for the residents, and must therefore allow for a pleasant outlook from the bedrooms.

The current proposal results in two parts of the building, the new wing alongside the retained house and close to 266 Eastfield Road; and the rear wing closest to No 2 College Park, being several metres closer to neighbours than on the student proposal and therefore having a greater impact on shading.

Members were of the view that both overlooking and overbearing impact were unacceptable, although Officers had concluded that the proposal was acceptable in those respects.

Sustainability

The applicant has indicated a willingness to make a suitable contribution to the City Council's Environment Capital aspiration but has not fully detailed the contribution to be made. Solar panels are shown on the roof. A condition is therefore recommended to secure details prior to the commencement of construction.

Drainage

The applicant has proposed a SuDS system but no details have been provided. Details will be required by condition.

Impact on Locally Listed Building

The proposed development will bring the locally listed building back into beneficial use and secure its long term future. The design of the new building to the front respects the appearance and character of the original building. The new build to the rear would not be generally visible.

Landscaping and Ecology

There are protected trees to the front of the site, which have been considered as part of the application process. The development can be carried out without harm to these trees, although a detailed method statement and tree protection details would have to be provided by condition prior to any works being carried out.

Landscaping to the remainder of the site would be agreed by condition. New garden areas would be provided for residents, and it is expected that native planting would be specified in order to benefit wildlife. The Wildlife Officer has requested bird and bat boxes as well, which can easily be incorporated into the construction.

Large parts of the building are to be demolished, and it is possible that there might be bats living in the roofspaces. A specification for how demolition will be managed, to avoid harm to any bats, will be required as part of the Demolition and Construction Management Plan.

The neighbour at 5 College Park has commented that works to create the parking spaces at the rear of the site might harm his Leylandii. There is already a parking area in this corner of the site. It is not at this time known how the new parking area will be constructed, or whether the existing gravel surfacing will be partially retained. If works are to be done that might affect trees/hedging belonging to the neighbour then it is for the developer to ensure that they do not cause any harm. The plans show a buffer to the boundary, so construction should not need to go right up to the boundary.

The site owner has a common law right to remove roots or branches that are encroaching, and if any harm was caused the owner of the trees could take action against the developer.

As the developer has specified that Sustainable Drainage will be used, it would be possible for a permeable paving system to be used.

Section 106

A request has been received for a contribution to Bereavement Services, which the applicant has agreed to.

A request was also received from Recreation Services for a contribution to works at Central Park, but this cannot be directly linked to the development proposed and so will not be requested of the applicant.

Other matters

The following points have been raised by neighbours and are not addressed above:

- What would happen if adjoining land was developed?

Any application to extend the use/building/site would be considered on its own merits. Something that might happen in the future but does not affect the current application and proposal cannot be taken into account.

- Security to [4 College Park] – doesn't look as though there is much of a fence.

Boundary treatments and security will both be addressed by condition.

- Light pollution in all directions from such a large building.

Lighting will be agreed by condition. It is likely to form part of the Security condition.

- Density is higher than that of the local area.

Density alone is not usually a good indicator of whether a development is acceptable. It is not clear what the objector means by density. Density of occupation might not be the same as the local area, but the nature of occupation would be very different, so this is not necessarily a useful indicator and is not considered material in the circumstances. The proportion of the site that is built

on again might or might not be similar to other nearby sites, but these vary enormously among themselves. The dwellings in College Park typically have small gardens and a large amount of building footprint compared to overall plot size, the dwellings on Eastfield Road have larger gardens in proportion to dwelling size. What matters is the impact of the development, and whether any harm is caused.

- Is this NHS funded or part-funded, it is not clear.

This is not relevant to the assessment and determination of the application.

- There is concern that the development constitutes over-development. The Planning Committee should be made aware of any guidelines/legislation relating to the optimum number of persons residing within a specified floor space.

In order to operate as a care home, the development would have to meet the national standards. This is not a matter for the LPA, however it is understood that a minimum of 12 sq m per bedroom is required, which standard appears to be met or exceeded as rooms are of varying sizes and configurations. The inclusion of activity rooms and a cinema room, which are not usually included in care homes, suggest that the residents will have suitable spaces. Officers do not consider that the proposal constitutes overdevelopment.

- 62 beds was quoted by the applicant as being the minimum number needed to make the scheme viable, so we have a proposal based on economics not design considerations.

The proposal has now been reduced to 56 bedrooms, but in any case having a proposal based on economics does not make it unacceptable. The design is considered acceptable.

- Only one of the seven reasons for refusal of the previous application has been addressed so how can this be accepted.

Officers are of the view that there is no significant harm caused by the proposed scheme.

6 Conclusions

The site is in a residential area and is suitable for a residential use.

The development can be carried out without harm to the existing locally listed building.

The development will allow for the retention of protected trees.

Adequate access and parking can be provided.

The development will not lead to any unacceptable impact on the amenity of neighbours.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is GRANTED subject to the following conditions

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

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

C2 Development shall be carried out in accordance with the following approved plans:

- Proposed basement 1001 Revision A
- Proposed ground floor 1002 Revision C
- Proposed first floor 1003 Revision C
- Proposed roofspace floor 1004 Revision A
- Proposed site plan 1005 Revision C
- Proposed roof plan 1006 Revision A
- Proposed elevations 1007 Revision C
- Proposed bike store, bin store and electricity sub station 1008
- Block Plan 1010 Revision B.

Reason: In the interests of proper planning in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C3 Prior to the commencement of development, including the demolition of the parts to be removed, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved Plan.

The plan shall include the following:

- **Haul routes to and from the site, construction access and details of measures to ensure that all construction vehicles can enter the site immediately upon arrival**
- **Site storage and compound areas**
- **A scheme of measures for the temporary parking, turning, loading and unloading of construction vehicles clear of the highway**
- **A scheme of working hours for construction and deliveries to the site**
- **A scheme for the monitoring, reporting and control of construction noise and vibrations emanating from the site including scope for remedial measures should issues be identified**
- **A scheme for the control of dust arising from building works and site works**
- **A scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways**
- **A contingency plan including, if necessary, the temporary cessation of all construction operations, to be implemented in the event that the approved vehicle cleansing scheme fails to be effective for any reason**
- **Details of how the partial demolition will be managed with respect to the possibility of bats using the space**
- **Details of the site enclosure, compound (including site huts) and parking for contractors and other employee vehicles**
- **A scheme for detailing with complaints**
- **Details of how the excavation of the basement and the disposal of spoil shall be managed.**

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity in accordance with Policies CS16 and CS14 of the Peterborough Core Strategy DPD.

C4 No work shall take place on the application site (including soil stripping, preconstruction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until a Method Statement and Tree Protection Plan to BS5837:2012 *Trees in relation to design demolition and construction – Recommendations* methodology has been submitted to and agreed in writing with the Local Planning Authority that identifies (not exclusively) the following:

- **Trees to be retained and those to be removed clearly identified. Tree removals must be commented on and justified on a tree by tree basis;**
- **Location and specification of protective tree measures in addition to appropriate ground protection (creating construction corridors where appropriate) within the Root Protection Areas of all retained trees within the application site;**
- **Details of all Root Protection Area infringement during the demolition, construction and landscaping phases with details on how the impact will be minimised. In addition an updated Method Statement will be required for all ‘no dig’ constructions cross referenced with other tree related operations and the phasing onsite;**
- **Details of facilitation pruning and comment on future growth in conjunction with likely future pruning works;**
- **Location of access, material storage, site office, mixing of cement, welfare facilities etc;**

- **Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees;**
- **Key timings/phasing of site visits is to be provided to ensure adequate arboricultural supervision throughout the project.**

The scheme shall be implemented strictly in accordance with the agreed details/plans. The tree protection shall be erected according to the specification and locations shown on the agreed Tree Protection Plan. Signs shall be placed on the tree protection emphasising that it is not to be moved, nor the area entered into, until the end of development without written permission from the Local Planning Authority.

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

- C5 No work shall take place on the application site until a site meeting between the site agent/builder, the developers chosen arboriculturist and the Local Planning Authority's Tree Officer has been undertaken. Thereafter, the developers chosen arboriculturist will conduct site supervision as identified in the agreed Method Statement and Tree Protection Plan for the duration of the project to ensure that all protection measures (including tree fencing, ground protection and landscaping) are being implemented and maintained as per the agreed Tree Protection Plan. A log of visits shall be kept in the site office for inspection by the Local Planning Authority if required.**

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

- C6 No construction shall take place above ground until details of the following 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.**

- **Walling and roofing materials, including samples**
- **Details of cills, lintels, string courses and eaves to the front new wing**
- **Details of windows and doors**
- **Details of rainwater goods.**

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).

- C7 Prior to the commencement of development, details of any sustainable technologies and/or features to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority, and therefore installed prior to first occupation. In the event that no such measures are to be included then the development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rate set by the Building Regulations at the time of Building Regulations being approved for the development.**

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

- C8 Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. The following also needs to be submitted as part of any approved works/scheme:**

- **Full and up to date design details of the proposed drainage systems for this development should be forwarded for approval.**

- **Overland flood flow routes in the event of exceedance or failure of the proposed drainage system**
- **Calculations showing the discharge rate and attenuation volumes required.**
- **Confirmation that infiltration to ground water has been investigated in the design process**
- **Where applicable, written confirmation of approval from Anglian Water to discharge surface water into their drainage systems.**

Reason: In the interests of flood prevention in accordance with Policy CS22 of the Peterborough Core Strategy DPD.

- C9 Prior to any occupation of the development hereby permitted, measures to minimise the risk of crime to meet the specific security needs of the application site and the development shall be implemented in accordance with a security strategy scheme, previously submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of crime prevention and site security in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

- C10 Prior to any occupation of the development hereby permitted a scheme for the landscaping of the site shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.**

The scheme shall include the following details

- **Proposed finished ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting**
- **Hard landscaping details including paths and surfacing, pergolas, benches and similar items**
- **Boxes/habitat for birds and bats**
- **Boundary treatments.**

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).

- C11 Prior to any occupation of the development a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall contain SMART targets and shall identify measures to achieve those targets and shall be implemented on occupation of the development.**

Reason: In the interests of promoting the use of non-car modes of travel to the site in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD.

- C12 Prior to occupation of the development the area shown on drawing 1005 Revision A for the parking, turning and loading/unloading of vehicles (including cycles) shall be provided and thereafter maintained for no other purposes than the parking, turning and loading/unloading of vehicles in connection with the approved use of the site.**

Reason: In the interests of Highway safety in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD.

- C13 Prior to any occupation of the new building, the following windows shall be obscure glazed to at least level 3 and shall be retained as such thereafter**

- **East-facing staircase windows to the new wing adjacent to 266 Eastfield Road**
- **North-facing first-floor staircase window to the stairwell adjacent room 42.**

Reason: In the interests of protecting neighbour amenity in accordance with Policy PP3 of the Peterborough Planning Policies DPD.

- C14 Prior to any occupation of the development hereby permitted, the front vehicular gates shall be made electrically operated, and remotely controlled, and staff**

provided with remote controls. The gates shall be retained as remotely controlled thereafter.

Reason: In the interests of Highway safety in accordance with Policy PP12 of the Peterborough Planning Policies DPD.

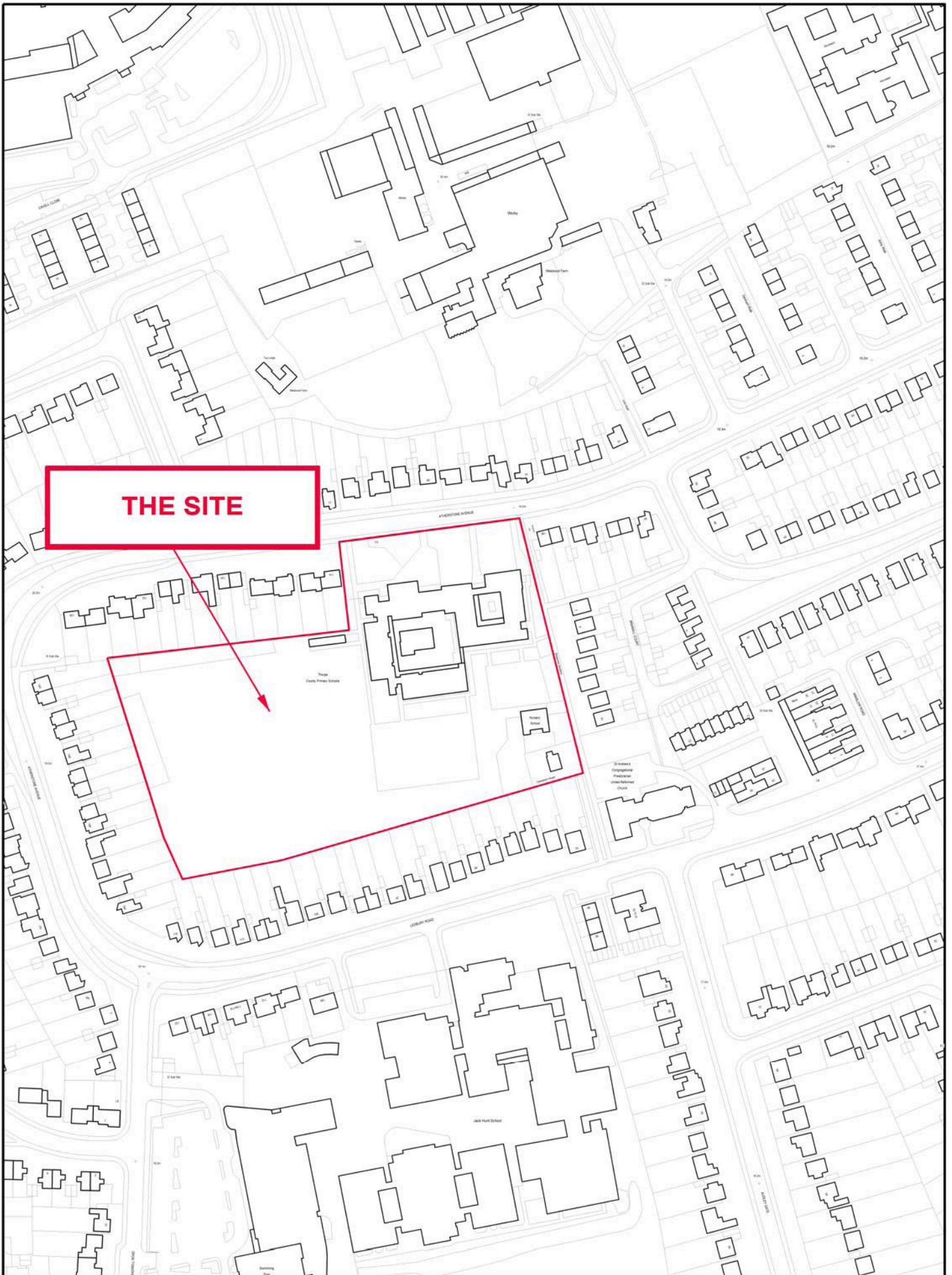
C15 No external lighting shall be installed other than in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority. (For the avoidance of doubt: these details may be agreed under Condition NN, Security, and this condition need not be separately discharged).

