

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 28 NOVEMBER 2017

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.

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

4. Minutes of the Meeting Held on 7 November 2017 **5 - 8**

To approve the minutes of the meeting held on 7 November 2017

5. Development Control and Enforcement Matters

5.1 **16/01361/FUL - Land To The South Of Lawrence Road Wittering Peterborough.** **9 - 42**

5.2 **17/01426/FUL - 53 High Street Eye Peterborough PE6 7UX.** **43 - 58**

5.3 **17/01615/HHFUL - 8 Borrowdale Close Gunthorpe Peterborough PE4 7YA.** **59 - 68**



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5.4	17/01753/FUL - 11 Northfield Road Millfield Peterborough PE1 3QQ.	69 - 76
5.5	09/01368/OUT - Land To The North off Norman Cross London Road Peterborough	77 - 80
6.	Appeals Performance 1 March to 31 October 2017	81 - 90

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Committee Members:

Councillors: G Casey (Vice Chairman), L Serluca, C Harper (Chairman), Bull, P Hiller, J Stokes, S Martin, Clark, A Iqbal, Bond and C Ash

Substitutes: Councillors: Bisby, N Sandford, Sylvester and B Saltmarsh

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Paul Smith, Janet MacLennan, David Jolley, Louise Simmonds, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman, Jack Gandy, Sundas Shaban, Mike Roberts, Jim Daley

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.

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 7 NOVEMBER 2017
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors Harper (Chair), Casey (Vice-Chairman),
Councillors Ash, Bull, Clark, Amjad Iqbal, Hiller, Martin, Stokes and Serluca.

Officers Present:

Nick Harding	Head of Planning
Gemma Wildman	Principal Planner
Stephen Turnbull	Planning and Highways Lawyer
Dan Kalley	Senior Democratic Services Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bond.

2. DECLARATIONS OF INTEREST

Cllr Hiller declared that he was the Cabinet Member responsible for the Local Plan as outlined at Item 5, but was not pre-determined.

3. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

There were no declaration of intention to make representations as Ward Councillors were received.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL COMMITTEE MEETING HELD ON 17 OCTOBER 2017:

The minutes of the meeting held on 17 October 2017 were agreed as a true and accurate record.

5. PETERBOROUGH LOCAL PLAN PROPOSED SUBMISSION

The Planning Committee received a report in relation to the Peterborough Local Plan Proposed Submission.

The purpose of the report was to enable the Planning Committee to consider and recommend to Cabinet and ultimately Full Council the approval of the Proposed Submission Local Plan for public consultation in January 2018.

The Principal Planning officer stated that the report highlighted the differences between the report presented on 19 September and the report before Committee at the meeting.

The net result was a reduction in the number of houses, using the new government 'Local Housing Need' method of 1,673 homes. Most notably this negated the need for

the development outlined for Castor and Ailsworth. Members of the Committee were informed that with changes in dates from 2011 - 2036 to 2016-2036 the Council was meeting the 5 year land supply.

In response to questions from Members, the Principal Planning Officer stated:

- There were only 46 dwellings short of the target outlined in the 5 year housing supply.
- The extra 350 dwellings identified at Fengate South made provision for the increase in numbers due to the site being able to deliver a large quantity of homes.

David Carlisle, on behalf of HCA, addressed the Committee and responded to questions from Members. In summary the points highlighted included:

- HCA welcomed officers making upward local adjustments to reflect the likely student housing needs and their commitment to help meet unmet needs from Cambridge.
- The Memorandum of Cooperation agreed between Peterborough, Fenland and East Cambridgeshire needed to be revisited in light of up to date housing numbers once confirmed next Spring.
- The ambitious economic growth plans of Peterborough and the Combined Authority needed to take into account the need to build more homes than envisaged by the Local Plan.
- The Council needed to make an uplift of housing provisions based on their economic ambition and the establishment of a University and Enterprise Zone.
- There was no consideration of the quantum of local affordable housing needs or other indicators that are not part of the population projections.
- There was only a modest buffer of around 8% above the new Local Plan requirement, which was smaller than other local authorities.
- The HCA were uniquely positioned to help Peterborough City Council accelerate delivery with a secure pipeline of housing.
- The 3-5% increase above current housing objective was based on indicative numbers from DCLG tables on housing requirements and grouped different areas in Cambridgeshire..
- Peterborough was a high growth area, which was at odds with number of houses that will be provided in the local plan, especially with the University and Enterprise Zone.
- HCA would boost housing delivery, they currently were on target to build one million homes by 2020, as the statutory body of DCLG they were confident of delivering that number of houses.

Martin Chillcott, on behalf of Protect Rural Peterborough, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The group would continue to publically oppose the Great Kyne development, even though it had been removed from the current version of the Local Plan.
- The new Government guidelines were welcomed, as they served to protect rural areas where possible.
- Evidence it is wrong development and site for anything like this.
- There were a number of archeological remains within the village envelope which needed protecting.
- The proposed development was incompatible with the local setting of the village.
- There would be a large impact on the historic landscape of the village and would be visible to areas from far away.

- There were a number of risks to the social and environmental wellbeing of the area if the development went ahead.
- Any future proposals could open the door to 5000 homes, which was way in excess of what the village could handle.
- Not against any development, had to be at the right scale, which would reinvigorate the village. The group was open to 100 new homes in castor and ailsworth.
- Neighbourhood plans were recently approved, 90% were in favour of small scale growth as per the past couple of years.
- Villages did want to grow and have a strong community spirit.
- Residents of the village were welcoming to others visiting their area, visitors enjoyed the tranquility of the village and would be appalled with the scale of the development that was being proposed.

The Principal Planning Officer responded to questions from Member. In summary the key points highlighted included:

- The 30% outlined for affordable housing was part of the Strategic Housing Assessment and Local Plan viability report. Members were informed that this was the target however each development needed to be judged on its merits.
- It was confirmed that the Local Plan was Peterborough's plan and had nothing to do with the Combined Authority.
- The Committee were informed that officers had the choice of sticking with the original method of coming up with housing numbers. However, it was agreed that the government's methodology was better for Peterborough.

The Planning Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The development outlined in Eye, Thorney and Newborough took into account the school expansions forecast. The number of dwellings outlined was only a guide at this stage for future planning applications.
- It was important to keep developing the town centre, ensuring the commercial aspect was attractive to large retailers. Improving what was already on offer to residents of Peterborough.
- The infrastructure of the Highways system needed to be be closely monitored to ensure it could cope with higher levels of traffic.
- Peterborough was considered one of the most traffic friendly cities in the Country and it was important that this was maintained.
- It was important to protect and increase the number of affordable houses within the City.

The Planning Environment Protection Committee considered the report and representations. The Committee **RESOLVED** (9 in Favour, 1 Abstention) to recommend the Proposed Submission ('Publication Draft') Local Plan to Cabinet who will subsequently be asked to recommend the Local Plan to Full Council for the purpose of both its final consultation for six weeks and its subsequent submission to the Secretary of State for the purpose of independent examination.

Chairman
1:30pm – 2.30pm

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LOCATION PLAN 16/01361/FUL

Land to the South of Lawrence Road, Wittering Peterborough

Scale NTS Date 14/11/2017 Name AA Department Planning Services



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Agenda Item 1

Planning and EP Committee 28 November 2017

Application Ref: 16/01361/FUL

Proposal: Residential development comprising 190 dwellings with associated access roads and landscaping

Site: Land To The South Of, Lawrence Road, Wittering, Peterborough
Applicant: Larkfleet Ltd And Cecil Estate Family

Agent: Mr John Dadge
Barker Storey Matthews

Referred by: **Cllr Lamb and Parish Council**

Reason: Access from A1 junction, Size of development, inadequate infrastructure, poor layout traffic and highways.

Site visit: 29.07.2016

Case officer: Miss A McSherry
Telephone No. 01733 454416
E-Mail: amanda.mcsherry@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

1 Background

This application was considered by the Planning and Environmental Protection Committee on Tuesday 5th September 2017. Members deferred determination of the application until they had further information in respect of :-

1. The differing traffic impacts on the A1 Townsend junction, in respect of the now proposed 190 dwellings, compared to the Local Plan allocation of an indicative 160 houses and 1 hectare of employment land, and
2. The updating of the survey data, including accident data, in the Transport Assessment to not older than 3 years.

The original Committee report is appended to the end of this report, for information.

2 Referral back to Committee

The applicant submitted a Highways Technical note to provide the additional highway information requested by Members.

As part of this Technical Note an updated traffic survey was undertaken on 13th September 2017, and included queue surveys of vehicles accessing Townsend Road from the A1.

Accident data was also obtained from Cambridgeshire County Council for the period of January 2012 and April 2017.

Accident Data

In respect of the personal injury accidents (PIA) data over this 5 year period, these are summarised below:-

A1/Wittering Townsend Road Junction

A total of 7 recorded accidents.

Severity – All Slight

Reason for accidents:-

- 5 - due to vehicle drivers changing lanes on the A1 and failing to adequately look
- 2 - due to HGV's following vehicles too closely and colliding with the vehicles in front

No accidents were recorded in relation vehicles turning into or out of Townsend Road, Wittering.

A1/North of Wittering Townsend Road Junction

A total of 7 recorded accidents.

Severity – 5 – Slight
1 – Serious
1 – Fatal

Reason for accidents:-

- 5 - Slight - due to drivers following too close and failing to break to avoid collision with the vehicles in front.
- 1 – Serious - due to a vehicle overturning and losing control and colliding with 2 other vehicles and the driver sustaining a serious injury.
- 1 – Fatal - involved a pedestrian crossing the A1 carriageway in the early hours of the morning.

3km stretch of the A1 south of the junction with Wittering and 3km north of the A1/A47 junction

A total of 29 PIA's recorded.

Severity - 23 – Slight
5 – Serious
1 - Fatal

Reason for accidents:-

23 – Slight and 4 – Serious - due to drivers following too close and failing to break to avoid collision with the vehicles in front or drivers changing lanes and failing to properly look.