Reason: In the interests of site security, and protecting neighbour amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD and Policy PP12 of the Peterborough Planning Policies DPD.

C16 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending or revoking and re-enacting that Order with or without modification), and the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order with or without modification), the use of the development hereby approved shall be as residential accommodation and care for adults in need of full-time care and for no other use within the C2 or C2A use class.

Reason: The impact of the use, and the level of parking provision, has been assessed on the basis of this use. The Local Planning Authority wishes to retain the authority to assess any proposed change of use prior to it taking place to ensure that any alternative use complies with the requirements of Policies PP2 and PP12 of the Peterborough Planning Policies DPD.

This page is intentionally left blank



THE SITE

LOCATION PLAN 14/01060/R3FUL
Thorpe Primary School Atherstone Avenue

Scale NTS Date 7/10/2014 Name AH Department Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



PETERBOROUGH

CITY COUNCIL

This page is intentionally left blank

Application Ref: 14/01060/R3FUL

Proposal: Partial infill of existing courtyard, single storey rear extension and erection of detached single storey teaching block. Associated alterations to the car park at the front of the site and an extension of the car park to the rear

Site: Thorpe Primary School, Atherstone Avenue, Netherton, Peterborough
Applicant: Peterborough City Council

Agent: Frank Shaw Associates

Referred by: Councillors Arculus, Fitzgerald and Maqbool
Reason: Concern about increased traffic

Site visit: 25.06.2014

Case officer: Miss V Hurrell
Telephone No. 01733 453480
E-Mail: victoria.hurrell@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

1 Update

This application was tabled to members of the Planning and Environmental Protection Committee on 2 September 2014. Following consideration members voted to defer the application in order to allow a more detailed exploration of traffic mitigation measures to address their concerns about additional traffic congestion following expansion of the school.

Following this deferment Children’s Services and the contractor for the school works, Carillion, have looked at a range of options seeking to address these concerns. A meeting was held at the school on 23 September attended by Children’s Services, Councillor Holditch, representatives from the contractor Carillion and architects, Frank Sure Associates, representatives from the school including the Head Teacher, Chair of Governors and Councillor Fitzgerald in his capacity of ward councillor. The other ward members were unable to attend the meeting due to its timing. Planning Officers were also in attendance.

At this meeting it was confirmed that the increase in pupil numbers would be phased, with 30 additional pupils being added to the school each year from September 2015 until the additional capacity of 210 pupils is reached.

Four options setting out potential mitigations proposals were tabled along with a basic analysis of the associated risks including costs. The options were as follows:-

Option 1 - A single layby at the front of the school site within the highway, with space for two cars. This option does not result in any change to the onsite parking arrangements. There could potentially be some impact on a couple of the trees at the front of the site.

Option 2 - A reconfiguration of the front car parking area to create a drop off zone within the school site. This option would result in the loss of some trees but would allow the retention of the majority of them. There would be no change to the rear car park from that currently proposed.

Option 3 - A reconfiguration of the parking area at the front of the school site, removing the existing entrance. The existing secondary access would become the primary access and would be

widened. Parking at the front would be for staff and the rear car park reconfigured to create a managed drop off system. This option allows the majority of trees at the front of the site to be kept. In addition option 3 proposes a new parking area for staff (to replace the parking spaces lost with the creation of the drop off/pick up) on the site of the former caretakers house, with access from Ledbury Road.

Option 4 – This option removes all of the existing parking at the front of the site to create a large area for drop off and pick up. All the principal trees would have to be removed. In addition, the existing secondary access would be widened and an enlarged car park created at the rear of the school on existing playing field to accommodate all the staff parking (as this has been removed from the front). Utilisation of the care takers house would not be required.

Councillor Holditch and Jonathan Lewis (Head of Corporate Property and Children’s Resources) advised that the initial cost estimates for these options range from £50 000 for option A, to £75 000 for option B to £225 000 for options C and D. In addition option C would result in the loss of the care takers bungalow and a capital receipt for the Council as it is seeking to sell this property after the building works have been carried out. They confirmed that no funding is currently available for these works the school. Carillion confirmed that the cost of each option could not be finalised until further investigation had been carried out and that all of the options would have an impact on the build programme given the risks and uncertainties at this stage.

Nick Guest, Head Teacher of the School advised that several of the options raised issues for the school in respect of child safety as they would result in parents being allowed onto the school site to drop off and pick up. He also advised that the school could not agree to any option which resulted in the loss of more playing field, so options C and D.

From a planning perspective, Options C and D would require reconsultation with Sport England. If Sport England objected and Members resolved to approve the application then it would need to be referred to the Secretary of State to determine whether he wishes to call the application in for his own determination. Until a decision is received from the Secretary of State work could not progress on site. Children’s Services advised that they were also unlikely to get approval for options C and D under Section 77 of the School Standards and Framework Act 1998. This is the legal process which they have to go through in order to change the use of the playing field.

In addition these options impact upon the trees at the front of the site which, as previously indicated, are worthy of retention.

In light of the discussion around the options especially the feedback from the school and the fact that the expansion of the school would be phased it was agreed that it would be appropriate to monitor the situation and if in the view of the Local Planning Authority there is an identified issue implement a remediation option based in the first instance on the principles of option B which avoids any impact upon the playing field to the rear. This option also does not include the use of the caretakers house. If there is a fundamental issue then a more radical solution will need to be put forward. The Local Highway Authority has confirmed it is agreeable to this approach as it will allow the situation to be monitored and provide an opportunity for the school to take positive management steps in terms of travel planning and parking management which, as members will recall, was their preferred option in this instance.

A new condition, condition 18, is therefore recommended (the conditions have been renumbered to take into account the recommendations in the Update Report from the 2 September meeting).

C18 Prior to the first expansion of the school it shall carry out a review of the existing parking congestion/drop off arrangements in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The results of this survey shall thereafter be provided to the Local Planning Authority.

Six months after the first expansion of the school to accommodate an extra 30 pupils the

school shall carry out a further review of the parking congestion/drop off arrangements in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The results of this survey shall thereafter be submitted to the Local Planning Authority for approval. If in the view of the Local Planning Authority there has been a significant increase in traffic congestion as a result of the first expansion then a mitigation scheme based upon the principles of option B shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a detailed Arboricultural Impact Assessment, details of tree protection measures and a timetable for implementation. If, in the view of the Local Planning Authority, the additional congestion is such that option B would not address it then an amended scheme shall be submitted for approval.

If in the view of the Local Planning Authority following the first review no mitigation measures are required then monitoring shall be carried out at yearly intervals until such time as the school has been expanded by an additional 210 pupils. If, following any of these further reviews, the Local Planning Authority is of the view that there has been a significant increase in congestion as a result of the school expansion then a mitigation scheme based upon the principles of option B shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a detailed Arboricultural Impact Assessment, details of tree protection measures and a timetable for implementation. If in the view of the Local Planning Authority the additional congestion is such that option B would not address this then an amended scheme shall be submitted for approval including an implementation timetable.

Reason: In order to mitigate the traffic impacts arising from the extension of the school in accordance with policy CS14 of the adopted Core Strategy and Policy PP12 of the adopted Planning Policies DPD.

In light of the approach agreed at the meeting no further consultation has been carried out with members of the public.

The rest of the report remains unchanged although Section 6 Part 4 (Landscape Impacts) has been updated to reflect the comments in the Update Report to the 2 September 2014 meeting.

2 Description of the site and surroundings and Summary of the Proposal

The Site and Surroundings

The application site is the Thorpe Primary School which is located in the Netherton area approximately 2 km from the city centre.

The school buildings which are predominately single storey, front onto Atherstone Avenue. There are two vehicular accesses into the school site. The first leads to a car parking area in front of the school buildings with 24 spaces including two disabled spaces and the second to a rear car park with approximately 20 spaces, although these are not formally laid out.

There is a large area of playing field to the rear (south) and west of the school buildings. Also to the south of the main school buildings, located within the separate building adjacent to the rear of properties on Ledbury Road, is a nursery.

There are a number of mature trees at the front of the site which are worthy of a Tree Preservation Order (TPO) and within the school grounds, especially along the boundaries.

The surrounding area is predominately residential in character. There is a church to the south east corner of the site on Ledbury Road. On the south side of Ledbury Road is the Jack Hunt School.

There is a pedestrian link (Breamore Gardens) along the eastern boundary of the school which is enclosed by chain link fencing. This connects with Atherstone Avenue and Ledbury Road and there are a number of bungalows fronting onto this footpath.

The Proposal

This application seeks consent for various extensions to enable the capacity of the school to be increased by 210 places from 470 (including 52 nursery places). The number of staff would increase by 15 to 92.

Two new single storey detached teaching blocks are proposed to the rear of the existing school buildings on the existing hard play area. A small in fill extension to the central courtyard is also proposed along with some associated refurbishment of the interior of the existing school buildings. Associated with these extensions are an additional area of hard play, an expansion to the car park to the rear west side of the building to increase its capacity to 30 spaces (from 20) and a reconfiguration of the car parking at the front to accommodate 28 car parking spaces (from 24).

There is a vacant property to the rear of the school site accessed from Ledbury Road which used to be the care takers house. It is proposed to use this house as the construction office and to bring the majority of construction traffic in via Ledbury Road.

3 Planning History

Reference	Proposal	Decision	Date
10/01367/FUL	Provision of overspill car park and relocation of cycle racks	Permitted	21/01/2011
09/00425/FUL	Single storey extension and associated replacement of part of roof, and installation of security gates	Permitted	17/06/2009
07/00089/FUL	Erection of single storey entrance lobby with canopy	Permitted	19/03/2007
04/00490/R3FUL	Erection of fence and gates	Permitted	12/05/2004
03/01177/R3FUL	Extension to create library and staff room facility and upgrading of existing security fencing	Permitted	01/10/2003

4 Planning Policy

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

National Planning Policy Framework (2012)

Section 8 - School Development

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

Peterborough Core Strategy DPD (2011)

CS10 - Environment Capital

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS19 - Open Space and Green Infrastructure

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

Peterborough 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.

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.

5 Consultations/Representations

Transport & Engineering Services (16.07.14)

No objections. It is noted that the number of car trips to the site are high compared to other primary schools which is a concern as this would mean that should the modal share remain at current levels then the impact of additional traffic would be significant. The high level of trips would suggest the existing travel plan is not having the desired effect. The Local Highway Authority would require a new Travel Plan to be submitted along with a Parking Management Plan.

The Construction Management Plan is acceptable subject to a condition requiring the provision of temporary cross overs at the accesses before construction vehicles start using them.

Property Services

No comments received

Police Architectural Liaison Officer (30.06.14)

No objections, recommendations or further observations

Archaeological Officer (02.07.14)

No objections. The site is within an area of low archaeological potential. As such there is no need to secure a programme of archaeological work.

Landscape Officer (14.08.14)

No objections. The trees at the front of the site form a very strong landscape feature and are worthy of protection. The pruning works to the trees needs to be agreed to ensure that it is appropriate and further detail is required in respect of the drainage works within the root protection areas. These matters can be addressed via conditions.

Travel Choice

No comments received

Building Control Manager (03.07.14)

No objections. A Building Regulations application has been submitted.

Sport England (07.07.14)

No objections. The proposal is considered to comply with exception criteria E3 of its policy. Requests conditions requiring the layout of the new pitches before the new teaching block/car park are brought into use.

Wildlife Officer (18.07.14)

No objections subject to a condition requiring that the works are carried out in accordance with the Phase 1 Habitat Survey including the provision of bird and bat boxes.

Pollution Team (14.08.2014)

No objections. Recommend a condition in respect of unsuspected contamination.

Drainage Section

No objections, the submitted information is acceptable.

Local Residents/Interested Parties

Initial consultations: 92

Total number of responses: 10

Total number of objections: 10

Total number in support: 0

10 letters of objection have been received. These raise the following issues:-

- The School is of sufficient size to meet the needs of the local community. This means pupils are coming from further afield. It is a retrograde step to segregate children from where their home is.
- The vast majority of pupils will be taken to school by car. The additional unnecessary pollution from up to 210 additional cars will contradict the Council's own policy of being a city with a good environment policy.
- The additional traffic will exacerbate an already hazardous situation where there have been a number of accidents and countless near misses regarding cars and children. It would be totally irresponsible to increase the vehicle movements in the Ledbury Road area at school start and finish times.
- The Transport Assessment is fundamentally flawed as it has not recorded two accidents in Ledbury Road involving children at the end of 2013 and it has not included either cars stopping on zig-zag lines at crossing or the riding of cycles on footpaths. Also the assumptions in table 4 are beyond comprehension as all the additional pupils will not be walking to school.
- Fail to see how these issues can be resolved if the proposal goes ahead and anyone with any common sense will reject the proposal for additional classrooms as then it will only be a matter of time before there is a fatal accident and the Planning Committee will be responsible.
- Once the children get to secondary school does the Council consider extending that school too. Already Jack Hunt teachers park in front of the school in Ledbury Road on what was open grass area between trees despite having extra parking spaces added in the parking areas. Parents park across our drives now despite the white lines, with extra children where

- will they park.
- Atherstone Avenue is already reduced to a single lane in places due to cars parked on both sides of the road.
- Cars are often left parked all day partly on the footpath. People turn around in our drive also. The increase in traffic volumes will only serve to exacerbate these problems.

6 Assessment of the planning issues

The main considerations are as follows:-

1. The Principle of Development
2. Highways Impacts and Car Parking
3. Design and Layout
4. Landscape Impacts
5. Ecological Issues
6. Construction Management
7. Other Matters

1. The Principle of Development

Children's Services have advised that the expansion of Thorpe Primary School is required as part of the Council's School Organisation Plan which sets out how school place demand will be met. The Council has a statutory duty to ensure that sufficient school places are available within the city. The figures within the plan show that there has been an increase not only in the number of people living within the city but also an increase in the number of children under the age of 4. This is resulting in a rapidly expanding primary school age population.

The Plan divides the city into a number of areas and Thorpe Primary School falls within the West Planning Area. The Organisational Plan sets out that within this area, even with the expansion of Thorpe Primary School, Ravensthorpe and the new West Town School (to be delivered as part of the hospital redevelopment), there will only be a slight (15 place) surplus in school places by 2016. If the expansion of Thorpe Primary School were not to proceed then there would be a significant shortfall of primary school places within the West Planning Area. In terms of identifying the schools for the expansion within each area the Council has to look at expanding the most popular schools where there is the highest demand for school places and Thorpe Primary School is currently oversubscribed.

In planning policy terms the National Planning Framework places great emphasis upon supporting the building of new schools or the expansion of existing schools. Given this policy stance and the requirement for school places as set out in the School Organisational Plan there would have to be very strong justification for the current application to be resisted.

Neighbour Representations.

A number of the representations have set out that the expansion of Thorpe Primary School is not required to meet local school place demand and will result in children attending the school from further afield which is not desirable.

Whilst this comment is noted, as set out above the school places are required to meet demand within the West Planning Area. Ideally children would be able to attend their nearest primary school but the demand for places is currently such that this cannot happen in every case and the Council has to ensure sufficient school places are available for all children within the unitary area as a whole and at the most popular schools. By dividing the city into areas the Organisational Plan does try to locate new school places across the city to minimise the distance which children have to travel.

2. Highways Impacts and Car Parking

Traffic Impacts

A Transport Assessment has been submitted with the application. The car borne modal share

indicated in the plan is higher than typically associated with primary schools so it is anticipated that the impact of additional traffic would be significant.

The Transport Assessment does suggest that the impact of the traffic would be lessened due to parking restrictions being enforced around the school and the staggered start time because of the breakfast club. This being the case the Local Highway Authority has advised that travel planning must be the main focus for reducing car borne trips to the site.

The Local Highway Authority has advised that a new Travel Plan should be produced as part of this development with a primary focus on identifying why so many children travel to school by car and why other modes are either not practical or perceived as not practical. Once this has been established SMART targets would need to be set out and measures identified to reduce car borne trips. This data should be collected as soon as possible.

In addition the submission of a Parking Management Plan is recommended, to be secured by condition as per the Travel Plan, as a way of exercising control over picking and dropping off outside schools by the Local Highway Authority.

The Local Highway Authority has advised that in its view the above are the most appropriate measures to try and reduce the traffic impacts of the scheme. Although the proposal will be likely to result in additional traffic at drop of and pick up times the Local Highway Authority does not have any highway safety concerns. Neither is there a scheme of physical measures which could be implemented to help address the issue.

The Ward Councillors have called the application into Planning and Environmental Protection Committee on the grounds of potential traffic impacts and have asked that the scope for a drop off and pick up facility be investigated.

In response to this request an informal sketch plan has been prepared. This shows three potential drop off and pick up options along Atherstone Avenue. The first shows space for a single coach or two cars, the second a longer layby with space for 6 cars and the third a large layby with space for 7 cars and a passing lane. Options 2 and 3 would be likely to result in the loss of the majority of the trees at the front of the site.

Having reviewed the sketches the Local Highway Authority has advised that it would not support the provision of a drop off and pick up facility in this location.

The proposal would result in the removal of the existing zig-zag lines in front of the school. The purpose of these lines is to limit parking and therefore the potential conflict between children and drivers in the interests of highway safety. The creation of a drop off/pick up point in front of the school would be at odds with this as it would draw cars to the site.

In addition the number of parking bays which would be created would be limited (a maximum of 7) and would not be sufficient to meet the demand. In order for such a facility to be effective at least 50 parking spaces would probably be required. At the moment drop off and pick up is spread over the surrounding streets and therefore less concentrated. If a drop off and pick up point is provided then this would concentrate traffic outside of the school. More highway congestion is therefore likely to result along with an increased risk of conflict either between vehicles or vehicles and children. In addition it is likely that parents would park at odd angles and reverse into the road which is further likely to increase the risk of collision. This raises highway safety concerns.

In light of the advice from the Local Highway Authority the current application has not been amended to include a drop off and pick up point and the drop off/pick options have not therefore been publically consulted upon although they have been forwarded to the Ward Councillors for their information along with an explanation as to why the options are not considered acceptable.

Neighbour Representations

Traffic concerns relating to the development have been raised by neighbours. These are responded to below.

- *The vast majority of pupils will be taken to school by car. The additional unnecessary pollution from up to 210 additional cars will contradict the Council's own policy of being a city with a good environment policy*

Whilst this comment is noted the Council has to meet the demand for school places and Thorpe Primary School is already over subscribed. As set out above a condition would be imposed seeking the imposition of a Travel Plan which will seek to reduce as far as possible the number of children arriving by car to the site.

- *The additional traffic will exacerbate an already hazardous situation where there have been a number of accidents and countless near misses regarding cars and children. It would be totally irresponsible to increase the vehicle movements in the Ledbury Road area at school start and finish times*

As set out the Council has to meet school place demand in the area. There is not a suite of physical measures which can be secured to reduce the traffic impacts although conditions requiring the submission of a Travel Plan and a Parking Management Plan are recommended to try and reduce the number of vehicle trips and to encourage responsible parking.

- *The Transport Assessment is fundamentally flawed as it has not recorded two accidents in Ledbury Road involving children at the end of 2013 and it has not included wither the cars stopping on zig-zag lines at crossing or the riding of cycles on footpaths. Also the assumptions in table 4 are beyond comprehension as all the additional pupils will not be walking to school. Fail to see how these issues can be resolved in the proposal goes ahead and anyone with any common sense will reject the proposal for additional classrooms as then it will only be a matter of time before there is a fatal accident and the Planning Committee will be responsible.*

The Transport Assessment is not considered to be fundamentally flawed and the Local Highway Authority has raised no objections to it. With regard to accidents they can only be reported if there is a record of them.

- *Once the children get to secondary school does the Council consider extending that school too. Already Jack Hunt teachers park in front of the school in Ledbury Road on what was open grass area between trees despite having extra parking spaces added in the parking areas. Parents park across our drives now despite the white lines, with extra children where will they park.*

This application relates to Thorpe Primary School only and issues relating to parking at Jack Hunt School cannot be taken into consideration. As set out the Council has to meet school place demand in the area. There is not a suite of physical measures which can be secured to reduce the traffic impacts although conditions requiring the submission of a Travel Plan and a Parking Management Plan are recommended to try and reduce the number of vehicle trips and to encourage responsible parking.

- *Atherstone Avenue is already reduced to a single lane in places due to cars parked on both sides of the road.*

As set out the Council has to meet school place demand in the area. There is not a suite of physical measures which can be secured to reduce the traffic impacts although conditions requiring the submission of a Travel Plan and a Parking Management Plan are recommended to try and reduce the number of vehicle trips and to encourage responsible parking.

- *Cars are often left parked all day partly on the footpath. People turn around in our drive also. The increase in traffic volumes will only serve to exacerbate these problems.*

With regard to parking on footways this is an enforcement issue. A condition requiring the submission and approval of a Parking Management Plan is recommended to encourage

responsible parent behaviour.

Summary

It is acknowledged that this proposal would result in additional traffic. There is not a scheme of physical measures which could be implemented to help mitigate the traffic impacts including the provision of a drop off or pick up facility. The most appropriate method of reducing car trips and ensuring safe parking is via the imposition of conditions in respect of the production of a Travel Plan and a Parking Management Plan. As set out above the Council has to provide the extra school places and in the view of Officers this need outweighs the traffic impacts which are limited to drop off and pick up times, especially given that the Local Highway Authority has not raised any highway safety concerns.

Car Parking

At present there are 24 car parking spaces in the front car park and 20 in the one to the rear although these are not marked out. It is proposed to rationalise the front car park in order to make it more efficient with a slight increase in the number of spaces to 28 including two disabled spaces and to install a barrier to control access to it. It is also proposed to increase the number of spaces in the rear car park to 30 which will be marked out (there is room for further expansion if this is needed in the future).

Under policy PP13 of the adopted Planning Policies DPD a maximum of 77 spaces would be acceptable (based on full time equivalents). 60 spaces are proposed on site. The Local Highway Authority has raised no objection in principle to the number of spaces proposed.

The Local Highway Authority has commented that the car parks should have an in and out arrangement and that the access to the rear car parking be widened.

In this instance the creation of an in and out arrangement is not possible because of the constraint formed by the trees at the front of the site. Given the limited number of parking spaces at the front of the site such an arrangement is also not considered necessary and the school functions without one at present. The barrier will also help control parking at the front of the site.

With regard to the access to the rear parking area it is not considered necessary to widen this as use of this area is tightly controlled by the school. It is only available until 8.15am when the gates are closed and they are only reopened again once the school day has finished. As such vehicle movements are limited and are in the same direction. The Local Highway Authority has been made aware of this arrangement.

Cycle Parking

40 cycle parking spaces are currently available on site. As part of this application an additional 40 spaces are proposed along with 10 spaces for staff towards the front of the school. Although this is below the standard set out in the Planning Policies DPD (one space per six children) the proposed provision is considered to be acceptable. There is scope within the site to add additional cycle parking if there is the demand.

Having considered the above the proposed parking provision is considered to be acceptable in accordance with policy PP13 of the adopted Planning Policies DPD.

3. Design and Layout

Design

The application proposes two new single storey extensions to the existing building and a small infill extension within the existing courtyard. The design of the two new extensions is considered to be appropriate and in keeping with the character of the existing school buildings. A condition requiring the submission and approval of materials is recommended. There are no issues with the infill extension as this would not be visible from outside the site.

The proposal is, therefore, considered to comply with policies CS16 of the adopted Core Strategy and policy PP2 of the adopted Planning Policies DPD.

Sustainability

It is proposed to make the building envelope of the new extensions thermally efficient, to use natural ventilation and to incorporate a number of PV panels. In addition the project is seeking to use materials which include recycled/reused products up to value of 10% of the total value of the materials. Although no formal assessment has been carried out under the BREEAM regulations an initial assessment indicates that the extensions would achieve a good to very good standard.

As such it is considered that the proposal would make a contribution towards the Council's Environment Capital agenda in accordance with policy CS10 of the adopted Core Strategy.

Impact on Playing Fields

The application would impact upon existing playing field provision and as such Sport England is a statutory consultee and will object to any development which would lead to the loss of or prejudice the use of playing field unless certain specific circumstances exist.

The car park extension would result in the loss of a small area of playing field necessitating the relocation of a mini soccer pitch. The submitted plans show the location of this pitch. The site is not large enough to accommodate a third pitch. Given this Sport England has advised that it would be unreasonable for it to object to the application on the grounds of loss of playing field. It has requested a condition be imposed requiring the laying out this pitch before the extensions are brought into use.

The proposed extensions themselves would not result in the loss of any playing field although they would impact upon the existing area of hard play. It is proposed to re-mark out this court. Subject to this being secured via a condition Sport England has confirmed that it has no objection.

As such the application is considered to accord with policy CS19 of the adopted Core Strategy.

Impact on Neighbour Amenity

The extensions would be located well away from the boundary of the school site. There would be some 21 metres between the nearest new teaching block and the boundaries of the neighbouring properties on Ledbury Road and some 44 metres at the nearest point to the front of the neighbouring bungalows on Breamore Gardens. The second teaching block would be located even further from neighbouring properties (36 metres and 88 metres respectively). It is not therefore considered that these extensions would have any adverse impact upon neighbour amenity.

Although the proposal would result in hard standing closer to the boundary with the neighbouring properties on Lebury Road the relationship is still considered to be acceptable.

No neighbour objections to the proposal have been received on amenity grounds.

The proposal is therefore considered to comply with policy PP3 of the adopted Planning Policies DPD.

4. Landscape Impacts

As indicated under section 1 above there are a number of trees within the site. The trees at the front of site are worthy of a Tree Preservation Order. The application is supported by an Arboricultural Impact Assessment. The application would result in the loss of five individual trees and a group of Birch and Maple.

The Council's Landscape Officer has raised no objections to the loss of a birch tree at the front of the site in light of its condition and in order to facilitate the rationalisation of the car park.

Some pruning of the trees at the front of the site will be needed to facilitate the car parking. The height suggested in the Arboricultural Impact Assessment is excessive and would unacceptably damage the form of the trees especially the Willow. A condition requiring the agreement of pruning

works is therefore recommended.

The remaining trees to be removed are at the rear of the site to accommodate the new extensions. The Landscape Officer has raised no objections to their removal given their condition and limited amenity value from the public realm (there are only limited views of them from Breamore Gardens).

The Landscape Officer has also viewed the drop off and pick up options tabled and advised that he would not support them because of the impact on the trees at the front of the site which as indicated are worthy of retention. They also form an important and integral part of the character of streetscene along this section of Atherstone Avenue.

Subject to the conditions referred to the current proposal is therefore considered to comply with policy PP16 of the adopted Planning Policies DPD.

5. Ecological Issues

The application is accompanied by a Phase 1 Habitat Survey. The report indicates that there may be Great Crested Newts/ reptiles within the wildlife garden which is located to the west of the school buildings on the edge of the playing field adjacent to the boundary of the site with the rear of the residential properties on Atherstone Avenue. It considers that the potential for them to be present is low but as a precautionary approach there should be no development within 50m. The wildlife garden is located more than 50m from the proposed car park extension, the new extensions are much further away. A condition requiring that the works be carried out in accordance with the recommendations of the report is advised for the avoidance of doubt.

The report recommends the inclusion of the bird and bat roosting features. These can be secured by condition.

In light of the above the Council's Wildlife Officer has raised no objections to the scheme. As such the proposal is considered to comply with policy PP16 of the adopted Planning Policies DPD.