1 Serious – Due to a driver travelling south and becoming distracted and colliding with parked HGV.

1 – Fatal – Due to a vehicle changing lanes to the left and colliding with a HGV which had started to break to be able to park.

A1/A47 Junction

A total of 24 PIA's recorded.

Severity - 20 – Slight
4 – Serious

20 – Slight and 4 – Serious - due to drivers following too close and failing to break to avoid collision with the vehicles in front or drivers changing lanes and failing to properly look.

Impact on Junctions

A1/Townsend Rd, Wittering junction

The impact of this proposed development on the A1/Townsend Rd Wittering junction has been further assessed based on the updated traffic survey data of the Junction and future growth of traffic flows to 2020 and 2027. Based on the updated survey data, the proposed development would contribute at worst to a 1.4% traffic increase on the A1 south of the Wittering junction during the evening peak period. The morning peaks and north bound evening peak would all represent a less than 1% increase in traffic. The assessment therefore concludes that the additional trips associated with this development would not produce a material impact on the future operation of the Wittering Townsend Rd/A1 junction.

In assessing the operation of this junction, it was important to look at the right turning lane and associated queue lengths. As such a merge and queue length assessment was undertaken in the Transport Assessment and updated for the 2020 and 2027 assessment flows. This assessment concluded that the existing taper merge provides the appropriate layout to accommodate the additional development traffic without any requirement to upgrade the junction.

The right turning diverge lane on the A1 southbound approach was assessed again. The right turn lane measures approximately 250m in length. Allowing 5.75m per vehicle and 2m space between each queuing vehicle, would allow 32 vehicles to queue in this lane. The updated queue survey results confirmed that vehicles making use of the right turning diverge lane formed a queue substantially less than the total lane length, with a maximum of 12 vehicles was recorded at any given time and typically less than 6. Therefore presently accommodating a maximum of 12 vehicles during peak periods would still leave capacity for around another 20 vehicles during peak times. Based on this and taking into account the additional traffic from this proposed development, it is not considered that this development would prejudice the operation of this junction.

In conclusion the updated information demonstrates that the additional trips associated with the proposed development would not have an adverse impact on the operation of the Townsend Rd, Wittering/A1 junction. Therefore no mitigation works are required at the junction to accommodate this additional traffic. It is also noted that none of the recorded accidents were as a result of vehicles turning in or out of the Townsend Rd, Wittering junction with the A1.

A47/Oundle Rd, Wittering junction

This junction was tested using the revised traffic flows. The data demonstrated that the junction would operate within capacity during peak hours in the 2020 and 2027 projections. Therefore the trips associated with the proposed development would not have an adverse impact on the operation of the junction and no mitigation would be required.

Comparison of traffic impact of differing land uses

The site is allocated for 160 residential units and 1 hectare of employment class B1 (offices and light industrial) or B2 (general industrial) land. Concern has been raised at the last Committee meeting that traffic generated by the proposed development of 190 residential units could put extra pressure on the A1/Townsend Rd junction than that generated by the Mixed use (160 dwellings and 1 hectare of employment use) allocated by the Local Plan on this site. As a result, a trip generation exercise has been undertaken to compare the level of trips which could be generated by the allocated site versus that of this proposed development.

For a residential scheme of 160 units and 1 hectare of employment land, it was predicted that it would generate 38 more trips in the morning peak and 28 more trips in the evening peak, when compared to the development of 190 dwelling proposed. Some of these trips to serve the employment uses would be by Heavy Goods Vehicles (HGV), whereas for this housing scheme once constructed none of the trips would from HGV's. Therefore the proposed scheme would generate less transport movements than the mixed use scheme allocated in the Local Plan.

The trip distribution of the residential trips in the TA was based on the 2001 census data as the 2011 census data was not available at the time it was produced. It has now been updated with the 2011 census data. The distribution pattern has been looked at for the 160 and 190 schemes. The anticipated trip distribution of employment trips has also been based on the 2011 census data.

A comparison of the impact of traffic flows on the impact on the A1/Townsend Rd Wittering junction was undertaken in respect of the Mixed Use allocated development (employment and residential) and the 190 dwellings. The worst case scenario showed that for the Mixed use development there would be a 1.4% increase in traffic on the A1 junction, this is the same as for the 190 dwellings proposal. However for the 190 unit scheme taking account of the updated residential distribution patterns of traffic movements from the updated census data, the traffic impact on this junction reduces to 1.1%. In any case, the data indicates that there would not be a material impact on the operation of the junction.

In terms of turning right from the A1 into Wittering, Townsend Rd junction the comparison between the allocated and proposed schemes this works out at a maximum of 42 vehicles compared to 28 vehicles respectively, assuming vehicles do not choose to continue to the A1/A47 junction, so they can take the easier left hand turn into Townsend Road from the south. Therefore the proposed 190 dwellings would have less of an impact on the junction in terms of turning right across the northbound A1 traffic than the allocated mixed use allocated scheme would have.

Highways England have confirmed that they have assessed the information submitted. They have assessed the accident data, and looked at the right hand turn across the A1 into Wittering and the queuing capacity of the right hand turn lane. They conclude that their original response remains unchanged that that they could not object to the level of development proposed on highway safety grounds in respect of its impact on the A1 junction.

PCC's Highway Officers, who's responsibilities cover the local highway network, and not the A1, confirm also that their position remains unchanged, and that they raise no highway objections subject to conditions.

Conclusion

The accident data submitted shows that at the A1/Townsend Rd junction of the 7 slight accidents over the 5 year period, none were as a result of vehicles entering or leaving Wittering junction. The updated traffic surveys and traffic distribution data, demonstrates that there is capacity at this junction to accommodate the development proposed. It also shows that for the 190 dwellings now proposed that there would be 38 less trips in the morning peak hour and 28 less in the evening peak hour than the allocated mixed use development (160 dwellings and 1 hectare of employment land). The data also shows that there is capacity at the A47/Oundle Rd junction to accommodate

the development proposed. Therefore the existing A1/Townsend Rd junction has capacity to accommodate the development proposed and the impact on traffic flows would be less for this development than the previously allocated 160 dwellings and 1 hectare of employment land.

3 Additional Consultations

Highways England

No Objections subject to a travel plan condition.

PCC Peterborough Highways Services

No Objections subject to conditions.

4 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject the same planning conditions and legal agreement as per the previous Officer report of 5th September 2017.

Copy to Cllr Ward

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Application Ref: 16/01361/FUL

Proposal: Residential development comprising 190 dwellings with associated access roads and landscaping

Site: Land To The South Of, Lawrence Road, Wittering, Peterborough
Applicant: Larkfleet Ltd And Cecil Estate Family

Agent: Mr John Dadge
 Barker Storey Matthews

Site visit: 29.07.2016

Case officer: Miss A McSherry
Telephone No. 01733 454416
E-Mail: amanda.mcsherry@peterborough.gov.uk

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

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

Site and surroundings

The site covers an area of 7.72 hectares and is an agricultural field located within the village envelope of Wittering. The site is located on the southern edge of the village. It is currently separated from the village by a 2m high chain linked fence.

The site is bounded to the east by the A1 motorway, to the south and west by other agricultural land and to the north by the existing residential housing of Wittering.

The proposal

Full planning permission is sought for 190 residential dwellings, together with access roads, open space and landscaping. The 190 dwellings proposed comprises 12 x 1 bedroom, 24 x 2 bedroom, 103 x 3 bedroom and 51 x 4 bedroom properties. 57 of the 190 residential properties are proposed to be affordable, to meet the 30% affordable housing requirement of the scheme. Two new vehicle access are proposed to serve the development, one from Lawrence Road and one from St Mary's Avenue. Two areas of open space are proposed within the housing layout, together with a large open space area space on the eastern side of the site adjacent to the A1.

2 Planning History

No relevant planning history

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 4 - Assessment of Transport Implications

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

Section 6 - Presumption in Favour of Sustainable Development

Paragraph 14 sets out that development proposals that accord with the development plan should be approved without delay and that where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Section 7 - Good Design

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

Section 10 - Development and Flood Risk

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

Section 11 - Biodiversity

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

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

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

Section 11 - Noise

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

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

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

CS02 - Spatial Strategy for the Location of Residential Development

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

CS08 - Meeting Housing Needs

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

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.

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.

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

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

SA06 - Limited Growth Villages

Identifies the sites within the Limited Growth Villages which are allocated primarily for residential use.

SA14 - Rural Employment Sites

Identifies rural employment sites for development primarily within use classes B1 and B2. Development should be of an appropriate scale and protect/enhance local amenity.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP14 - Open Space Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

Peterborough Local Plan 2016 to 2036 (Preliminary Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

4 Consultations/Representations

PCC Peterborough Highways Services

No Objections – subject to conditions and informatives.

PCC Pollution Team

No Objections – The proposed mitigation measures indicated in Section 6 of the Noise Assessment are acceptable.

PCC Strategic Housing

No Objection – 30% affordable housing provision is required in accordance with Policy CS8 of the Core Strategy, this equates to 57 dwellings. This application proposes 57 affordable units as so complies with this policy criteria. The policy sets out a 70% social rented tenure and 30% intermediate tenure mix, but does allow for some flexibility. For this scheme, this would be 40 affordable housing units and 17 intermediate tenure. No extra mix has been specified. The 12 x 1 bed, 24 x 2 bed, 18 x 3 bed and 2 x 4 bed for the affordable units is acceptable. The extra unit needed to make 58 dwellings provision should be a 1 or 2 bed dwelling. 20% of the total units should be of a Lifetime Home standard, this is 38 dwellings, the proposal complies with this requirement. Additionally 2% should meet the Building Regulations Wheelchair housing standard, this is 4 dwellings. There is no mention of wheelchair standard dwellings proposed.

PCC Tree Officer

No Objection – There are no arboricultural objections to the proposal as the impact to offsite trees appears to be minimal. However, it would be helpful to understand the exact tree removals and the positioning and specification of any protective fencing, this could be secured by condition. The landscaping scheme is acceptable in principle, however some specific planting details are missing however they can be secured by condition. The native boundary planting details and future management arrangements need to be secured by condition, as does the maintenance and future management of all the soft landscaping areas on site.

PCC Wildlife Officer

No Objections – Subject to the imposition of conditions in respect of securing an ecological management plan for the green infrastructure proposed, securing bird boxes, and ensuring means of escape for protected species is provided during construction. In addition, the advice of Natural England's should be sought in respect of the impacts on SSSI's and whether the proposal is required to be considered under the Conservation of Habitats and Species Regulations 2010.

PCC Minerals And Waste Officer (Policy)

No objections - The proposal site is adjacent to, but not within a Minerals Safeguarding Area for limestone (Minerals and Waste Core Strategy policy CS26).

PCC Rights of Way Officer

No Objection – No comments from a Rights of Way perspective.

Lead Local Drainage Authority

No Objection – Subject to the imposition of a condition securing the details of the design, implementation, maintenance and management of a sustainable drainage system.

Archaeological Officer

No Objection - A detailed magnetic gradiometer survey was undertaken in 2013 in connection with the proposed development. The survey (total area of c. 6.5ha) revealed few positive linear anomalies. These could represent Roman ditches possibly associated with field boundaries or enclosures. Large ferrous responses located in the eastern part of the site may be evidence of iron smelting. The positive anomalies should be further investigated and characterised by means of an evaluation by trial trenches targeted on the magnetic responses, namely the linear features and the ferrous sites.

Targeted area excavation, if required, would follow the evaluation. This archaeological investigation can be secured by condition.

PCC Waste Management

There are a number of private driveways that do not have turning areas, therefore they will need a bin collection point. Refuse vehicle tracking details are required to ensure collection vehicles can adequately manoeuvre around the site to collect the waste and recycling. For the 12 x 1 bedroom properties that do not have private gardens details of their bin storage and collection areas should be provided.

Highways England

No Objection – Recommend a condition should be attached to any planning permission that may be granted. The recommended condition is in respect of requiring a Framework Travel Plan to be submitted and approved before the development is brought into beneficial use.

Anglian Water Services Ltd

No objections – A foul water strategy should be secured by condition. The proposed method of surface water management does not relate to Anglian Water operated assets therefore we offer no comments on this.

Environment Agency

No Objection – Subject to the imposition of a planning condition in respect of the phasing and provision of the mains foul sewage infrastructure both on and off site.

Natural England - Consultation Service

Further information requested in respect of the indirect impacts of the development on hydrology and visitor pressure on the surrounding SSSI's.

The Wildlife Trusts (Cambridgeshire)

We have reviewed the ecological information provided and are disappointed with the standard of this information. We suggest that a desktop search, consulting the local Environmental Records Centre, is carried out, and based on the results of this, further enhancement measures are recommended which are appropriate for the area. At the moment, the plans for the open space show a large area of amenity grassland, which will add very little biodiversity benefit. Although we think the overall conclusion of the ecological scoping survey is probably correct, i.e. that the site currently has little ecological interest, and therefore there is an opportunity for a net gain in biodiversity, more work is needed in order to take full advantage of this opportunity and design good quality ecological enhancement features which will provide real benefits for species and habitats of local importance.

Cambridgeshire Fire & Rescue Service

No Objection – Subject to adequate provision being made for fire hydrants, this could be secured by way of a planning condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5, Section 16.

Health & Safety Executive (HSE)

No Objections - HSE does not advise, on safety grounds, against the granting of planning permission in this case.

National Grid

Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works. A list of requirements and guidance for the developer are provided.

GeoPeterborough (Sites Of Interest)

No comments received

Ramblers (Central Office)

No comments regarding above planning application.

Peterborough Civic Society

Do not object to the principle of this proposal, but feel that adding more traffic to the village junction with the A1 without some physical measures to improve safety to road users would be unwise. It is accepted that the cost of a grade separated junction would be prohibitive but elsewhere on the A1 where safety is an issue speed limits as low as 50mph have long been in force. Permission for residential development should be conditional on providing a practical set of measures to improve safety at the A1 junction.

We have a suggestion to enhance the visual impact of the new housing in views from the south-west of the site. The edge of the site is straight and the layout of houses and their rooflines are largely parallel to this straight boundary, thus resulting in a harsh and inappropriate appearance. Greater variety could be introduced by varying the depth of landscaping tree planting belt on this edge. The feeder road running parallel to southern edge could also be redesigned to include a curved alignment with variations in roofline angles. The applicant's 'Design & Access Statement' sets out the design philosophy would seem to support our approach. Please refer to 'Developing the Detailed Design', page 20, in particularly points 4, 6 and 7.

With regard to 'affordable housing'; the number proposed should be considered as a minimum provision, and as the basis of the approval, although it is accepted that this may be subject to negotiation around the viability of the development.

Councillor D Lamb

Objection – For the following reasons:-

- Size of development – massive impact on Wittering Village
- Poor layout – Traffic and highways
- Inadequate infrastructure
- Major problem with A1 junction at present – 450 more vehicles would add to this significantly
- Increased demand on school places, neighbouring surgeries in Wansford and Stamford etc.

Shailesh Vara MP

Objection –

- The Peterborough Core Strategy identifies that within the Limited Growth Category Villages, of which there are 7 villages. 300 dwellings in total shall be provided between 2009 and 2026, and yet this development accounts for nearly 2/3 of this total.
- This application pays little attention to the challenge faced by Wittering residents in accessing the village from the A1 southbound. At present motorists must cross two lanes of traffic travelling at the national speed limit of 70mph, which is a considerable hazard. The developer would not be required to take the flyover scheme forward due to the scale of the project and the Department for Transport has confirmed that they will not even consider the flyover issue until after 2020.
- Highways England have been consulted on the application and have requested a Framework Travel Plan but this does not appear to have been provided.
- The Wildlife Trust have raised concern at the quality of the applications ecological survey, which does not meet the accepted industry guidelines for developments of this scale. The Council's Wildlife Officer is also disappointed at the lack of ecological enhancements suggested as part of the proposed development.
- Local infrastructure such as water supply and roads are already under pressure with the present number of homes in the village and the additional residents occupying a further 190 dwellings would only exacerbate matters.
- Construction vehicles will access the site via the current road network and their heavy nature will further deteriorate the road surfaces. Wittering also has problems with on-street parking and construction traffic may face difficulties in accessing the site.
- There are no medical or dental facilities in Wittering and existing facilities at Wansford and Stamford are already at capacity. The same applies for certain classes at the village primary school which is an issue that will continue year on year without the addition of children from the proposed homes.
- A further access road is planned from St Mary's Avenue and this will pass through the current A1 sound buffer which is also used by residents for leisure. This will cause much disturbance to villagers.
- There is an existing problems with surface water drainage in the village and these further homes will add unnecessary pressure to the water network.
- Will there be any compensation for residents living next door to this proposed building site.

I therefore strongly express my objection to the application.

Wittering Parish Council

Objection – The main concerns were:-

- The increased traffic through the village (both the construction traffic and the traffic of the new residents). The existing roads are already inadequate for the current amount of traffic due to their poor condition and cars parking on both sides of the roads, causing highway safety issues.
- Access to the development from the A1 and A47. There are already fears about the number of vehicles turning right across the A1 Southbound, which is a potentially dangerous junction and takes up to 30 minutes to cross in peak times, and the substandard condition of Old Oundle Road from the A47 into the village. There are currently no definite plans/timescales for the much needed A1 Flyover.
- The extra strain on the infrastructure which already struggles to cope with the surface drainage and the sewerage system already.
- The increased demand for places at Wittering Primary school, which currently has some classes at full capacity. If children have to be bussed to other local schools, there will be more traffic crossing the A1. There will also be an increased demand for health services provision at the local GP surgeries in the area.
- The impact on the village and village life. Wittering residents have chosen to benefit from the peace and quiet of living in a small village rather than a busy town. The loss of the natural open countryside views would be lost forever to the detriment of current residents and for future generations.
- There are already sufficient 2 and 3 bedroom properties in the village whilst there is a lack of 4 and 5 bedroom properties. The proposed development does not proposed to include many 4 and 5 bedroom properties.
- No amendments have been made which would alleviate our original objections.
- In addition, we would like to refer to the Further Draft December 2016 to January 2017 of the Peterborough Local Plan, 7.5.5 (page 85) which states: “Any planning application for the development of site WIT001H must be accompanied by a Transport Assessment, including a Residential Travel Plan. Subject to the conclusions of that Assessment, it is likely that the development will require improvements to the existing junction of Townsend Road and the A1 Great North Road, unless improvements or a replacement grade-separated junction in accordance with policy LP15 have already been implemented. Any improvements required to enable to development to proceed will need to be funded by the developer and the works completed before occupation of the first dwelling. It is possible that improvements to the existing junction will not be sufficient to enable all of the development envisaged for this site. In that case a phased development would be necessary, with later phases relying on the prior provision of the grade separated junction”.

Local Residents/Interested Parties

Initial consultations: 86

Total number of responses: 450

Total number of objections: 432

Total number in support: 18

432 letters of objection have been received raising the following issues:-

- A roundabout or overpass to the A1 is needed to allow safe access to village. This is needed before any new housing is built.
- The Village was promised a flyover the A1 10 years ago. There have been many accidents entering and leaving the village already, this could lead to more.
- The data on traffic flows provided does not show how dangerous it is to cross the traffic on the A1 to access the village. If it is so safe why is a flyover proposed.
- Every week the A1 is at a standstill due to heavy traffic or an accident.
- It takes 45 mins to cross over the A1 into the Village on a Friday night, this will make it worse.