6. Construction Management

The applicant has submitted a Construction Management Plan with the application in order to seek agreement to it at this stage. It is proposed to construct the new car park and carry out some refurbishment works by taking construction access from Atherstone Avenue but the main construction access for the new extensions would be from Ledbury Road. It is proposed to use the former care takers office as the main site offices.

Having reviewed submitted information the Local Highway Authority has confirmed that the details are acceptable subject to a condition requiring the creation of temporary vehicle crossings in order to protect the existing footways and accesses from damage. Conditions in respect of this and requiring compliance with the Construction Management Plan are recommended.

7. Other Matters

Archaeology

The Council's Archaeologist has advised that the application is within an area of low archaeological potential. Given that it is unlikely to impact on important remains there is no need to secure a programme of archaeological work via a condition.

Drainage

A drainage scheme along with supporting calculations has been submitted in support of the application. The Council's Drainage Team have confirmed that this is acceptable. A compliance condition is, therefore, recommended.

Contamination

A Phase II Environmental Assessment has been submitted with the application. This concludes that the risk of contamination is low. A condition requiring the reporting of any unsuspected contamination is recommended.

7 **Conclusions**

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

- The development will help address the shortage of school places within the West Planning Area and the expansion of schools is supported by the National Planning Policy Framework. No objection to the proposal has been received from Sport England subject to the attached conditions. The principle of development is, therefore, considered to be acceptable.
- The development would result in additional traffic on the local highway network. This impact can be partly mitigated by a Parking Management Plan and Travel Plan in accordance with policy CS14 of the adopted Core Strategy. There would, however, be an impact on the local network. This impact has to be balanced with the need to provide additional school places in the local area, which in this instance is considered to outweigh the potential highway congestion particularly as there are no highway safety concerns. Additional car and cycle parking will be provided in accordance with policy PP13 of the adopted Planning Policies DPD.
- The design of the proposed extensions is considered to be acceptable, and there would not be any unacceptable adverse impact upon neighbour amenity. The proposal therefore accords with policy CS16 of the adopted Core Strategy and policies PP2 and PP3 of the adopted Planning Policies DPD.
- -The tree removals proposed by this application are considered to be acceptable in light of the condition of the trees and their limited amenity value. Neither would any significant ecological impacts result. Subject to conditions therefore, the proposal is, therefore, considered to comply with policy PP16 of the adopted Planning Policies DPD.

8 **Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission (Regulation 3) is **GRANTED** subject to the following conditions:

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

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

C 2 The development hereby approved shall be carried out in accordance with the following approved plans and details:

- 01 Rev A Location Plan
- 0002 Rev B Existing Site Plan
- 1000 Rev C Proposed Site Plan
- 0050 Existing Site Plan
- 0060 Existing Elevations
- PL 401 Proposed GA Plan
- PL 402 Proposed Elevations
- PL 411 Refurbishment Area
- PL 410 Proposed Teaching Plan
- 4030 Rev F Infill Extension

- L-1325- PRP -001 Rev 05 Landscape Site Plan
- L-1325-PPP-001 Rev 01 Landscape Planting Plan
- L-1325-GAS-001 Rev 01 Landscape Sections
- Phase 1 Habitat Survey
- Phase II Geo Environmental Survey
- Transport Assessment Rev B
- External Noise Survey
- Desk Based Archaeological Assessment
- C1894-101 Car Park Tracking
- Arboricultural Impact Assessment dated August 2014
- Tree Condition Survey May 2014
- Construction Management Plan June 2014
- Updated Logistics Plan
- Site Compound Area drawing
- Traffic Management Plan Rev B
- Site Logistics and Traffic Management Plan 001 Rev A
- Drainage Calculations August 2014
- C1894-202 Rev A Preliminary Drainage Layout

Reason: To clarify the approved details and to ensure that the development accords with the reasoning and justification for granting permission as set out above.

- C 3 Prior to the commencement of the new extensions details/samples of the finishes to be used in the external surfaces of the new extensions shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details:-

Walls (samples)

Roofing materials, doors, and windows (details).

Reason: In order to ensure a satisfactory external appearance in accordance with policy PP2 of the adopted Planning Policies DPD and policy CS16 of the adopted Core Strategy.

- C4 With the exception of the requirements of condition 5 the development hereby approved shall be carried out in accordance with the approved Arboricultural Impact Assessment dated August 2014, Tree Protection Drawings, Arboricultural Method Statement submitted on 26 August 2014 and the Surfacing Plan reference C1894-205. The tree protection measures shall be erected prior to the commencement of development and shall thereafter be retained until the development is complete.

Reason: In order to ensure that the existing trees are protected in accordance with policy PP16 of the adopted Planning Policies DPD.

- C5 Prior to the commencement of the laying out of the new/reconfigured spaces within the car park at the front of the site or the erection of any site hoardings in this location any specific pruning works which may be required to the retained trees shall be agreed on site with the Local Planning Authority and thereafter confirmed in writing. The pruning works shall thereafter be carried out in strict accordance with the approved details and carried out by a competent tree surgeon in accordance with BS3998:2010

Reason: In order to ensure that the existing trees are protected in accordance with policy PP16 of the adopted Planning Policies DPD.”

- C6 Soft landscaping works shall be carried out in accordance with drawing numbers L-1325-PRP-001 Rev 05 and L-1325-PPP-001 Rev 01 before the new extensions are brought into use.

Any new trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed, become diseased or unfit for purpose [in the opinion of the Local

Planning Authority) 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 order to ensure replacement planting for the trees to be lost in accordance with policy PP16 of the adopted Planning Policies DPD.

C7 Within 1 month of the commencement of development an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved details before the new classrooms/ parking areas are brought into use.

Reason: In the interests of community safety and residential amenity in accordance with policy CS16 of the adopted Core Strategy.

C8 The development hereby approved shall be undertaken in accordance with the provisions of sections 4.09 to 4.14 of the approved Habitat Survey.

Reason: In order to ensure that no harm is caused to protected species in accordance with policy PP16 of the adopted Core Strategy.

C9 Within 1 month of the commencement of development a scheme of biodiversity enhancement measures including the bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations contained within section 4.20 of the approved Habitat Survey. The scheme shall include details of the number, design and locations of the enhancement features. These works shall thereafter be carried out in accordance with the approved scheme before the new extensions are brought into use.

Reason: In order to enhance the biodiversity of the site in accordance with policy PP16 of the adopted Planning Policies DPD.

C10 The drainage works shall be carried out in accordance with drawing number C1894-202 Rev A and the supporting calculations (August 2014) before the new extensions/ expanded parking area/ relaid front parking area are brought into use. If any revisions to the drainage strategy are subsequently required an amended scheme should be submitted to and approved in writing by the Local Planning Authority before the works are carried out. The development shall thereafter be carried out in accordance with the approved details before the parking areas and extensions are brought into use.

Reason: In order to ensure that the site can be adequately drained in accordance with policy CS22 of the adopted Core Strategy.

C11 Notwithstanding the submitted information, the new extensions and the car park extension hereby approved shall not be brought into use until the additional mini soccer pitch and hard pitch shown drawing number L-1325-PRP-001 Rev 05 have been laid out. These pitches shall thereafter be maintained and retained unless the express approval of the Local Planning Authority for an alternative arranging is given.

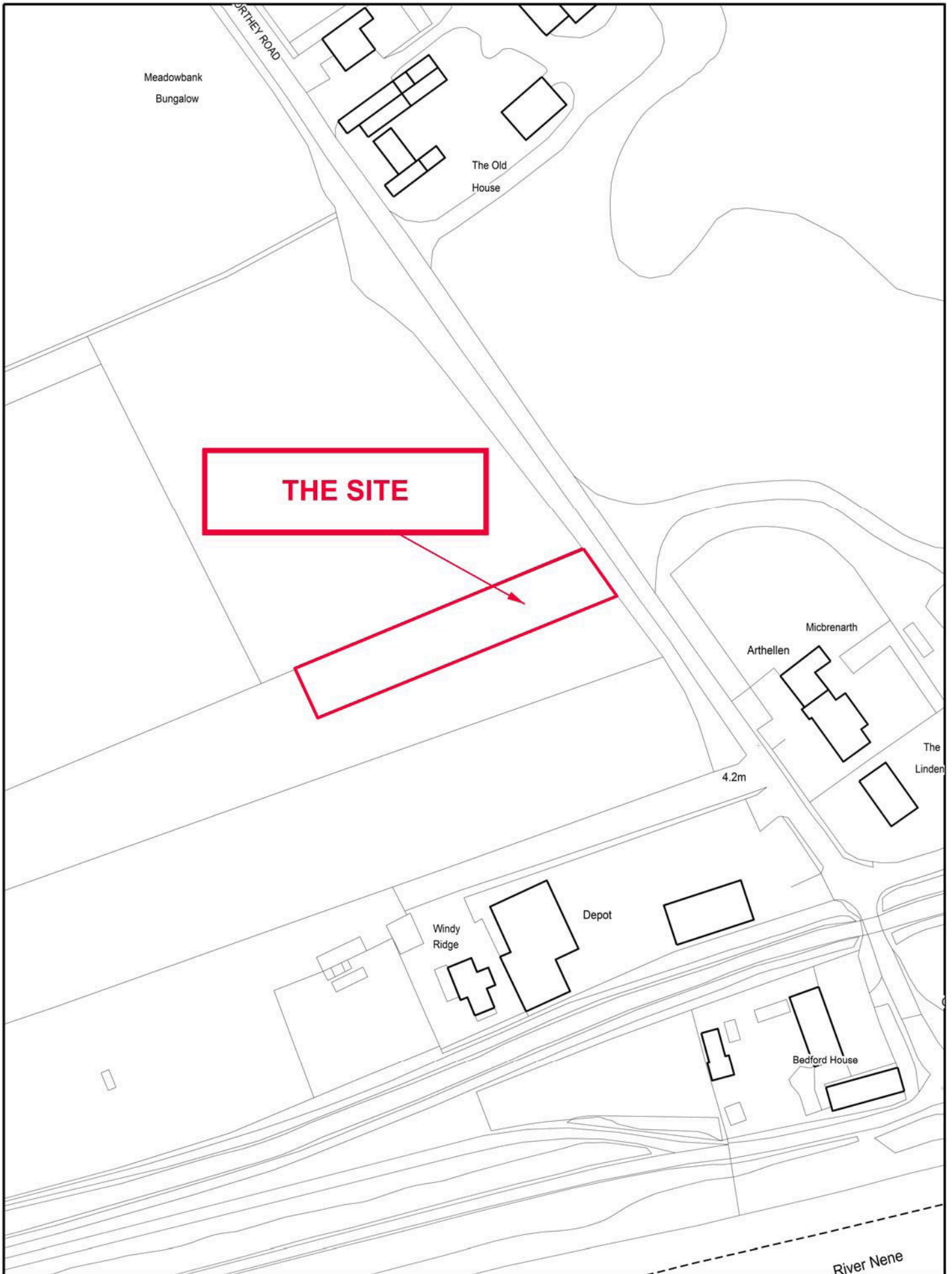
Reason: In order to ensure that sufficient space is available for play in accordance with policy CS19 of the adopted Core Strategy.

C12 The new extensions shall not be brought into use until the new cycle parking has been provided in accordance with the locations shown on drawing number L-1325-PRP-001 Rev 05. Prior to the implementation of the cycle parking the design of the stands and shelters shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure sufficient cycle parking in accordance with policy CS14 of the adopted Core Strategy.

- C13 Prior to the new extensions being brought into use a School Travel Plan and a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain SMART targets to encourage the use of non-car modes of transport to access the school including proposed measures to be implemented to achieve the targets and also hard/soft measures to mitigate the effects of the additional pupils/staff and to reduce car mode share. The Travel Plan shall thereafter be implemented and monitored as agreed. The Parking Management Plan shall set out in detail the methodology which the school will use to control and manage staff parking within the site and also to control parent parking in the vicinity of the site including pick up/drop off. The development shall thereafter operate in accordance with the approved plans.
Reason: In the interests of encouraging travel by sustainable modes in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.
- C14 Prior to the reconfigured car park at the front of the site being brought into use details of the barrier shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason : In the interests of parking management and highway safety in accordance with policy CS14 of the adopted Core Strategy and polices PP12 and PP13 of the adopted Planning Polices DPD.
- C15 Prior to the commencement of construction, temporary heavy duty vehicle crossings shall be provided at the access points in accordance with the details shown on the Temporary Heavy Duty Vehicle Crossing Details. These crossings shall thereafter be retained until construction works are complete.
Reason: In order to protect the existing highway in the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.
- C16 Construction works including deliveries to the site and hours of working shall be in accordance with the approved construction details including the Site compound Drawing (received August 2014), Site Logistics and Management Plan 001 Rev A, Traffic Management Plan revision B, the Updated Logistics Plan and Construction Management Plan (June 2014 as relevant).
Reason: In the interests of highway safety and residential amenity in accordance with policies PP3, PP12 and PP13 of the adopted Planning Policies DPD.
- C17 If during development contamination not previously identified is found to be present at the site, then no further development shall be carried out within the affected area until a Method Statement detailing how this unsuspected contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Method Statement.
Reason: To ensure all contamination within the site is dealt with in accordance with the NPPF in particular paragraphs 120 and 121.

Copy to Councillors N Arculus and Y Maqbool



LOCATION PLAN 14/01375/FUL
 Land to the Rear of Barsby Cooked Meats

Scale NTS **Date** 7/10/2014 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

Application Ref: 14/01375/FUL

Proposal: Retrospective retention of two touring caravans, siting of one new static caravan with facilities block and relocation of existing stables

Site: Land To The Rear Of Barsby Cooked Meats, Northey Road, Peterborough,

Applicant: Mr Donohue

Agent: Architectural and Surveying Services Ltd

Referred by: Thorney Parish Council and Councillor Sanders

Reason: Application is contrary to Policy CS9 of the Core Strategy, located within an area of flood risk and may interfere with archaeological remains

Site visit: 10.09.2014

Case officer: Miss Louise Lovegrove

Telephone No. 01733 454439

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

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site comprises a parcel of land located along the western side of Northey Road, in close proximity to the River Nene and the district boundary of Peterborough. There is an existing stable block situated along the northern boundary of the site which was granted planning permission retrospectively under application reference 13/00147/FUL. Vehicular access to the site is taken via a dropped kerb crossing from Northey Road which is currently bound by 1.8 metre high close boarded fencing.