- Highway safety concerns of vehicles having to cross the A1 traffic to get into the village.
- People do 'U' turns which is prohibited.
- The road is a death trap. The extra traffic could lead to more traffic accidents and even fatalities.
- Feel the applicant has mis-represented the problem with access to the village. They have given the minimum accident data on or near the village. However Wansford slip road is an accident hot spot. This has been left out of the submitted information.
- The roads are already busy and unable to cope with more vehicles
- Vehicles would struggle to get through village
- Poor condition of some roads through village, potholes and parked cars make manoeuvring through village difficult
- The extra cars will make it more dangerous for children in the village and could lead to more accidents.
- Parked cars currently make it difficult for buses to get through the Village.
- How are the 40 heavy good vehicles movement during construction going to get through the village roads, when sometimes cars struggle for sufficient width to get through? This could lead to accidents.
- Could a temporary construction access be created from the A1.
- Construction traffic should not use the Old Oundle Road from the A47 into Wittering. This road is currently over used by delivery lorries that are too large for the road conditions. Especially as there are 3 blind bends, More accidents could occur if this road is used.
- The village roads cannot cope with the increased traffic flows from this development.
- Currently the roads are private and maintained by a residents company (Preim) which all the residents pay an annual maintenance fee. The increased traffic will mean increased maintenance and cost to village residents which hasn't been addressed in the submission. Is PCC going to take on liability for all roads in the village? Are new residents going to contribute for the maintenance of the facilities they use?
- The situation with Preim and Anniston Homes with regard to communal areas being properly adopted, this development will add to the problems of who manages what and to what standard.
- Poor access from the village to the A47. It is an unclassified road, narrow in places, badly maintained, with no road markings and leads onto a busy trunk road. It is unsuitable for large amounts of traffic.
- The Old Oundle Rd is a country road that apart from cars and farm vehicles has cyclists, joggers, walkers and horse riders using it. Extra traffic would pose risk to these users.
- The estate roads will not be able to cope with the weight of construction lorries.
- Access for emergency vehicles will be difficult
- Most of the properties on Lawrence Road do not have on plot parking and so they park on the road. This happens also for a small number of properties on St Mary's Avenue.
- Lack of infrastructure to support growth, including lack of school places, no doctors, no dentist, no pharmacy and only 2 small shops.
- The development will put a huge strain on the limited existing village facilities.
- A nursery and secondary school would be welcome. The local senior school is already full with children travelling 30mins or more by coach.
- We have a very limited bus service. No buses in the evening or on a Sunday.
- No police presence
- Roads currently flood due to inadequate drainage, when there is heavy rain
- Noise pollution increase unwanted and unhealthy. Part of the existing sound barrier is to be removed to build access road.
- Traffic noise on two sides of my property
- I am concerned about how I will get access to my property
- Too many houses.
- I have no objection to say 50 houses. Why is Wittering getting more than its fair share of new housing?
- New housing is need but 190 is way too much.

- Wittering is one of 8 Limited Growth Villages and yet is required to take on 42% of the homes required.
- 3 spur roads are in plan and point to neighbouring fields. This makes further construction in neighbouring fields a real possibility. The surrounding fields are part of the rural beauty of the village.
- The formation of the Wittering Action Group is evidence of the strong opposition to these plans, and proof of the community spirit that exists here.
- The comments made by the applicant during public consultation were disrespectful
 - and reckless. They have not addressed any of the concerns we put forward on the day.
- The applicant has bad customer service on estates it has already built.
- We are only a small village of approx. 2500 people with very poor infrastructure.
- We have chosen to live in a semi rural location. This amount of housing will harmfully change this. If we wanted to live in a built up area we would have moved to Stamford.
- We already struggle in this area with water pressure and sewage backing up as the pipes are old. This development could make this worse.
- The majority of the village do not want this new housing estate, and want to keep our village as it is.
- The plan shows a fence along the northern perimeter. I would prefer this to be open, so the new estate feels like it is part of the existing housing rather than forming a separate self contained development.
- The eastern boundary with the A1 needs to be substantial to prevent access by children or dogs on to the A1. Maintenance arrangements need to be in force for subsequent repairs.
- There are houses in the village which are not selling, why build more than will not sell.
- The original plan was for approximately 160 houses, not 190.
- The ecology survey makes no mention of hedgehogs which are present in the village. Construction traffic could increase the risk of these being run over.
- Skylarks nest in the field of the proposed site, this would hamper construction during the bird nesting season.
- Badgers, European Hares, Pipistrel Bats, Roe Deer, Grass Snakes, Hedgehogs and Skylarks all frequent the proposed development site. At least four of these species are named in the UK Biodiversity Action Plan.
- The traffic report ignores the St Mary's Avenue entrance.
- There is no report on the effects of the village's sewage system and can it cope or does it need upgrading.
- Detrimental effect on my outlook
- It would affect the light in my front garden, and we will feel overlooked.
- Housing values will be greatly affected.
- How many of the properties will be social housing and where will they be?
- Have this company bought the land needed to create the new vehicle accesses.
- Extra noise, dust and traffic during construction
- What if my children have to go to school in Stamford when they reach school age because the school is full?
- Create more pollution from more cars
- The houses would not be available for the young of the village. They would be available to rent, we would have no control over who lives there, opening the village up to crime.
- This will potentially increase the Wansford Practice by 400-600 patients. 9% of patients are from Wittering, so this percentage could increase to 17%. Additional space and staff will be required. We need financial support to improve health provision and infrastructure.
- The new road from St Mary's will go through a currently grassed area used by families has safety been considered. This area also provides a sound buffer for existing residents, putting a road through it will increase disturbance for residents.
- Air source heating, solar panels and rainwater harvesting should be proposed.
- CPRE have been contacted by a resident about the increased traffic. They live near Old Oundle Road and the post office have stopped delivering their mail because the road is so

dangerous. This development would make this situation worse.

- Article 8 of Human Rights Act 1998 states a right to respect for private and family life.
- The construction routes for vehicles are not suitable
- Refuse collection appears difficult for some plots.
- Lack of applicant assessment on water services
- Lack of response re the high pressure gas apparatus.
- The slip road on the southbound carriageway for vehicles to turn right into Wittering across the A1 is at times insufficient and causes queues blocking the outside fast lane of the A1.
- We have poor telephone and broadband services
- Will there be an environmental study carried out as to the effect on local wildlife
- The Transport and Infrastructure document submitted is dated, it should be updated.
- Inadequate broadband.
- Disagree with Highways Agency's response. No flyover should mean no more houses, unless they want to be responsible for any deaths and serious injuries.
- Concern about the safe movement of refuse collection vehicles.
- This is bad planning.
- The revised plans show no consideration to the issues previously raised.
- I heard money that money that was going to parish council now goes into a big pot and given to the city council, this is unacceptable and needs addressing.

18 letters of support has been received, commenting:-

- I privately rent in Wittering and need a bigger house and don't want to move from the area, so affordable rented properties would be good.
- I'm in military housing and have been waiting 2 years for a house to come up in Wittering. I can't wait to buy one, we need housing here.
- I fully support this development as new houses in this area would be great for families looking to buy in the very near future. Although there is a lack of dentists and doctors for families.
- Totally support any community development in a parish which is not progressive in services or community spirit.
- Support this application for development and growth
- As a first time buyer, I am very pleased that there is a possibility to obtain new property in Wittering.
- I support new housing in the Village but I am concerned about access.
- I am looking for a 4 bedroom house in the village, but there is a lack of these. Building these houses would improve my chances of becoming a homeowner.
- Believe this will benefit the village and enhance current services. Bring the possibility of sorting out current water pressure problem, as developers will want the best supply to sell houses.
- New houses are needed across the country and here. I believe the size of development will not adversely impact on the village 'feel'. Whilst there are parking problems in the village, I am sure new development will have to meet current requirements for parking. The village is already taking a co-ordinated approach to the problem of access to the village from the A1.

5 Assessment of the planning issues

a) The Principle of Development

6.73 hectares of the application site (SA6.10) is allocated for residential use in the Site Allocations Development Plan Document 2012, for an indicative 160 dwellings. Therefore in accordance with Policy SA6 the principle of residential use on the site is acceptable, and has already been established through its allocation.

An additional 1.0 hectare of the application site (SA14.1) is allocated for B1 and B2 employment use in the Site Allocations Development Plan Document 2012. This application does not propose any employment development, but instead proposes to use this additional 1 hectare of land for further residential use. Hence the increase in housing numbers by 30 houses to a total of 190, from the indicative 160 in the Site Allocations DPD. Therefore the additional proposed residential development on this land allocated for employment use is contrary to Policy SA14.

All the land of the application site is located within the village envelope, therefore in accordance with Policy SA4, the principle residential development on the site is acceptable.

b) 5 Year Housing Land Supply

The NPPF paragraph 47, requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements.

The Council on the 4th July 2017 published its 5 Year housing land supply report. This report sets out the five year land supply for Peterborough City Council between the period 1 April 2017 and 31 March 2022.

The National Planning Practice Guidance (NPPG) 4 sets out the requirements for five year land supply and guidance on calculating the five year supply. The above Five Year Land Supply report also takes into account the outcomes of a recent appeal decision (Appeal Ref: APP/J0540/W/16/3153303 Land off Uffington Road, Barnack, March 2017).

The report states that the council has identified land that is estimated, based on evidence, to be capable of delivering 6,516 dwellings between 1 April 2017 and 31 March 2022. The five year requirement during this period is 5,241. The council can therefore demonstrate 1,275 additional dwellings over the five year requirement. Therefore the council can demonstrate a five year supply of housing land of 6.22 years.

The City Council's 5 year housing land supply report dated 4th July 2017, demonstrates that the Council has a deliverable 5 year supply of housing. Therefore in accordance with the National Planning Policy Framework (NPPF), paragraph 49, the policies of the adopted development plan are considered up to date and do not need to be set aside as per the NPPF in instances where authorities cannot demonstrate that they have sufficient land supply.

c) Loss of employment land

The applicant considers that there is no demand for employment land in this location, which is why only housing is proposed on both of the allocated sites SA6.10 and SA14.1. They are also of the view that using the land allocated for employment as housing development, would prove a much more compatible land use in amenity terms for the adjacent housing allocation, than employment uses would. The application site is located on the southern edge of Wittering village and the main vehicle accesses to it involves a long route through the residential streets of the village. The applicant is therefore of the view that despite the employment allocation the residential roads of the route through the village to reach the site are probably more suited to residential traffic associated with new housing development rather than larger commercial vans and traffic likely to be associated with any new employment use, and such traffic would have less impacts in terms of residential amenity.

The Site Allocations DPD (2012) identified 3 allocated rural employment sites each of 1 hectare in size, in Wittering, Eye and Thorney. The emerging plan, Peterborough Local Plan (Further Draft) Dec 2016 requires a total of 95.27 hectares of employment land over the 2011 to 2036 period of which only 1 hectare is needed in the rural area. A site in Eye has been identified to meet this need. Therefore whilst this plan is at an early stage and so carries limited weight, it does seem to indicate that the loss of this rural employment land in this location would not be significant or result in a deficit of rural employment land within the district.

Therefore whilst the loss of this rural employment land allocation is regrettable, this has to be balanced against the benefits of providing more housing on site, e.g. the provision of housing and affordable housing; the provision of open space; the provision of CIL monies, new homes bonus and council tax; the support for existing village facilities; and the construction jobs associated with the development. It is agreed that the housing proposed would provide a more compatible land use for the adjacent housing allocation and that the traffic movements through the village roads would be easier for housing rather than employment uses. Therefore on balance Officers are of the view that the loss of employment land allocation can be accepted in this instance and that the housing development proposed instead of employment uses would be acceptable.

d) Design and layout

The proposed layout has been amended during the course of the application to address the layout issues of ensuring an acceptable level of residential amenity for new residents e.g. sufficient separation distances between dwellings to secure privacy, to provide rear access to all plots for bin storage and manoeuvrability, to ensure adequate layout of car parking etc. The layout now proposed is considered to be acceptable and provides a satisfactory new residential environment in urban design terms with sufficient levels of residential amenity. This is in accordance with Policies CS16 of the Core Strategy and PP2 and PP4 of the Planning Policies DPD.

The open space provision on site is considered to be acceptable. Two smaller areas of open space are proposed within the housing development, and one larger area to the east of the site, which will contain the proposed drainage ponds and provide a noise buffer zone with the traffic on the A1. Exact details of these proposed open space areas will be secured by planning condition.

The highways issues about the road widths and footpaths within the site have now also been resolved and these will be secured by condition.

The housing type designs are considered to be visually acceptable and add to the character and appearance of residential development within Wittering. A soft landscaped buffer zone has been proposed on the southern boundary of the site, to soften the impact of the built development on the countryside edge of the village. This is welcomed and details of the landscaping proposed and its maintenance and management will be secured by condition.

The density of development proposed is considered to be acceptable for this Village location and on this edge of the settlement location. The 160 dwellings on the land allocated for housing works out at a density of 24 dwellings per hectare. The 190 dwellings on this larger site, including the employment land, is 25 dwellings per hectare. Therefore the increase of 30 extra houses over and above the housing allocation, does not significantly affect the proposed housing density on site, due to the increase in land available to accommodate these additional houses.

The proposed development is therefore considered to be in accordance with Policies CS16 of the Core Strategy and Policies PP2 and PP4 of the Planning Policies DPD.

e) Impact on Neighbours

The proposed application site is positioned to the south of the existing housing of Wittering. There is considered to be sufficient separation between the proposed and existing housing due to the presence of Parker and Lawrence Road and the associated landscaping strips adjacent to the roads. Further towards the east of the site there are existing car parking areas and landscaping areas which also provide a buffer area to the proposed site. It is therefore not considered that any unacceptable overbearing or overshadowing impact will result for existing residents. The privacy for these neighbouring properties will also not be adversely affected.

There will be a loss of countryside views across this existing agricultural field from some of the adjacent residential properties, but this loss of view is not a material planning consideration that can be taken into consideration. In any case this is an allocated site, therefore its loss for new development has already been accepted.

The construction of the new housing will result in some noise, disturbance and dust for nearby residents. However this is the case for all housing construction sites and will not be any more harmful in this instance. A construction management plan will be secured by condition, to control start and finish times, and have noise and dust mitigation measures in place to minimise as far as possible these impacts. This will also agree the exact construction route to and from the site to minimise as far as practicable impacts on residents.

The principle of approximately 160 houses on this site and its compatibility with surrounding residential sites was established through the site allocation. It is considered that the exact layout of these 160 houses plus the additional 30 houses now proposed would not result in any significant harm for the surrounding residential neighbours.

It is therefore considered that this proposed development will not result in any unacceptable impacts on surrounding residents in planning terms in accordance with Policies CS16 of the Core Strategy and Policy PP3 of the Planning Policies DPD.

f) Highways

Highways England have been consulted on this proposed housing development and do not raise any objection on highway safety grounds, subject to a travel plan being secured.

The supporting text in the Site Allocations DPD states '*Any planning application for the development of site SA6.10 must be accompanied by a Transport Assessment, including a Residential Travel Plan. Subject to the conclusions of that Assessment, it is likely that the development will require improvements to the existing junction of Townsend Road and the A1 Great North Road, unless improvements or a replacement grade-separated junction in accordance with policy SA15.4 have already been implemented. Any improvements required to enable the development to proceed will need to be funded by the developer and the works completed before occupation of the first dwelling, in order to comply with Core Strategy policy CS12. It is possible that improvements to the existing junction will not be sufficient to enable all of the development envisaged for this site. In that case a phased development would be necessary, with later phases relying on the prior provision of the grade-separated junction*'.

The Grade separated junction referred to in the text above, policy SA15.4, is the works to the junction of Wittering and the A1 (the proposed flyover), which falls within the remit of Highways England. It is understood that the Government funding to enable these new junction works has not been secured, therefore presently it is not known if or when these works will occur.

A Transport Assessment and Travel Plan have been submitted in support of this application. These documents both state Highways England (HE) have stated that whilst a nil detriment impact at the A1/Townsend Road junction is the *ideal*, it is acknowledged that the proposed development is unlikely to be capable of delivering a scheme such as the A1 grade separated junction (GSJ), and would only therefore look for a reduction in trips via a Travel Plan, rather than a new fly-over.

Currently the A1/Wittering Townsend junction allows vehicles travelling north along the A1 a left hand turn into the Village and a left only turn movement for traffic leaving the Village. Therefore any vehicles leaving the village at this junction and wishing to go south are required to travel approximately 3km northwards along the A1 to the grade separated junction at Carpenter's Lodge at Stamford, and use this to travel over the A1 and re-join the south bound carriageway. Vehicles arriving into Wittering on the southbound approach are provided with a right turning harbourage, approximately 250 metres in length. Traffic turning right are required to give way to the two northbound lanes of traffic travelling at the national speed limit, and cross when there is a gap in the traffic.

It is acknowledged that access to and from Wittering at the Townsend junction on the A1 is not compliant with today's modern road junction standards and as such does presently pose a degree of highway safety danger for its users. It is acknowledged that the further traffic associated with this development will also have to use this sub-standard access. They too will experience the current highway safety risks associated with the junction and any increased risk to due increased traffic flows. However the Transport Assessment has not managed to identify any other possible highway improvements that could be made to improve the junction safety. It is extremely regrettable that Highways England have been unable to secure the funding for the improved grade separated junction previously proposed but have instead had to give priority to using their limited available funding on other parts of their highway network.

Two new vehicle accesses are proposed into the new development from the existing roads in the village to the north of the site. One new access would be formed off Lawrence Road. The other involves the extension of the existing St Mary's Avenue into the site at the north-east of the site. In highways safety terms it is considered that these proposed accesses into the site would be sufficient and would help to spread traffic flows rather than all the development being served off a single access point.

The scheme has been amended during the course of the application altering the proposed access roads throughout the development to meet the highway safety guidelines in terms of road width etc to provide a safe and accessible housing layout. PCC Highway Officers can now support the proposed housing layout in highway safety terms subject to the imposition of planning conditions.

Walking

There are good footpath provision throughout Wittering to allow residents to access local services, e.g. school, church, shops etc. New footpaths on either side of the roads will be provided within the development. Therefore walking within Wittering will be encouraged for new residents.

Cycling

There are no formal cycling routes within the vicinity of the development, however cyclists can make use of the local road network. Wittering and some of the surrounding villages are within the 5km cycle catchment zone, however the Travel Plan recognises that likely commuting destinations outside Wittering are likely to exceed the generally accepted cycling distance thresholds. Therefore there are no cycle route improvements proposed as part of this development. Residents will be provided with Residential Travel Packs, secured through the travel plan when they move into the houses which will provide cycle maps and general cycling information. No formal cycle storage shelters are proposed as part of this planning application but residents will be able to store their bikes securely within their rear gardens.

Bus

Wittering is served by the Centre bus Service No.19 which travels between Peterborough Queensgate bus station and stops at Wittering's Spar shop and Post Office. This offers a Monday to Saturday hourly bus service between approximately 7am and 5pm, but does not operate on a Sunday.

The IHT's '*Guidelines for Planning for Public Transport in Developments*' (IHT 1999) recommends that the maximum walking distance to bus routes should not exceed 400m. The travel plan identifies the closest bus stops to the site are positioned on Parker Road and Legg Road, which require walking distances of approximately 270 and 310 metres respectively from the proposed eastern site access on Lawrence Road. Taken from the furthest point away from the bus stop, a walking distance of approximately 550 metres is required. Therefore majority of the site (two-thirds) however, lies within 400 metres of the bus stop on Parker Road.

Therefore the scheme does not propose any new bus stops or improvement to existing bus services. Details of bus services to encourage residents to use this as an alternative to the car will be provided in the residents travel packs.

Car Sharing

The travel plan aims to reduce the single occupancy car use by 10% over 5 years. Encouraging car sharing for longer journeys they believe would help to achieve this.

The travel plan recognised the limitations and effectiveness of a travel plan in a village such as Wittering, where most employment opportunities are located elsewhere. Therefore they consider the 10% reduction in single occupancy cars to be a realistic and achievable target.