To the south of the application site is an existing Gypsy and Traveller site comprising one pitch of one static caravan, two touring caravans, a facilities block and stables. This was granted planning permission in 2013 under application reference 13/00384/FUL. To the west of the application site is a paddock currently occupied by grazing horses and there are existing residential dwellings on the eastern side of Northey Road, approximately 55 metres to the south-east.

The application site is located outside the Urban Area and any identified Village Envelopes and accordingly, is within the open countryside. Open pasture fields are located to the north of the application site.

Proposal

The application seeks planning permission for the retention of two no. touring caravans which are already in situ on the site, along with the siting of one no. static caravan. It is proposed that this static caravan be sited on the area of hardstanding which is already occupied by the stables, with this stable block being repositioned further into the site, still along the northern boundary. In addition to the proposed/existing caravans, the proposal includes the construction of a small detached facilities block to be sited between the static caravan and stables. The site is to be occupied by one no. extended Gypsy family and would count as one single Gypsy/Traveller pitch.

2 Relevant Planning History

The following sites are shown on the attached plan at Appendix 1.

Application Site (Site 1)

90/P1031

Use of land as residential mobile homes site

Withdrawn on 20.12.1990

92/P0011

Vehicular access as amended by applicant's letter received 6 May 1992

Granted planning permission on 15.06.1992 – Delegated decision

13/00153/FUL

Construction of stables

Withdrawn on 19.11.2013

13/00147/FUL

Construction of stables (retrospective)

Granted planning permission on 6.12.2013 – Committee decision

Site 2

13/00384/FUL

Change of use to include 1 no. static caravan and 2 no. touring caravans with the erecting of a facilities block and stables for one extended gypsy/traveller family (part retrospective)

Granted planning permission on 06.12.2013 – Committee decision

Site 3

11/01987/FUL

Use of land for one gypsy family comprising 1 x residential caravan, 2 x ancillary caravans, 2 portacabins for use as a utility and storage and 1 storage container (part retrospective)

Refused planning permission on 02.03.2012 – Delegated decision

12/01734/FUL

Proposed gypsy and traveller site for one extended gypsy family containing two static caravans and two touring caravans

Refused planning permission on 08.03.2013 – Committee decision

12/01565/FUL

Use of land for one gypsy family comprising 1 x residential caravan, 2 x ancillary caravans, 2 portacabins for use as a utility and storage and 1 x storage container - part retrospective (resubmission of 11/01987/FUL)

Granted planning permission on 08.11.2013 – Appeal decision

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or

compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

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

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

Section 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 12 - Conservation of Heritage Assets

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

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

Section 12 - Development Affecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

Planning Policy for Traveller Sites (2012)

Policy C - Sites in rural areas and the countryside

Local Planning Authorities should ensure that the scale of sites in rural or semi-rural settings do not dominate the nearest settled community.

Policy F - Mixed planning use traveller sites

Consideration should be given to including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of occupants and neighbouring residents.

Policy H - Determining planning applications for traveller sites

Local Planning Authorities should consider the following issues amongst other relevant matters:

- a) the existing level of local provision and need for sites;
- b) the availability (or lack) of alternative accommodation for applicants;
- c) other personal circumstances of the applicant;
- d) locally specific criteria used in the allocation of sites where there is no identified need for pitches should be used to assess applications which come forward on unallocated sites; and
- e) applications should be determined for sites from any travellers and not just those with local connections.

Local Planning Authorities should strictly limit new traveller site development in open countryside that is away from existing settlements. Sites in rural areas should respect the scale of, and not dominate, the nearest settled community and avoid placing undue pressure on local infrastructure.

Weight should be attached to the following matters when considering an application:

- a) effective use of previously developed, untidy or derelict land;
- b) well-planned or soft landscaped sites which positively enhance the environment;
- c) promoting opportunities for healthy lifestyles; and
- d) not enclosing the site which significant levels of hard landscaping to create isolation from the rest of the community.

If the Local Planning Authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any planning decision.

Peterborough Core Strategy DPD (2011)

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.

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.

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.

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.

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

CS26 - Mineral Safeguarding Areas

Development will only be permitted where it has been demonstrated that: the mineral is no longer of any economic value; the mineral can be extracted prior to development taking place; the development will not inhibit future extraction; there is an overriding need for the development; or the development is not incompatible.

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.

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.

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.

PP20 - Development on Land affected by Contamination

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

4 Consultations/Representations**Thorney Parish Council (11.09.14)**

Objection - Works may interfere with archaeological remains. The site is in a flood area and note should be taken of past planning refusals for similar developments in this area. Development would be against Policy CS9 of the Peterborough Core Strategy as it is not close to shops or schools.

North Level District Internal Drainage Board

No comments received.

Minerals And Waste Officer (Policy) (16.09.14)

Objection - The site lies within a Minerals Safeguarding Area, designated due to the presence of sand, gravel and brick clay. There is insufficient information within the application to assess the proposal against Policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

GeoPeterborough (Sites Of Interest)

No comments received.

Archaeological Officer (05.09.14)

No objections - The application site lies between two Scheduled Monuments, one of which is Flag

Fen and a nationally important Bronze Age site. The proposed development should have no direct impact on the monuments however it will have a visual impact upon their setting. Given the proximity to Flag Fen, a programme of archaeological fieldwork should be secured prior to any new groundworks.

Transport & Engineering Services (18.09.14)

No objections - Whilst the proposal represents an intensification of a technically substandard access, owing to the previous permission for the access (reference 13/00147/FUL), the LHA could not reasonably object to this proposal. Request conditions relating to access improvements in terms of width, and provision of parking/turning.

Travellers Sites

No comments received.

English Heritage (01.10.14)

Objection - Flag Fen is a nationally important designated heritage asset. As its significance is exceptionally high, great weight should be given in the planning process. The proposed development would erode the open landscape and therefore cause a slight degree of harm to the significance of the asset due to cumulative impact of the number of similar developments within the landscape setting. This harm should be weighed against the policies for sustainable development in the NPPF and any public benefits that may arise.

Pollution Team (02.10.14)

No objections - request that conditions be imposed relating to installation of external lighting, contamination/remediation and unsuspected contamination.

Police Architectural Liaison Officer (02.09.14)

No specific comments to make regarding this proposal and offer no objection.

Wildlife Officer (05.09.14)

No objections - The proposed development is located in close proximity to a County Wildlife Site, designated for stoneworts which are dependent upon a high quality water environment. It is vital that all surface and foul water drainage systems are put in place to a high standard to prevent any pollution entering watercourses. Any external lighting should be designed to avoid spillage outwards from the site.

Local Residents/Interested Parties

Initial consultations: 39

Total number of responses: 9

Total number of objections: 2

Total number in support: 7

No objections have been received from local residents whilst 7 letters of support have been submitted.

Councillor Sanders - I object along with Thorney Parish Council and hope that the Members of the Committee take on board previous reasons for refusal, including the reasons of flood risk, archaeological remains and the importance of the criteria set out in Policy CS9 (not near shops or schools).

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Access to services/facilities
- Archaeology

- Landscape character
- Access and highway implications
- Residential amenity
- Contamination
- Ecology
- Drainage and flood risk
- Minerals and waste safeguarding

a) Principle of development

Proposals for Gypsy and Traveller sites are primarily assessed against Policy CS9 of the Peterborough Core Strategy DPD (2011) and the National Planning Policy Framework (2012) which includes the supporting document 'Planning Policy for Traveller Sites' (2012).

National planning policy states that in determining planning applications, if the Local Planning Authority (LPA) cannot demonstrate an up-to-date five-year supply of deliverable Gypsy and Traveller sites, this should be a significant material consideration in any planning decision. There is demonstrable need for pitches within the locality identified within the sub-regional Gypsy and Traveller Accommodation Needs Assessment 2011. This assessment highlights that within the area, there is a need to provide a total of 53 pitches in the period to 2031, of which 11 should be provided between 2011 and 2016. Within the Peterborough district, there are no sites allocated for permanent Gypsy and Traveller occupation in the Peterborough Site Allocations DPD (2011). Furthermore, since 2011 only 4 pitches have been granted planning permission (one pitch at Hurn Road, two pitches at Northey Road and one pitch at Crowland Road, Eye) with three temporary emergency sites recently approved on a trial-basis for not more than 28 days in any calendar year. Other than these sites, there is only one further unauthorised pitch located at Nine Bridges between Glington and Northborough which is currently subject to consideration at Appeal.

In consideration of the recent appeal for the site located to the south of the application site (within the boundary of the Flag Fen Scheduled Monument), the Inspector placed considerable weight upon the lack of land supply for pitches within the City area. This was a material factor in the granting of permission and as such, should be afforded significant weight in the determination of the current application.

In addition to the above, Policy CS9 of the Core Strategy states that the Council will be prepared to grant permission for sites in the countryside (outside the Urban Area and Village Envelopes) provided that there is evidence of need and that the intended occupants meet the definition of Gypsies and Travellers, as set out in the above guidance document. The issue of need has already been addressed and the Applicant has provided evidence to demonstrate that they meet the definition of a Gypsy.

Notwithstanding the above, there is still a requirement for proposals to meet all other relevant criteria of Policy CS9 which are to be discussed in more detail below.

b) Access to services/facilities

Policy CS9(b) of the Core Strategy requires that Gypsy and Traveller sites should be located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school. Further, the national policy document states that issues of sustainability are an important consideration in relation to available modes of transport and proximity to key services. Due consideration must be given to the availability and accessibility of healthcare services and education services to ensure children can attend school on a regular basis.

The application site is located approximately 3km from Parnwell Primary School with associated facilities within the locality. It is considered that this distance is reasonable in terms of access to essential services/facilities for the occupants. This view has been reached following a recent appeal decision in respect of the Gypsy/Traveller site at Wansford

(application reference 11/01584/FUL). Whilst this appeal was ultimately dismissed, the Inspector concluded that the location of the site was sustainable, given that it was only a short car journey from the services available in the village of Wansford. Comparatively, this site was located a similar distance from the village as the current application proposal. Furthermore, the application site is located immediately adjacent to an existing Gypsy/Traveller site which was granted permission under application reference 13/00384/FUL last year.

On this basis, it is not considered that the current proposal could reasonably be resisted on the grounds of poor access to services/facilities and that broadly, the proposal accords with local and national planning policy in this respect.

c) Archaeology

Impact upon designated heritage assets

The application site is located in an area of known archaeological interest, situated only 300 metres from the southern boundary of the Flag Fen Scheduled Monument (SM) and to the north of a Roman SM. Flag Fen is acknowledged as being one of the most important Bronze Age monuments in the country and as such, its setting must be preserved.

Planning permission has already been granted on the site for the erection of a stable block and this is sited on the northern boundary of the application site. Furthermore, the recent planning permission for a Gypsy/Traveller site immediately to the south of the application site (reference 13/00384/FUL) has already been implemented. The City Council's Archaeologist has advised that whilst the proposal will not have a direct impact upon the monuments, it will have a visual impact with regards to their setting.

This matter has already been addressed in respect of the immediately adjacent site whereby it was concluded that, owing to the existence of buildings/structures, flood defences and natural vegetation, such development would not significantly impact upon the setting of the Roman SM. With regards to the impact upon the setting of Flag Fen, English Heritage has advised that some degree of harm would result (defined as less than substantial) and risks introducing cumulative harm owing to other similar developments within the locality. Accordingly they advise that, in accordance with paragraph 134 of the National Planning Policy Framework (2012), the application should be refused unless the public benefits arising from the proposal outweigh the harm resulting.

Due consideration must be given to not only the recent planning permission issued on the site adjacent, but also the recent appeal decision in respect of another proposal to the north of the application site (reference 12/01565/FUL). This site was located much closer to the Flag Fen SM, sharing a common boundary. In considering this appeal, the Inspector concluded that the development would have a neutral impact upon the heritage asset (as opposed to adverse impact advised by English Heritage) and that this amounted to less than substantial harm.

Given that the current application site is located further distance from Flag Fen than the above appeal site, and would therefore be less visible from the SM, it is considered that the level of impact upon its setting would be negligible.

With regards to cumulative impact of the application proposal in combination with other similar sites within the locality, this forms the basis of the objection from English Heritage. Whilst these comments are noted, given the negligible impact that the proposal would have upon the landscape setting of the SM, it is not considered that the cumulative impact of several negligible impacts would in total result in a significant level of impact. Furthermore, any small level of harm that does arise is considered to be outweighed by the public benefits of providing much needed Gypsy and Traveller accommodation. This balance forms part of the key policy in relation to impact upon the setting of heritage assets set out in paragraph 134 of the National Planning Policy Framework (2012).

Impact upon undesignated heritage assets

Whilst there is currently existing development within the site by way of a stable block, the proposal would result in its relocation along with the siting of two no. touring caravans and erection of a facilities block on land which is currently undisturbed by development. Accordingly, the proposal has the potential to impact upon undesignated buried heritage assets. A scheme for the detailed assessment of the site for buried remains may be secured by condition prior to the continuing of any further works within the application site to ensure that no unacceptable harm to, or loss of, assets results.

On this basis, it is considered that the proposal would not result in any unacceptable harm to both designated and undesignated heritage assets and any harm that does result is outweighed by the public benefits of the proposal, in accordance with paragraphs 131 and 134 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).

d) Landscape character

The application site is not located within an area which has been identified as having the best landscape value, nor is it designated for any special landscape character. Notwithstanding this, it is acknowledged that the immediate locality has a rural quality which affords some level of visual amenity.

At present, the site comprises a relatively modest wooden stable block located along the northern boundary of the site. This boundary which abuts the open countryside beyond, is formed by a low and open agricultural wire fence. However, the southern boundary of the site is formed by a 1.8 metre high close boarded fence which encloses the adjacent Gypsy/Traveller site granted permission under application reference 13/00384/FUL. It is acknowledged that some level of adverse impact would result to the character and appearance of the surrounding area by virtue of additional development on the site. The proposal could never be fully assimilated into the surrounding landscape as clearly three caravans, a facility block, stable building and associated vehicles will be readily visible within their surroundings. However, subject to appropriate boundary treatments and the provision of mitigating soft landscaping (ideally by way of a native natural hedgerow), it is considered that the proposal would not result in an unacceptable level of harm.