Monitoring

The travel plan will be monitored annually for a period of 5 years to help encourage residents to use more sustainable travel modes to the car where possible, and to encourage car sharing and minimise the number of single occupancy car trips. The effectiveness of the travel plan can be monitored and adapted where necessary over this period.

Conclusion

There will be additional pressure on this existing A1 substandard access, however Highways England do not raise objection to this on highway safety grounds. They seek to secure a travel plan as a way to help minimise additional traffic pressures on the Wittering A1 junction, and A47 junction. The limitations of travel planning in this Village location is acknowledged in the framework travel plan. Highways England do not presently have the funding to commit to the proposed grade separated junction, flyover, at the A1 Wittering Junction, and cannot commit that it will happen in future. Therefore whilst the highway safety dangers associated with the A1 junction are acknowledged, they exist at present and as such Highway England do not feel they could sustain a refusal of planning permission on highway safety grounds.

g) Noise

A noise assessment was submitted in support of the planning application. It identified that the main noise source was the traffic noise from the A1 to the east of the site, whilst acknowledging the presence of RAF Wittering nearby.

The proposed layout of the site maintains an open space buffer zone along the eastern boundary with the A1 which provides separation between the new dwellings and the A1 traffic of at least 95m.

The design of the building envelope of the new dwellings can incorporate suitable sound insulation to satisfy the requirements of BS8233. External noise level criteria can also be achieved by provision of acoustic fencing in key locations.

The dwellings most exposed to noise will be those along the eastern boundary, facing the A1. New dwellings directly facing these A1 will require enhanced sound insulation measures to protect habitable rooms on the exposed facades. The properties positioned further into the site will experience lower ambient noise levels and will also have the benefit from additional acoustic screening and scattering provided by the other surrounding houses. Therefore, these dwellings will not require enhanced sound insulation measures.

All new housing should be of masonry construction, e.g. external cavity walls with 100mm block-work inner leaf and external 103mm brick leaf with cavity insulation. Roof constructions should be tiled, with ceilings to rooms below comprising a minimum of 1 layer of solid gypsum-based board (total minimum mass per unit area 10kg/m²), overlaid with minimum 100mm insulation wool. Any proposed rooms in the roof-space should be designed to have suitable internal linings to achieve the required sound insulation, e.g. equivalent to the external masonry wall.

Habitable rooms the first row in of housing, facing the A1, should be provided with suitable passive acoustic ventilators, such as AAC625HM – Rytons 150mm Acoustic AirCore® with Hit & Miss Ventilator (a minimum performance of 37dB Dn,e,w should provide sufficient sound insulation). Alternatively, a ducted ventilation system (e.g. MEV/MVHR or whole house type) could be implemented. It may also be possible to design a continuous running fan system with no requirement for ventilation openings in window frames or external walls into habitable rooms on building elevations directly exposed to noise sources.

All other houses and types of room not specified above may be provided with standard ventilation systems. All rooms may be provided with standard double glazing systems.

Gardens should be provided with acoustic barriers. A suitable acoustic barrier could be formed by installing a minimum 1.8m high close-boarded fence. Close-boarded acoustic fencing should be constructed of solid, weather-treated timber of minimum 18mm thickness. All joints should be tight-butted with timber cover strips or tongue and groove boards to ensure that there are no air gaps in the structure or between the base of the fence and the ground beneath.

Subject to securing the noise mitigation measures it is considered an acceptable level of residential amenity can be secured for future residents.

h) Ecology

An ecological survey was submitted in support of the application. The survey found the arable field to be of low ecological value.

Protected Species

There was no evidence of badgers, reptiles or bats on the site. A small number of birds were recorded during the survey. The recommendations of the ecology report were therefore that bird and bat boxes should be installed on site to enhance biodiversity. Our Wildlife Officer accepts the findings of the report, and recommends that bird and bat boxes should be secured by way of a planning condition. Whilst it is accepted that there was no evidence of badgers on site, as a precaution, all construction trenches should be covered overnight or a means of escape provided for any badgers or mammals that may become trapped. This should be secured by condition.

Designated Sites

The application site is located within approximately 600m of West, Abbot's and Lound Wood (SSSI), 1.7km of Bonemills Hollow Site of Special Scientific Interest (SSSI), Bedford Purlieus SSSI and National Nature Reserve (NNR), 5km of Barnack Hills and Holes SSSI, Special Area of Conservation (SAC) and NNR, and 6km of Collyweston Great Wood and Easton Hornstocks SSSI and NNNR.

Whilst it is accepted that the proposed development is unlikely to have any direct impact on any designated sites, there is the potential for indirect impacts, particularly through changes in hydrology and increased recreational pressure. Therefore these impacts must be fully assessed and any adverse impacts identified appropriately mitigated.

In terms of potential water related impacts. The West, Abbots and Lound Woods SSSI and Bonemills Hollow SSI national important site are water dependent and therefore potentially at risk from changes in water quantity and quality. Therefore further information to demonstrate that foul water disposal and surface water drainage from the site would not have any adverse effect on the water environment and dependent habitats including the SSSI's is required.

In respect of the potential for impacts through recreational pressure. There are evidence based studies that indicate that the majority of regular visitors to areas of publicly accessible strategic open space originate from within 8km driving distance. Therefore an assessment of the effects of increased recreational pressure on designated sites and identify any mitigation (or financial contribution towards these) to address any impacts.

Currently it is considered that there is insufficient information to rule out the likelihood of significant effects on designated sites, therefore further information has been requested and Members will be receive further information of this in the Update report. However it should be noted that this is an allocated housing site, where the principle of approximately 160 residential dwellings and their associated impacts has already been established. In this context therefore it is unlikely that the additional 30 dwellings, now proposed above the already accepted 160 would render the impacts on surrounding SSSI's significant.

i) Archaeology

An archaeological geophysical survey was submitted in support of the application. It identified 7 positive linear anomalies of possible archaeological origin. These could represent Roman ditches possibly associated with field boundaries or enclosures. It also identified 7 ferrous responses and possible ferrous scatters in the eastern half of the site, which may be evidence of iron smelting. Therefore these positive anomalies should be further investigated and characterised by means of an evaluation by trial trenches targeted on the magnetic responses, namely the linear features and the ferrous sites. Therefore a planning condition is recommended to secure this further archaeological investigation.

Subject to the imposition of this archaeological condition, the proposed development is considered to be in accordance with Policies CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD.

j) Drainage/Flood Risk

A Flood Risk Assessment and preliminary foul and surface water drainage Strategy was submitted in support of the application. The application site is located within Flood Zone 1, where it is considered that there is a low probability of flooding, e.g. having a less than 1 in 100 annual probability of river or sea flooding. All land uses are considered to be appropriate within this zone.

As part of the submitted flood risk assessment, there is a requirement for incorporation of sustainable urban drainage systems to deal with the surface water drainage and run off from the development site. The drainage strategy proposes the use of soakaways, permeable paving and 2 infiltration ponds located in the open space area.

Our Drainage Officer has raised no objection subject to the imposition of a sustainable drainage scheme condition, to agree the exact design, implementation, maintenance and management arrangements.

Anglian Water and the Environment Agency have both also requested the imposition of a condition in respect of foul drainage to prevent any unacceptable risk of flooding downstream.

Therefore the proposed development is considered to be in accordance with the NPPF and Policy CS22 of the Core Strategy.

k) Community Facilities

No objections have been received from Education Services in respect of school capacity to serve this allocated site for housing. CIL monies received for this development can be used to provide additional education facilities if needed. The primary school website confirms that the school is quite large with 21 classrooms, two halls and pleasant grounds. It was extended in 2000/2001 to cope with the children returning from Germany as the RAF bases there closed. Unfortunately the families were posted elsewhere so they now have a school built for 600 with approximately 300 children in 12 classes. Therefore it is not considered lack of school capacity could be a reason to resist this development.

There are no existing doctor or dentist facilities within Wittering village with residents having to go to nearby settlements e.g. Wansford, Stamford etc for these facilities. The development proposed is not large enough to be able to afford the provision of doctor or dentist facilities, therefore new residents will also have to travel to nearby settlements for their health care.

The services and facilities within the village were considered when allocating this site for housing development and considered acceptable to sustain this level of housing growth. The additional 30 houses proposed now over and above this indicative 160 dwellings would not change this view.

l) Community Infrastructure Levy (CIL)/S106

The Council has adopted a CIL Charging Schedule. Peterborough City Council are obliged to collect the CIL from liable parties (usually either developers or landowners). All applications identified as CIL liable will incur a CIL charge. This housing development proposed is CIL liable. The site is located within the high CIL charging zone. If planning permission is granted the Council will issue a CIL liability notice which will detail how much CIL is payable. Once commencement of development takes place a CIL demand notice is issued which details how much CIL monies are due and when they are due to be paid.

30% affordable housing provision is required by Policy CS8. This equates to 57 of the 190 dwellings proposed and this is to be secured by way of a legal agreement.

The on-site open space and play provision will be secured by way of a planning condition to ensure it is retained and managed for the benefits of the residents.

The proposed development is therefore considered to be acceptable and in accordance national and local planning policy.

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 majority of the application site is allocated for residential development in the adopted Site Allocations DPD. Therefore the principle of residential on the site therefore has already been established in accordance with Policy SA6.
- The loss of the allocated rural employment land is regrettable, however in this instance it is accepted due to the lack of market interest in bringing forward this use, and due to the benefits and more compatible land use housing would provide.
- No highway objections have been received, and travel planning is proposed to encourage where possible the use of more sustainable non car modes of travel.
- The layout, density and design of the proposed housing development is considered to be acceptable, with no adverse visual impacts on the surrounding area.
- There would be no unacceptable adverse impact on the residential amenity of any neighbouring sites, in accordance with Policy PP3 of the Planning Policies DPD.
- Sustainable urban drainage methods are proposed to be secured by condition to ensure adequate drainage of the site can be achieved, in accordance with Policy CS22 of the Core Strategy.
- Subject to ensuring there will be no adverse impact on any surrounding SSSI's, there will be no unacceptable ecological impacts, and biodiversity enhancements will be achieved through planting and bat and bird box provision.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and 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).