On this basis, the proposal is in accordance with Policies CS9 and CS20 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

e) Access and highway implications

At present, there is an existing vehicular access into the site from Northey Road. This access was subject to consideration under application reference 13/00147/FUL for the retention of the stable block on the site. During consideration of this earlier application, the Local Highway Authority (LHA) expressed concerns regarding visibility from the site access due to the presence of a large mound which meant that technically the appropriate visibility splays could not be achieved. In addition, concerns were also expressed regarding the geometry of the access and accordingly, the LHA recommended refusal. However, notwithstanding these concerns at the time, Members (upon the advice of Officers) approved the application subject to a condition being imposed which related to improvements of the access geometry. Given this, the principle of an access in this location has now been established.

The current proposal would, by the addition of caravans, represent an intensification of the use of the technically substandard access. However, the LHA has confirmed that owing to the previous planning history of the site, they could not reasonably object to the current proposal and would not have sufficient grounds upon which to sustain a reason for refusal appeal. In order to ensure that the access is of optimal design to accommodate the proposal, the LHA has requested that conditions be imposed which require upgrade to the access in terms of its width and surface, details of which are shown on the submitted drawings. It is considered that

subject to this, the proposal would not represent any unacceptable level of risk to the safety of the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

f) Residential amenity

One of the proposed touring caravans would be located in close proximity to the front boundary of the application site, set 6 metres in from the back edge of the public highway. This caravan would be suited a minimum distance of 55 metres from the nearest existing residential dwelling on Northey Road. Whilst no formal objections have been received from local residents, it is noted that residents have contacted Councillor Sanders who has raised an objection on their behalf. Given the level of separation distance to the existing residential properties, it is not considered that the proposal would have an unacceptable impact upon the amenities of existing occupiers.

With regards to the adjacent Gypsy and Traveller site, the shared boundary currently comprises a 1.8 metre high close boarded fence. Whilst the proposed static caravan would be elevated from ground level and one of the touring caravans would be sited adjacent to the shared boundary, it is considered that this separation is adequate so as to prevent any unacceptable overlooking and loss of privacy to both existing and proposed occupants.

On this basis, the proposal is in accordance with Policies CS9 and CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

g) Contamination

The City Council's Pollution Control Officer has advised that the application site is located within the vicinity of a former quarry facility that may have been filled. As such, there is potential for ground gas migration which requires consideration owing to the proposed residential use. The requisite ground investigation and remediation measures may readily be secured by condition to ensure that no unacceptable risk to health arises. On this basis, the proposal is in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

h) Ecology

The application site is located in close proximity to the Northey Gravel Pits County Wildlife Site which is designated primarily for extensive beds of stoneworts. These are dependent upon high quality water within their open water areas and as such, it is essential that all surface and foul water drainage systems are put in place to a high standard and agreed by the Environment Agency to avoid any pollution entering the water courses. Furthermore, the City Council's Wildlife Officer has advised that any external lighting should be minimised to avoid light spillage beyond the application site, albeit none is proposed by this application. Both of the above matters may be resolved through appropriately worded conditions which are required within a defined timescale.

On the basis of the above, the proposal would not result in any unacceptable impact to nearby ecology and species of principal importance, in accordance with Policies CS9 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP17 of the Peterborough Planning Policies DPD (2012).

i) Drainage and flood risk

The application site is located within Flood Zone 1, which is the lowest category with regards to flood risk (a chance of flooding which is less than 0.1%). Given this designation, there is no requirement within the National Planning Policy Framework (2012) for the application to be accompanied by a Flood Risk Assessment and it is sequentially the most preferable location for development which is sensitive to flooding (e.g. residential). In light of the flood zone classification of the site, it is not considered that the proposed development is either at unacceptable risk itself from flooding, or would result in additional flood risk elsewhere.

Whilst no details have been provided with regards to either foul or surface water drainage, a condition may be imposed to require the submission of details for approval. Subject to such a condition, it is considered that the proposal would not increase surface water run-off or pose an unacceptable flood risk elsewhere. On this basis, the proposal is in accordance with Policies CS9 and CS22 of the Peterborough Core Strategy DPD (2011).

j) Minerals and waste safeguarding

The application site is located within an identified Minerals Safeguarding Area, designated due to the presence of sand, gravel and brick clay which are considered to be of current or future economic importance. Policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011) seeks to ensure that proven resources in these areas are not needlessly sterilised by non-mineral development albeit does set out certain exemptions of development. The current proposal does not fall within this exemption and as such, in accordance with this policy, the application must demonstrate that either the mineral concerned is no longer of economic value; that the mineral can be extracted prior to the development taking place; or that the development will not inhibit future extraction.

It is acknowledged that the City Council's Minerals and Waste Officer has objected to the current proposal as there is insufficient information to assess the proposal against Policy CS26. However, it must be noted that there is already development on the site, granted planning permission under application reference 13/00147/FUL and that planning permission was granted on the immediately adjacent site for the same proposed use despite also being within the same safeguarding area. It is considered that, by virtue of this existing development that the site is incapable of being worked to extract any minerals present and as such, the application scheme is not contrary to Policy CS26.

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 City Council cannot demonstrate an available five-year land supply of Gypsy and Traveller sites and the proposals meets an identified need for such sites within the locality, in accordance with Policy H of the Planning Policy for Traveller Sites (2012);
- the application site is located within a reasonable distance of local services and facilities, in accordance with Policy H of the Planning Policy for Traveller Sites (2012) and Policy CS9 of the Peterborough Core Strategy DPD (2011);
- the proposal would not result in unacceptable impact upon the setting of designated heritage assets and adequate provision for the assessment of undesignated heritage assets can be achieved. Further, any harm that may result is considered to be outweighed by the public benefit of providing much needed Gypsy/Traveller accommodation, in accordance with the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to the landscape character or visual amenity of the locality, in accordance with Policy H of the Planning Policy for Traveller Sites (2012), Policies CS9 and CS20 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012);
- adequate parking provision would be made within the curtilage of the site and the proposal would not result in unacceptable risk to the safety of the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to the amenities of neighbouring occupants, in accordance with Policies CS9 and CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- potential contamination risks can be adequately addressed so as to prevent any undue risk to human health, in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012);

- no unacceptable impact would result to nearby ecology or species of principal importance, in accordance with Policies CS9 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
- adequate provision can be made for surface and foul water drainage so as to prevent any unacceptable flood risk elsewhere, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- owing to the presence of existing development within the site, there is no potential opportunity to extract any minerals contained therein, in accordance with Policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011).

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

- C 1 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: The site is not considered acceptable for general residential purposes, in accordance with Policy CS1 of the Peterborough Core Strategy DPD (2011).

- C 2 The site shall be limited to one pitch containing no more than three caravans (only one of which shall be static at any time), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.

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 3 Prior to occupation of any static caravan on the site, full details of the caravan 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 4 The facilities block hereby permitted shall be constructed in accordance with material details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction.

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 ground works shall take place until a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The programme of work shall include a Written Scheme of Investigation detailing a programme of evaluation by trial trenching to ascertain the archaeological potential of the site and a watching brief. The Scheme shall thereafter be implemented as agreed and upon completion of site investigation, a completion report shall be submitted to the Local Planning Authority.

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 6 No groundworks shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination; and
 - (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

Reason: To ensure potential risks arising from previous site uses have been fully assessed, in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 7 No groundworks shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure potential risks arising from previous site uses have been fully assessed, in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 8 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 6 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure potential risks arising from previous site uses have been fully assessed, in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 10 working days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

Reason: To ensure potential risks arising from previous site uses have been fully assessed, in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C10 No foul water shall be disposed of on-site unless in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of pollution, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C11 No areas of impermeable surface shall be laid unless the details of this, and the method of surface water drainage, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of flood prevention, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C12 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 order to protect nearby sites of ecological importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

- C13 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) shall 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).

- C14 Within 4 months of the date of this permission, the vehicular and pedestrian access to the site shall be amended in accordance with the details shown on drawing number OS00003. The access shall be a minimum of 6 metres in width and hard surfaced, with any gates set back a minimum of 13 metres from the back edge of the public highway. Thereafter, no gates shall be installed within 13 metres of the back edge of the public highway.

Reason: In the interest 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).

- C15 The areas shown on drawing number OS00003 for the parking and turning of vehicles shall be provided prior to first occupation of the static caravan hereby permitted. Thereafter, those areas shall be retained for the purposes of parking and turning only.

Reason: In the interest 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).

- C16 No commercial activities shall take place on the site, including the storage of materials, and no vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

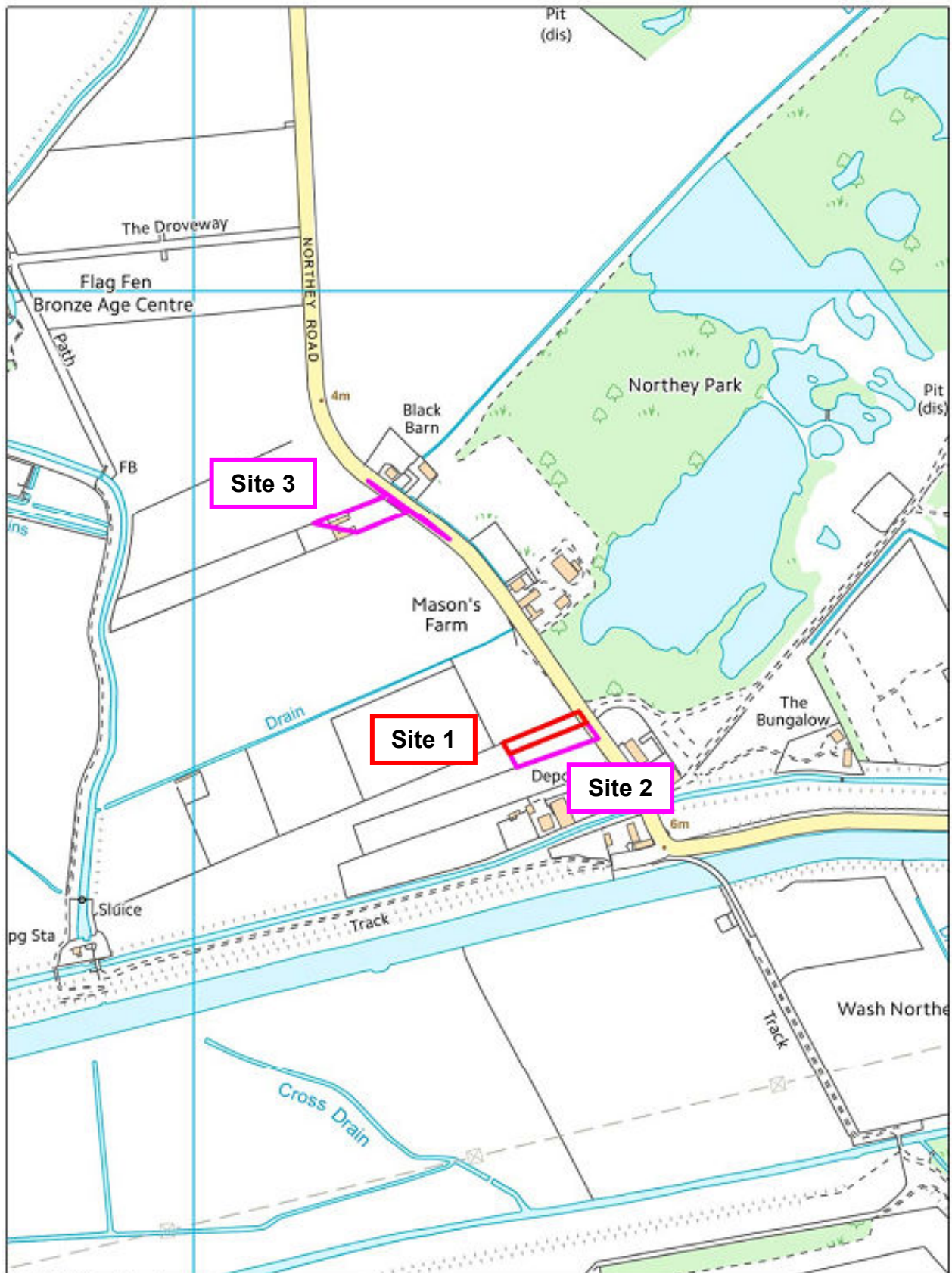
Reason: The impact on amenity, the landscape and highway safety of such activity has not been considered as part of this application and such activity may be found to be unacceptable.

- C17 Within 12 months of the date of this permission, a native hedgerow shall be planted along those boundaries that are not formed by the close boarded fencing which was in situ at the time of the determination of this application. The planting shall be in double staggered rows with 30cm centres, stakes and rabbit guards and comprise 60% hawthorn, 20% blackthorn, 10% field maple and 10% hazel. Any hedge plants that die, are removed or become diseased within five years of being first planted shall be replaced during the next available planting season.

Reason: In the interest of the landscape setting of the development, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors D A Sanders

Appendix 1



Title Northey Road

Department Planning Services

Drg. No.

PCC GIS

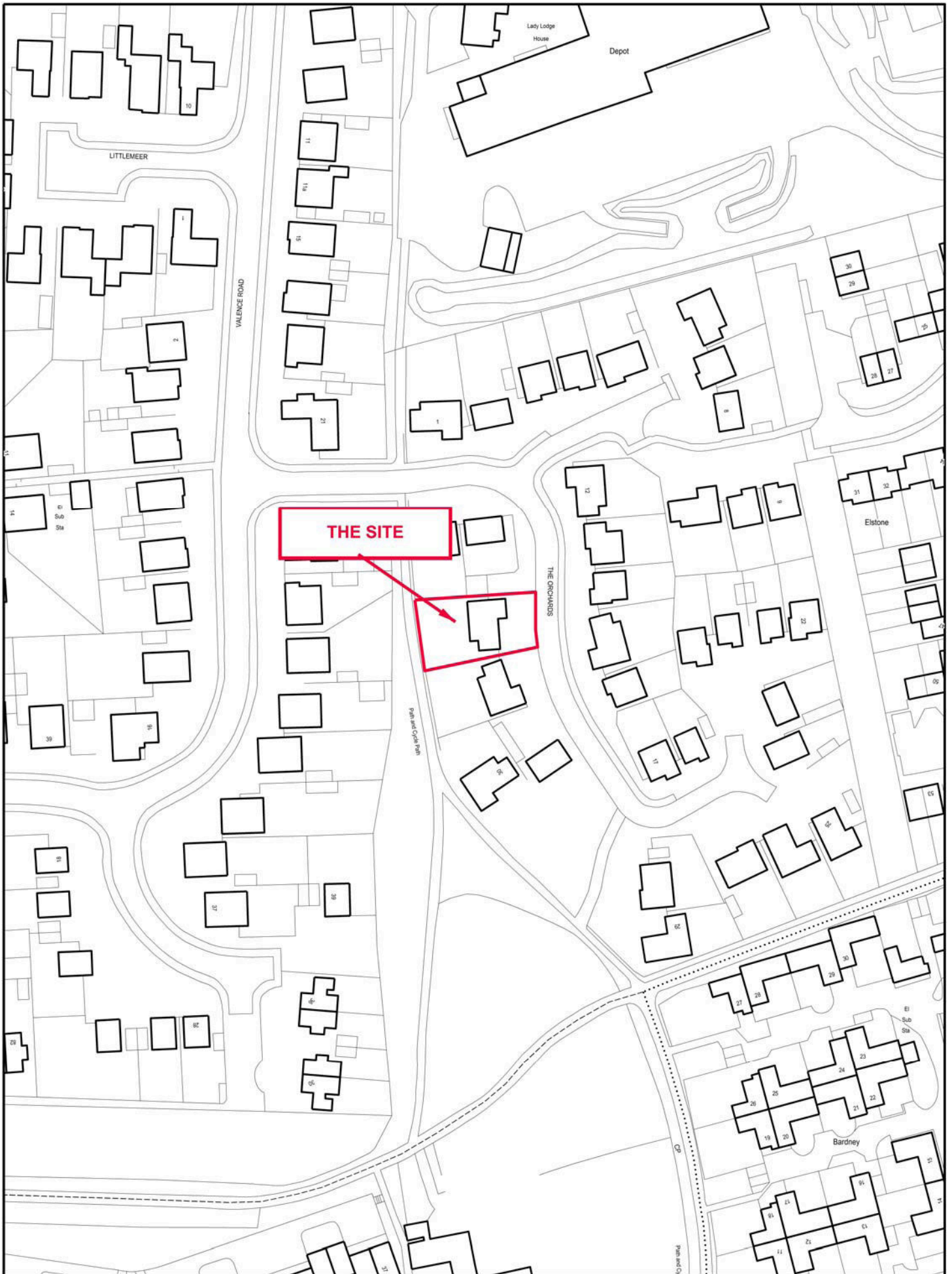


Scale 1:5000

Date 2nd October 2014

Name CE

This map is reproduced from or based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office
© Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Peterborough City Council. 100034236. 2010.



LOCATION PLAN 14/01416/HHFUL

33 The Orchards, Orton Waterville

Scale NTS Date 7/10/2014 Name AH Department Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

Application Ref: 14/01416/HHFUL

Proposal: Proposed two storey side and single storey rear extension

Site: 33 The Orchards, Orton Waterville, Peterborough, PE2 5LA
Applicant: Mr & Mrs Thomasson

Agent: Jennie Wenman
 Weston Design Ltd

Referred by: Cllr Elsey

Reason: The original plans would affect the neighbour

Site visit: 22.08.2014

Case officer: Mrs T J Nicholl
Telephone No. 01733 454442
E-Mail: theresa.nicholl@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 site comprises a modern detached dwelling with attached double garage set within a cul de sac of similar detached properties. Adjacent and to the south is No. 33 The Orchards, an identical but "handed" detached house to No. 32, the host property. These properties are constructed at a slight angle to one another thus the front of the properties are closer to one another than the rear (the separation tapers from rear to front). To the north but at right angles to the host property are No's 34 and 35 - two detached houses whose rear gardens face the side of No.33. The host property is well separated from the dwellings on the other side of Orchard Close (to the east) and also those to the west where a footpath and cycleway with verge runs between the rear of No. 33 and the properties beyond.

The Proposed Development

The proposed development has been amended from that originally submitted (discussed further below). It now comprises a two storey extension directly over the existing attached double garage on the south/side elevation of the property, adjacent to the side boundary with No. 32. Also proposed is a single storey extension to the side/rear. This extension would fill in an existing "dog-leg" space to the rear of the attached garage and would extend across the full width of the rear of the property. For the most part the proposed single storey extension projects 4.3 metres from the rear of the existing property but where the current "dog-leg" space is situated, the extension will project 6.28 metres from the rear of the existing garage. This is clearly explained by the submitted drawings.

The two storey extension over the top of the existing garage would have a gable to the front elevation to match the existing front gable to the other end of the front elevation. The proposed single storey extension to the rear has a hipped roof to the side facing No. 32 and a gable to the side facing the rear of No's 34 and 35. This is to enable a full internal roof height to be achieved in this part of the extension containing a kitchen/living room area. The remaining part of the single storey extension (with the hipped roof) contains a bedroom/gym with en suite shower room. The proposed first floor extension would comprise a master bedroom.

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 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 Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

4 Consultations/Representations

Orton Waterville Parish Council

No comments received

Local Residents/Interested Parties

Initial consultations: 6

Total number of responses: 3

Total number of objections: 2

Total number in support: 0

The owners of the neighbouring property, No. 32 objected to the original proposals for the following reasons;

Overbearing, overshadowing and visual impact of the proposals

Over development of the plot

Out of keeping with the low density character of the area

Breach of human rights

No further written comments have been received in relation to the amendments but the neighbours have stated verbally that although the amendments to the two storey extension and the hiping of the single storey roof are appreciated, they still feel that the extension projects out too far and will still affect them.

Orton Waterville Parish Council raise no objections.

Cllr Eley requested the original scheme be taken to Committee if recommended for approval.

5 Assessment of the planning issues

The issues to consider are;

1. The design of the extensions and their impact on the visual appearance and character of the area
2. The impact of the proposals upon the amenity of neighbouring /nearby residents

With regard to the first issue, policy PP2 of the Planning Policies DPD is relevant as it refers to design quality of development and impact upon the area. This proposal is for a single development but comprises two main elements, namely the first floor extension over the existing attached garage and the single storey extension off the rear of the attached garage and extending across the full width existing rear elevation. It is only the first floor extension that will be visible from a public viewpoint - mainly from the front but possibly from the cycle/footpath to the rear. It is considered that the scale and design of the proposals, together with use of matching materials, is in keeping with the design of the host dwelling and will not appear out of character in the street scene. It is therefore considered that in terms of design the proposed development complies with policy PP2 and is acceptable.

With regard to the second issue, the property is surrounded by other residential properties, all of which have been taken into account. However, there are two neighbouring properties potentially affected most by the proposals; 35 The Orchards which lies to the north of No. 33 and 32 The Orchards which lies to the south.

The rear aspect of No. 35 faces the rear/northern side boundary to No. 33. This means that the occupiers of No. 35 will see the side gable end of the proposed single storey extension over the boundary to the rear of their garden. The garden length to No. 35 is approximately 12 metres. The proposed extension lies to the south of No. 35 and so there may be some overshadowing to the bottom of the rear garden. It will be limited due to the single storey nature of the proposal. No objections have been received from this neighbour and it is considered that with regard to the impact on the amenity of the occupiers of No. 35, the proposal is in compliance with policy PP3 of the Planning Policies DPD.

The proposed first floor extension over the existing garage and the side of the single storey extension with a hipped roof lie to the north of the common side boundary with No. 32. Both these properties are identical but handed in terms of design which means each property has an attached garage to the side nearest the common boundary. Thus the parts of the properties containing habitable rooms are well separated from one another. Also these two properties are built at a slight angle to one another, meaning the houses become further apart towards the rear (this is clear on the submitted plans).

The owners of No. 32 raised objections to the original plans as set out above. Following a visit to No.32 it was the case officer's opinion that the proposals would affect the amenity of these neighbours when enjoying their garden by way of the extensions being overbearing. It was not considered that the proposals affected the living conditions from within the property at No. 32. The applicant was requested to amend the plans and has done so in accordance with advice given by the case officer. The amendments are as follows;

Removing approximately 2 metres off the depth of the proposed first floor extension to the rear so that it now only sits above the existing garage.

Removing the gable end to the side of the single storey element which faces the side of No. 32 and replacing it with a hipped roof.

The overall size of the single storey element remains as originally submitted. It extends out by 6.28 from the rear of the existing garage (which is set back from the main rear wall of the dwelling)

and 4.3 metres out from the main wall of the dwelling. This means that the "dog leg" space to the rear of the garage is removed/infilled.

The owners of No. 32 have verbally commented that although they appreciate the changes made to the plans, the rear extension is still too deep.

The amended proposals must comply with policy PP3 of the Planning Policies DPD with regard to amenity in order to be acceptable. There is no impact upon the amenity of the neighbours' living conditions within their house. The only potential impact is upon the enjoyment of the rear garden space. It is considered that the setting back of the first floor extension over the existing garage means that this element of the proposal will have negligible impact as it sits between the properties.

The single storey extension does not run parallel with the boundary fence due to the properties being built at a slight angle to one another. At its furthest point it will be approximately 3.0 metres from the boundary. Given that it is single storey and has a hipped roof sloping away from the boundary with No. 32, it is considered that this part of the extension cannot be said to be overbearing. It will not overshadow the garden to No. 32 as it lies to the north and there are no issues with loss of privacy. Therefore the proposal complies with policy PP3 and is acceptable.

6 Conclusions

The proposal has been considered against the relevant development plan policies namely policies PP2 and PP3 of the Planning Policies DPD. It is considered that these policies are in accordance with the aims of the National Planning Policy Framework and as such there are no other material considerations to take into account. The views of the neighbours have been taken into account. The original proposal has been amended and it is considered that the revised scheme will not have any significant impact upon any neighbouring or nearby resident. The proposal is also acceptable in terms of design. The application is accordingly recommended for approval subject to conditions.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

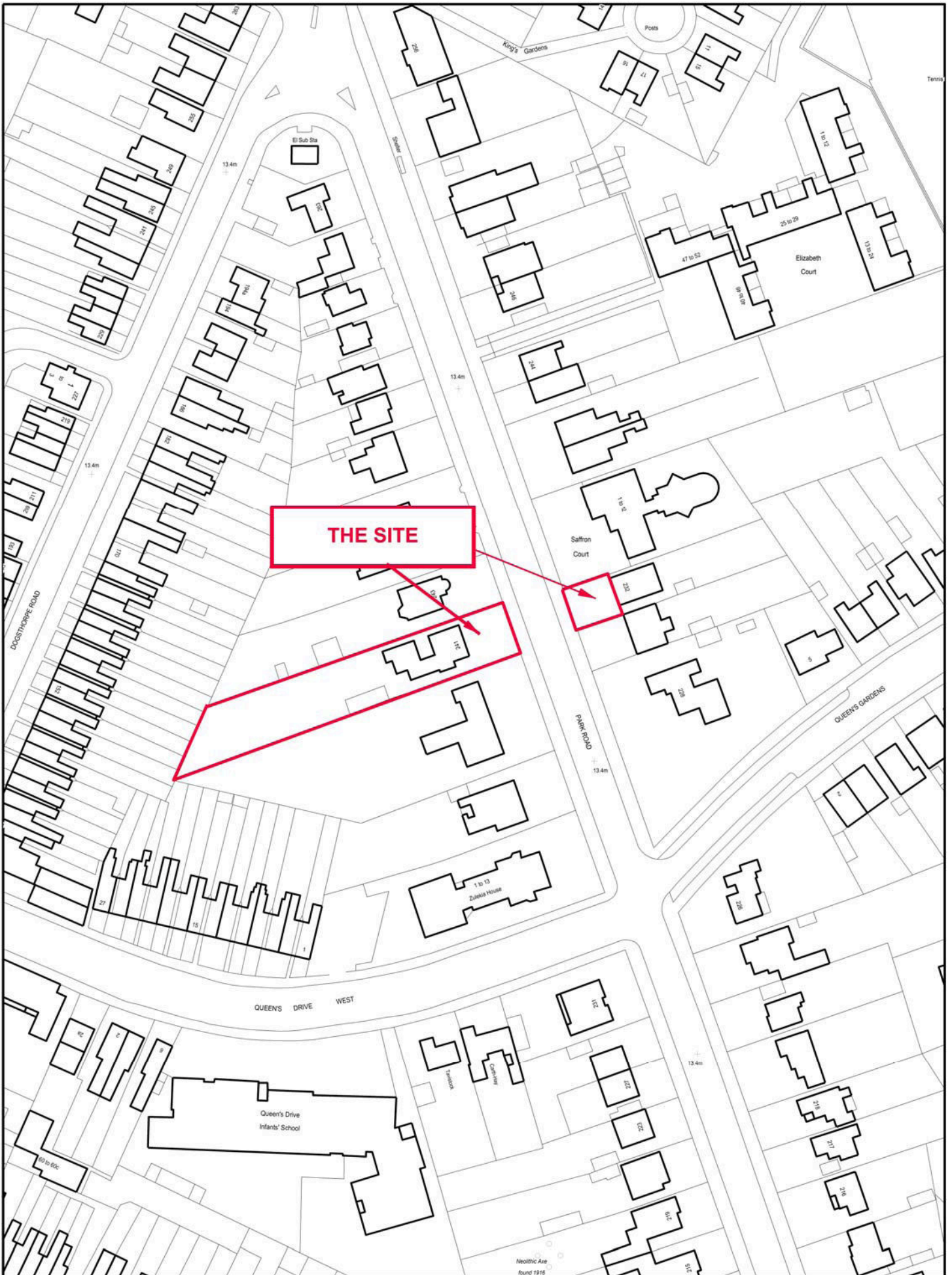
C 2 The development hereby approved shall only be carried out in complete accordance with the details shown on the revised plans, namely WES/1662/14/01A Proposed floor plans and elevations and WES/1662/14/02A Existing and proposed roof plan, proposed section A-A, block plan and site plan.

Reason: To clarify what is hereby approved

C 3 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

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).