- C 2 No above ground development shall take place until details all external materials e.g. roof, bricks, windows, doors, external rainwater goods etc, have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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

- C 3 No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation for trial trenching has been submitted to, and approved by, the local planning authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with 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). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

- C4 The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include: a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters; b) Flood water exceedance routes, both on and off site; c) A timetable for its implementation, and d) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. e) Demonstration that it meets the governments national standards once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

- C5 No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- C6 No development other than groundworks and foundations shall take place until, in line with the Noise Assessment dated 25th June 2013, a scheme of noise mitigation to protect the proposed dwellings and their garden from the A1 traffic noise and achieve the noise levels internally and externally in line with the BS8233, have been submitted to and agreed in writing by the Local Planning Authority.

This will include confirmation of the masonry and roof construction requirements for the new dwellings in accordance with parts 6.6 and 6.7 of the Noise report. It will also include for the first row of housing on the east closest to the A1 noise source, details of the proposed passive acoustic ventilators or ducted ventilation system for habitable rooms, to ensure these properties can achieve suitable internal ventilation, in accordance with 6.8 of the Noise report.

Details of the locations and type of acoustic fences proposed to protect the gardens closest to the road noise in accordance with 6.11 of the noise report shall be submitted for agreement.

All the noise mitigation measures proposed above should be backed up with the necessary acoustic performance data to ensure that the products proposed will achieve the necessary acoustic performance.

Thereafter the development shall not be carried out except in accordance with the approved details, and maintained as such.

Reason: To ensure acceptable noise levels and levels of residential amenity are achieved, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011). This is a pre commencement condition because the use of appropriate noise mitigation windows and ventilation is vital to achieving acceptable noise levels for residents and preventing abortive works should inappropriate materials be used.

- C7 Prior to the first occupation of any dwelling a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the local planning authority. This shall include a range of nesting features to cater for Swifts, House Sparrow and Starling. The development shall therefore be carried out in accordance with the approved details.

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

- C8 All construction trenches shall be covered overnight or a means of escape provided for any badgers or other mammals that may have become trapped.

Reason: In order to avoid harm to protected species and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD.

- C9 An ecological management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The ecological management plan shall be implemented in accordance with a timetable contained therein and as approved unless changes are first agreed in writing by the Local Planning Authority.

The Plan shall include the following details:

- Long term design objectives
- Management responsibilities
- Maintenance schedules

Details of the proposed management company to be set up to maintain all the communal areas of landscaping and open space on site shall be submitted to and agreed in writing by the Local Planning Authority to ensure that these areas are suitably maintained and managed for the lifetime of the development.

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).

- C10 20% (38) of the houses shall be constructed to meet Building Regulations Part M (Volume 1) Category 2 (the lifetime home standard). These houses shall be built to these standards, and thereafter maintained as such.

Reason: In order to meet housing need in accordance with Policy CS8 of the adopted Core Strategy.

- C11 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

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

- C12 Prior to the commencement of development, a scheme for the provision of fire hydrants 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: To ensure sufficient facilities for firefighting in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD. This is a pre commencement condition as suitable fire hydrant need to be identified and designed into the scheme early for safety reasons and to prevent abortive works on site.

- C13 Prior to the first occupation of any dwelling the associated car parking and turning area for that dwellings shown on drawing number 1167/003 Rev N shall be provided. Such provision shall thereafter be retained for the car parking and turning of the dwellings on site and not put to any other use.

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

- C14 The roads and footways linking each dwelling with the public highway shall be constructed to a minimum of base course level prior to the occupation of the dwelling to which they relate. If houses within a phase are occupied with the road at base course level then a timetable to show when the roads will be completed shall be submitted to and approved in writing by the Local Planning Authority. The roads shall thereafter be completed in accordance with the approved timetable.

Reason: Reason: In the interests of the safety of all users of the public highway in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

- C15 Within 1 month prior to the first occupation of any dwelling a detailed travel plan based on the Interim Travel Plan dated May 2017 shall be submitted to and approved in writing by the Local Planning Authority. The detailed travel plan shall include SMART targets and identify 'soft' measures to encourage the use of non-car modes to travel to and from the site. The Travel Plans shall be in place for the life of the development.

Reason: In the interests of promoting sustainable transport and development in accordance with policy CS14 of the adopted Peterborough Core Strategy.

- C16 Notwithstanding the approved plans, no development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority.
The scheme shall include details of the following:-

- All hard surfacing materials for roads, footways, public spaces etc
- Details of the proposed LAP (including all equipment) and areas of Public Open space
- Proposed finished ground and building slab levels
- External SUDS features, e.g. permeable paving
- Planting plans including retained trees, species, numbers, size and density of planting
- An implementation programme (phased developments only)
- Details of any boundary treatments

The approved hard landscaping scheme shall be carried out with regard to the houses to which it relates, prior to the occupation of those house and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: In the interests of visual amenity and then enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.

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

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

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

The Plan shall include the following details:

- Long term design objectives
- Management responsibilities
- Maintenance schedules

Details also of the proposed management company to be set up to maintain all the communal areas of landscaping and open space on site shall be submitted to and agreed in writing by the Local Planning Authority to ensure that these areas are suitably maintained and managed for the lifetime of the development. All areas of Public Open space, Local Area of Play and communal site landscaping as per plan 1167-003 Rev N shall be provided on site within a timetable to be submitted and agreed by the Local Planning Authority and these areas shall thereafter be retained and maintained for recreational purposes.

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).

- C19 (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme;
- (b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place;
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme;
- (d) Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority;

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP14 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because the protective fencing must be in place and adequate prior to development commencing to ensure the trees are protected.

- C20 The development hereby approved shall be carried out in accordance with the following approved plans and details:-

- Site Layout Plan – 1167/003 Rev N
- Location Plan
- House Type 2111 – 2111/A00/DS
- House Type 2404 – 2404/L00/DS
- House Type 2224 – L00/2224/DS
- House Type 2401 – 2401/LOO/DS
- House Type 2409 – 2409/01
- House Type – L00/2224/DS Rev A
- House Type – L00/2306/DS Rev A
- House Type L00/2308/DS
- House Type 2318/DS
- House Type L00/2323/DS
- House Type L00/2324/DS
- House Type 2326/L00/DS/01
- House Type 2326/L00/DS/02
- House Type 2409
- House Type 2410/L00/DS
- House Type - 2421
- House Type - 2423
- House Type – 2427/L00/DS
- House Type - 2509/L00/DS
- Garages Double – L00/GAR/02
- Garages Pair – L00/GAR/03
- Garages Single – L00/GAR/01
- Preliminary Foul and surface water drainage – MA9949/200 Rev A

- Topographical Survey Sheet 1 of 1 – S3428/01
- Tree Constraints Plan – 3764/08/D14-2170 (Overview and plans 1-10)
- Affordable housing and Lifetime Homes plan
- Site Appraisal – GRM/P6180/F.1 – Contamination
- Noise Assessment 1798.1/1 – 25th June 2013
- Tree Survey – 14-217/3764/08 v1
- Geophysical survey 69/13
- Protected Species Scoping survey
- Ecological Scoping Survey June 2015 (Expanded Nov 2016)
- Flood Risk Assessment Rev B
- Landscape and Visual Impact Assessment
- Residential Travel Plan – Version 6
- Transport Assessment – Version 7

Reason: For the avoidance of doubt and in the interests of proper planning.



LOCATION PLAN 17/01426/FUL
 53 High Street, Eye Peterborough PE6 7UX

Scale NTS **Date** 14/11/2017 **Name** AA **Department** Planning Services



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Agenda Item 2

Planning and EP Committee 28 November 2017

Application Ref: 17/01426/FUL

Proposal: Demolition of existing building and development of six self-contained one-bedroom supported living apartments, ancillary staff accommodation and associated external works, landscaping car parking

Site: 53 High Street, Eye, Peterborough, PE6 7UX

Applicant: Mr J Mills

Agent: Mrs Becki Hinchliffe
Eden Planning

Referred by: Eye Parish Council

Reason: Overdevelopment of the site, no provision shown for bin storage and lack of parking

Site visit: 22.08.2017

Case officer: Mrs Louise Simmonds

Telephone No. 01733 454439

E-Mail: louise.simmonds@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 one and a half storey commercial building located on the southern side of the High Street. The site is presently in use as a car sales unit, with showroom to the front elevation (onto the High Street) and open car sales/storage to the rear. The site occupies the entire depth of the block which runs along the High Street and Back Lane albeit there are numerous examples of backland residential development which has resulted in a frontage being created to Back Lane. The surrounding area is of varied character, with commercial/retail premises to the High Street and residential dwellings to Back Lane and beyond to the south. Vehicular access is granted to the site via a dropped kerb crossing from Back Lane.

The site is located partially within the identified Eye Local Centre Local Centre and entirely within the designated Eye Conservation Area.

Proposal

The application seeks planning permission for the demolition of the existing commercial unit and construction of 6no. 1-bed supported living apartments (Class C3) for persons with physical and learning disabilities. The new apartments would be split between a two and half storey building (herein referred to as the main building) sited directly off the High Street, and a smaller single storey detached building sited off Back Lane. The proposal also includes associated parking, landscaping and a small staff office with shower room (not living accommodation).

It should be noted that the proposal has been amended from that which was originally submitted to address comments raised by Officers. These alterations mainly relate to the design of the rear portion of the main building (setting it away from neighbouring boundaries and altering the fenestration/internal room layout) and the siting/length of the single storey building.

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.

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

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)

CS01 - Settlement Hierarchy and the Countryside

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

CS02 - Spatial Strategy for the Location of Residential Development

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

CS08 - Meeting Housing Needs

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

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.

Peterborough Local Plan 2016 to 2036 (Preliminary Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

4 Consultations/Representations

Archaeological Officer (27.09.17)

No objections - Given the known history of land-use and anticipated degree of truncation and/or disturbance caused by past development, the archaeological potential of the subject site is deemed to be negligible.