Copies to Councillors J Stokes, G Elsey, S Allen



LOCATION PLAN **14/01509/FUL**

241 Park Road

Scale NTS **Date** 7/10/2014 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

Application Ref: 14/01509/FUL

Proposal: Proposed additional single storey building for childcare provision

Site: 241 Park Road, Peterborough, PE1 2UT,
Applicant: Mr M Younis

Agent: Mr Robert Gooding
 GOOD-DESIGN-ING LTD

Referred by: Councillors Nadeem and Shearman

Reason: The proposal would allow for the provision of much needed additional early years places and would not result in any unacceptable impact

Site visit:

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

Recommendation: **REFUSE**

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

Site and Surroundings

The application site comprises a single storey building currently in use as the Bright Stars Day Nursery. The nursery has been in use for a number of years, with evidence of first registration with the City Council in 1974 albeit this was a mixed use of nursery and residential dwelling. In 2002, planning permission was granted for the sole use of the site as a day nursery and in 2008, the number of children permitted to attend at any one time was restricted to 52.

The building is set back from the back edge of the public highway by an area of hardstanding which provides car parking for 8 vehicles. This is accessed via a dropped kerb crossing from Park Road. The surrounding area is predominantly residential and comprises two storey residential dwellings of varying design and form.

The application property has been substantially extended to the side and rear with a large covered area providing sheltered outdoor play space between the host building and a detached outbuilding (former garage) which is used as nursery space. The siting of the application proposal is presently an open grassed outdoor play area.

Proposal

The application seeks planning permission for the construction of a single storey detached building to the rear of the site which would provide a total of 59.7 square metres of additional space and three toilets. This building would be of flat roof construction and would be sited between the host building and existing detached outbuilding. The proposal seeks to increase the number of children permitted to attend the site at any one time from 52 to 76 (an increase of 24 places) albeit no increases in staff numbers are proposed.

2 Planning History

Reference	Proposal	Decision	Date
P0001/86/EU	Application for established use certificate for use of premises as dwelling with nursery school	Permitted	08/12/1986
P0037/87	Extension at rear and detached garage	Permitted	16/02/1987
91/P0101	Cloakroom extension for garden room	Permitted	25/03/1991
92/P0968	Erection of a conservatory in accordance with applicant's letter of 17th January 1993	Permitted	20/01/1993
02/00746/FUL	Change of use of dwelling/nursery to sole nursery use with increase of registered numbers of children from 41-50	Permitted	15/07/2002
08/00031/FUL	Single storey rear extension with covered area	Permitted	13/03/2008
08/01067/WCPP	Variation of condition C3 of planning permission ref 02/00746/FUL to allow the number of child places to be increased from 50 to 52	Withdrawn	10/10/2008
08/01265/WCPP	Variation of condition C3 of planning permission ref 02/00746/FUL to allow the number of child places to be increased from 50 to 52	Permitted	04/12/2008
09/01104/FUL	Installation of external air conditioning condensing units - retrospective	Refused	08/01/2010
10/01352/FUL	Installation of external A/C units - retrospective	Permitted	01/03/2011

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 8 - School Development

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

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.

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.

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.

4 Consultations/Representations

Victoria Park Residents Association

No comments received.

Transport & Engineering Services (16.09.14)

Objection - At present there is a lack of adequate parking within the site to meet current parking demand and this has led to vehicles parking on the near public footways and reversing from the shared access onto the carriageway. Any increase in the use of the site would exacerbate the situation causing further detriment to the users and safety of the public highway.

Early Years & Child Intervention Team

No comments received.

Local Residents/Interested Parties

Initial consultations: 22

Total number of responses: 4

Total number of objections: 2

Total number in support: 2

Two letters of objection have been received from local residents on the following grounds:

- As neighbours to the nursery (No.243 Park Road) we are dumbfounded by much of the detail and supporting documentation surrounding this application, which provides information that is simply not true.
- It is inconceivable that a 46% increase in child numbers will not require an increase in staffing. The number of staff employed may not change, but their employment hours and days will certainly increase.
- It is commendable that the owners have made arrangements with a neighbouring property to accommodate staff cars, indeed this is already in operation, however this has no impact on parent parking at all. The car park to the front of the site is almost empty for much of the day. However, the statement that there are 8 spaces available for drop off/pick up is nonsense as there are only 4 marked spaces with the remaining area required for turning and shared with pedestrian access to the property.
- The nursery opens at 8am, with the majority of arrivals occurring between 8am and 8.45 am. The drop off and collection times detailed in the supporting information are misleading and any increase in operational hours would cause us to suffer significantly (No.243 Park Road). At present we struggle to leave our driveway owing to parents parked along the pavement and any increase will make this more dangerous than it already is.
- Over the past 7 days (week commencing 8th September) the following was witnessed:
 - Tuesday 9 September - 17 children arrive by car, 6 cars parked on-street
 - Wednesday 10 September - 17 children arrive by car, 5 cars parked on-street
 - Thursday 11 September - 20 children arrive by car, 4 cars parked on-street
 - Friday 12 September - 20 children arrive by car - 6 cars parked on-street

- Monday 15 September - 27 children arrive by car, 9 cars parked on-street
- Noise nuisance will substantially increase with an increase in children, particularly moving the outside play to 15 metres further down the garden. Our greater concern (No.243 Park Road) will be the residents of the care home at No.239 Park Road.
- The submitted block plan is incorrect as our property (No.243) extends backwards in line with the application property so that the extension would begin just a few metres from the rear elevation of our house.

Councillor Nadeem - I am in support of the application and think that the owners are providing a great service for the community and have been doing so for a number of years now.

Councillor Shearman - I am writing to support the application to expand the Bright Stars Nursery in Park Road which was judged to be 'outstanding' by OFSTED in its most recent report. There is demonstrable need for additional Early Years places in Peterborough and Park Ward has been identified as an area where there is a shortage of places. I am aware that both the manager to Early Years and Child Intervention, and the manager for Targeted Services and Sufficiency have given this application their support, both citing the shortage of places in the area.

I have taken the opportunity to visit the nursery to view the intended siting of the proposed development and consider it to be appropriate for the area, particularly given the existing layout of the nursery and its extended accommodation. I understand the applicant has anticipated an increased demand for parking spaces at the nursery and has commendably reached an agreement with the owner of the property opposite for staff to park their vehicles on the hardstanding area to the front of the property. This area will accommodate six vehicles.

In summary, given the shortage of early years spaces in Park Ward, the high quality of early years' experience offered at Bright Stars, and the appropriateness of the proposed development in relation to existing buildings and neighbouring properties, this application has my full support.

5 Assessment of the planning issues

The main considerations are:

- Expansion of an existing education facility
- Parking and highway implications
- Design and impact upon the character and appearance of the surrounding area
- Neighbour amenity

a) Expansion of an existing education facility

Paragraph 72 of the National Planning Policy Framework (2012) (NPPF) highlights that considerable weight should be given to the need to create, expand or alter schools and that Local Planning Authorities should work with education providers to identify and resolve key planning issues before an application is submitted. The proposal seeks to expand the teaching space available at the day nursery by approximately 60 square metres and would provide additional accommodation for up to 24 additional children. This would provide space for a maximum of 76 children, representing a 46% increase in the provision of childcare spaces. It is acknowledged, through the representation made by Councillor Shearman, that there is currently a deficiency in early years childcare places and that the proposal would go in some way to alleviating this.

However, the NPPF also requires planning applications to be determined in accordance with the adopted development plan and all relevant material planning considerations. Whilst there will clearly be a benefit to the wider community resulting from the application proposal, it is considered that on balance, the harm resulting (set out in detail below) would outweigh this benefit.

b) Parking and highway implications

The application supporting documentation states that within the curtilage of the site, there are

8 no. parking spaces provided for the purposes of parent drop off/pick up with a further 6 no. spaces provided within the curtilage of No.232 Park Road (immediately opposite the site) for the purposes of staff parking. However, within the application site itself, there are only 4 no. car parking spaces available for use by parents as the remaining hard standing area provides the requisite turning space to allow vehicles to exit the site in forward gear.

At present, the day nursery operates between the hours of 08.00 and 18.00 split between two daily sessions, albeit the extant planning permission allows for operation up to 18.30 hours. In total, a maximum of 52 children are permitted within the day nursery at any one time (secured by condition) and the applicant has advised that 17 staff are on-site at any one time. This therefore represents a considerable number of movements to/from the site at peak times. Whilst this application cannot address the implications that already arise from the development which lawfully operates from the site, careful consideration must be given to the intensification which would result from the proposal.

The application has been supported by a detailed statement which sets out the measures currently in place to deter the use of private cars for travel by staff and parents. The statement also summarises the modal split of transport to/from the site by both staff and parents and identifies that very few travel by private car. It is noted that the two objections from local residents challenge this evidence and accordingly, the Local Highway Authority Officer undertook a site visit to assess the situation first-hand.

The LHA site visit was carried out between 07.30 and 08.30 hours on a weekday morning, thereby representing the morning peak in terms of vehicular movements. It was observed that there were extremely high volumes of traffic on the road directly opposite the site which were queuing virtually 'bumper to bumper'. It has been assessed that this situation occurs as a result of the traffic lights to the south (which is the safe crossing point for pupils attending Thomas Deacon Academy) and that Park Road is one of the main arterial routes for motorists travelling into the City Centre from the north. At the time of the visit, a total of 5 cars were observed parking on the forecourt of the property, with four reversing out of the site onto Park Road. This represents a significant danger to users of the adjacent public highway. In addition, there were also vehicles parked along the footways on both sides of Park Road as there were no on-site parking spaces available. This all occurred at a time when school children were passing the site to walk to school. On the basis of the situation witnessed, the LHA therefore challenges the evidence submitted by the Applicant and questions the accuracy of the survey data presented.

The proposal would result in a 46% increase in the number of children attending the day nursery and as such, would represent a significant intensification of the use of the site. Whilst the existing parking and highway safety issues detailed above cannot be retrospectively addressed, any intensification would clearly and significantly increase the risk to all users of the public highway. There is an insufficient number of car parking spaces available within the site to accommodate the drop off/pick up demands generated by the proposed increase in the number of children and as such, additional on-street parking demand would be generated. This would result in more cars parking in unsafe locations along the public highway, impeding the free flow of traffic on one of the main arterial routes into the City and resulting in increased conflict with school children using the public footway.

It is not considered that robust travel planning would sufficiently reduce the level of traffic generated by the proposal so as to not represent a danger to highway safety as the present Travel Plan in place has not addressed the demand already generated by the day nursery. As such, it is not considered that planning conditions could be used to bring about an acceptable parking and access situation.

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

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

The existing application site has been considerably extended from the original dwellinghouse and there is a substantial covered area which links the main building to the existing converted detached former garage. However, at present there is an open play area situated in place of the position of the application proposal. The proposed single storey building would be sited within this existing open area, positioned immediately adjacent to the shared boundary with No.243 Park Road. The building is proposed to be of flat roof design, extending to a maximum height of 2.9 metres and would extend to a length of 7.9 metres.

It is considered that, whilst the application site is of considerable size in terms of its plot, the building and its various extensions already represents the maximum amount of development that can be accommodated within the site. The proposal would result in development which effectively occupies a depth of 42 metres across almost the entire width of the plot. The existing open area presently breaks up the built form of the site and it is considered that the infilling of this would create a mass of development which dominates its context. The resultant form of the building would appear unduly obtrusive and dominant within its context and result in unacceptable harm to the character, appearance and visual amenity of the surrounding area. As such, the proposal is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

d) Neighbour amenity

At present, it is considered that the use of the site generates a significant level of noise and general disturbance particularly in relation to drop off/pick up times and the use of the outdoor play areas. Whilst the proposal would result in the loss of an outdoor play area in close proximity to the primary habitable rooms of No.243 Park Road, it would instead introduce further development along the shared boundary. The proposal would result in a continuous form of single storey development along the shared boundary which would infill the existing gap between the rear elevation of the neighbouring dwelling and its detached double garage which is positioned on the boundary. It is considered that this would result in an unacceptably dominant and overbearing impact to occupants of this neighbouring dwelling and substantially harm their outlook.

Furthermore, the proposal seeks to increase the number of children permitted at the site from 52 to 76 thereby representing a 46% increase. It is considered that the resultant noise and general disturbance from this proposed increase would further exacerbate the existing situation and bring about an unacceptable impact to the amenities of neighbouring occupants, particularly those immediately adjacent. Any potential future noise complaints could not be addressed through other primary legislation as recent legal rulings have concluded that action cannot be taken against noise generated by children, as such the matter must be addressed through the planning application.

It is considered that the resultant noise and disturbance from the children has the potential to result in those properties being unattractive places in which to live. This, in combination with the unacceptable overbearing impact to No.243 Park Road, would result in an unacceptable level of harm to the amenities of neighbouring occupants and on this basis the proposal is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

6 Conclusions

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

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED** for the following reasons:

- R 1 The proposed increase in the number of children attending the day nursery would represent a significant intensification of the use of the site. There is a lack of adequate car parking on the site to accommodate the existing parking demands generated and has resulted in vehicles parking in dangerous locations near public footways and reversing from the shared access onto the adjacent busy carriageway. The proposal would result in the intensification of the use of the site which would therefore exacerbate these existing safety dangers. Accordingly, the proposal would result in a further detriment to the safety of all users of the public highway, contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).
- R 2 The proposed single storey building would infill an existing open area within the application site. It is considered that the proposal in addition to the extensive existing buildings on the site would result in a significant level of built form within the plot which would appear incongruous and at odds with the established built form of the surrounding area. The proposal would represent overdevelopment of the site and result in unacceptable harm to the character, appearance and visual amenity of the locality. On this basis, the proposal is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- R 3 The proposed single storey building, by virtue of its height, depth and positioning adjacent to the shared boundary with No.243 Park Road, would result in a length of development which appears unduly overbearing to neighbouring occupants and would unacceptably harm the outlook from primary habitable rooms. Furthermore, the resultant proposed increase in number of children within the site would give rise to an unacceptable level of noise and general disturbance to those immediately adjacent residential properties. The proposal would therefore result in an unacceptable level of harm to the amenities of neighbouring occupants, contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Copies to Councillor J Shearman, J Peach

This page is intentionally left blank