PCC Conservation Officer (19.10.17)

No objections – The existing building does not contribute positively to the streetscene or Conservation Area and as such, its demolition can be supported. The proposed building to Back

Lane can also be supported. Whilst a single storey building deviated from the two storey heights that flank either side of it, this is not considered significant enough to warrant a refusal. The proposal for the elevation fronting the High Street is deemed to be proportionate to its surroundings and, whilst some discordance would result from the ridge being set further back and higher than its neighbour, the improvement overall will be marked and sufficient mitigation.

PCC Pollution Team

No comments received.

PCC Peterborough Highways Services (16.10.17)

No objections - The Applicant has not shown the requisite 1.5m vehicle-to-pedestrian visibility splays for the parking bays. However, due to the width available this could be achieved. Request that a Construction Management Plan be conditioned, along with parking provision prior to first occupation.

Cambridgeshire Fire & Rescue Service

No comments received.

North Level District Internal Drainage Board

No comments received.

Eye Parish Council (09.10.17)

Objection - This development is in the Conservation Area and we consider it to be overdevelopment of the site. The demolition and rebuilding would have a significant effect on the local area. The plans do not show any provision for individual or communal refused bins. There is also very little parking provided and the nearby streets have limited parking available. Where will the 6 residents and their visitors park?

PCC Tree Officer (07.11.17)

No objections – The proposed development is feasible without causing harm to the adjacent beech tree which is subject to a Tree Preservation Order. Request a condition securing a detailed method statement for those resurfacing works which will take place within the root protection area. Facilitation pruning may be required however this would need to be subject to a separate application.

Waste Management (31.10.17)

No objections - A bin store has been provided for the domestic flats which is easily accessible for both residents and the collection crews.

Local Residents/Interested Parties

Initial consultations: 10

Total number of responses: 5

Total number of objections: 4 (including the Parish Council)

Total number in support: 1

Two rounds of public consultation have taken place albeit objections have only been received from local residents during the first round. A total of 3no. objections have been received raising the following:

- Feel that the site is far too small for the proposal.
- Believe that my (No.12A Back Lane) privacy will be greatly reduced and my property will be overlooked to such an extent that my everyday life could be under scrutiny.
- If just one property was being built, I (occupant of Back Lane) would have no objection to it.
- We have serious parking issues in Back Lane already and this will be made even worse by visitors to the occupants.
- Cars already park on double yellow lines outside our property (occupant of Back Lane)

causing access issues onto our driveway. We can only see this getting worse with the new building.

- The High Street can't take another 6no. properties due to restricted access already.
- Any building work and demolition will affect our adjoining (No.55 High Street) property.
- The proposal will overlook our (No.12 Back Lane) house and garden, blocking light into our garden and removing any privacy that we have at the moment.

In addition, 1no. letter of support has been received albeit the comments request that a drawing be approved to support the wall and garage of the adjoining property (No.55 High Street).

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area, including heritage assets
- Neighbour amenity
- Access and parking
- Trees
- Future occupant amenity
- Archaeology

a) Principle of development

Policy CS8 of the Peterborough Core Strategy DPD (2011) highlights the importance of providing homes for all parts of the community, including those with physical or learning disabilities. The proposal would provide residential accommodation for 6no. persons with both physical and learning disabilities, for which there is a shortage of provision within the City. The accommodation, as set out by the Applicant, would be managed and occupied 24 hours a day by staff who are on-hand to support occupants in living as normal and independent a life as possible. The proposal would therefore generate a significant benefit in terms of contributing towards providing this much-needed housing, and this must be afforded significant weight.

With regards to the location of the site within an identified Local Centre, under adopted policies this is where main 'town centre' uses should be located. Whilst the proposal does not fall within this category, both the National Planning Policy Framework (2012) and the Council's adopted Local Plan emphasise the need to create balanced and mixed communities. The proposal would provide key residential accommodation for occupants with limited mobility within walking distance of key services and facilities, and it is considered that this would fully accord with the requirements of adopted policies.

Accordingly, it is considered that the principle of development in this instance is acceptable.

b) Design and impact upon the character and appearance of the surrounding area, including heritage assets

Demolition

With regards to the existing building within the site, it is considered that this is not of significant architectural merit and does not make a positive contribution towards the overall amenity of the streetscene. The City Council's Conservation Officer shares this view and has advised that the building, along with its poor quality and unsympathetic alterations, does not contribute positively to the character or appearance of the Eye Conservation Area. Accordingly, it is considered that its demolition would not harm, and to some degree may improve, the character of the locality.

Redevelopment

Turning first to the main building, this would front onto the High Street. The building has been designed to incorporate many of the traditional architectural proportions of the surrounding properties, taking its principal cue from No.51 to which it would abut. The building would be of

symmetrical form, continuing the eaves line and window depths of the adjacent property. However, it would have a ridge set higher and further back than its immediate neighbour which is not fully in accordance with the built line of the streetscene. Notwithstanding this, the Conservation Officer has advised that the overall appearance of this building would be of significant improvement to the overall character and appearance of the streetscene and this part of the Conservation Area and this small area of discordance would not be so significant to warrant refusal of the scheme. Furthermore, the increased height is not to such a degree that views towards key Listed Buildings (such as the Church to the east) within the locality would be interrupted, thereby preserving their setting.

To the rear, the main building would be of a more modern design incorporating double storey mono pitched elements and a single storey flat roof. This design would be in complete contrast to the traditional frontage and those Georgian/Victorian properties which surround it. However, views towards this rear elevation would be relatively limited and the overall design approach assists in breaking the mass/bulk of the resultant development. Accordingly, it is not considered that it would appear such an alien or incongruous element that unacceptable harm would result to the wider character of the surrounding area.

In terms of the single storey detached building, this would front onto Back Lane and again be of modern design. The building would be of modular appearance, with a flat roof form and mixture of cladding and render to the elevations and to a maximum height of only 3.2 metres. Whilst this form and appearance (materials proposed to include render and cladding) would differ from those residential properties along Back Lane, the character of this streetscene is varied and does include single storey dwellings. Accordingly, it is the view of Officers and the Conservation Area that a reason for refusal on this basis could not be sustained as the proposal would not result in unacceptable harm to the character or appearance of the surrounding area.

It is noted that the objections received from the Parish Council and local residents relate to the proposal representing overdevelopment of the site, resulting in harm to the character and appearance of the surrounding area. These concerns are noted and it is acknowledged that the proposal would increase the level of built form on the site. However, both the main building and single storey detached building would follow established building lines along the High Street and Back Lane, with the latter appearing as backland infill development. Accordingly, it is not considered that the proposal would appear unduly dominant or obtrusive within the locality and does not represent overdevelopment of the site.

Taking the above into account, it is considered that the proposal would not result in unacceptable harm to the character, appearance and visual amenity of the locality. Furthermore, the proposal would preserve, and to some degree enhance, the Eye Conservation Area and nearby Listed Buildings. The proposal is therefore in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

c) Neighbour amenity

Main building

Turning first to the main building, the proposal would result in additional two storey development across almost the entire width of the plot which would increase the level of development in proximity to Nos.51 and 55 High Street. However, it is not considered that the impact arising from this would significantly differ from the existing situation or unacceptably harm the amenities of those neighbouring occupants.

With regards to No.51 High Street, only the first floor is in residential use and there is a first floor kitchen window in close proximity to the shared boundary. Whilst the proposal would result in two storey development along the shared boundary to a depth of 2.2 metres beyond the rear elevation of this neighbouring property, the proposal then steps in from the boundary by some 1.5 metres.

When compared to the depth of existing development along this shared boundary, and its one and half storey height, it is considered that the proposal would not unduly increase the overbearing and overshadowing to this neighbouring window. With regards to potential overlooking, the proposal does include first floor windows facing towards No.51. However, by virtue of the staggered building line, any direct views to the neighbouring windows would be blocked thereby prevent loss of privacy to neighbouring occupants.

With regards to No.55 High Street, the increase in the amount of development adjacent to the shared boundary would be more substantial. However, the neighbouring residential dwelling is set some distance away from the shared boundary by some 8 metres and there are incidental outbuildings and mature shrubbery which lie between. Furthermore, the proposal has been designed such that it would not immediately abut the shared boundary and is of mono-pitched design to ensure that the least overall height is achieved. No facing windows at either first or second floor are proposed, and as such, no overlooking would result to the neighbouring amenity area. Taking this into account, whilst the proposal would be readily visible to occupants of No.55, it is considered that it would not appear unduly prominent or obtrusive to primary habitable rooms or the outdoor amenity area.

To the rear, the proposal would result in two storey development which encroaches further into the site than the existing. Accordingly, there would be reduced separation to both Nos.12 and 12A Back Lane. However, the two storey bulk of the development would be set some 14.8 and 18 metres from the primary habitable rooms of these neighbouring dwellings respectively which is considered sufficient to prevent undue overbearing impact. Whilst the distances to the neighbouring gardens would be less than this, the main building would be sited such that it would not appear an unduly dominant feature to those neighbouring gardens. Furthermore, the only first floor window which would permit views to the rear of the site would be screened from No.12 by virtue of a staggered two storey intervening element, and would be set some 20 metres from No.12A. This relationship is considered sufficient to ensure that no unacceptable degree of overlooking or loss of privacy results to either occupants.

Single storey building

Turning to the proposed single storey building, this would be situated to the rear of the site between Nos.12 and 12A Back Lane, and would be sited immediately adjacent to No.12. The building would be of a flat roof design, standing at a maximum height of 3.2 metres. It would project beyond the line of the rear elevation of No.12 by some 4.2 metres which would be obvious to those occupants. Whilst the height may result in some degree of dominance to those occupants, the majority of the rear garden to No.12 would not be subject to this relationship, and would benefit from some relief. Notwithstanding this, it is considered that the degree of harm that would result would be outweighed by the benefit to the wider community through the provision of much-needed housing for disabled persons.

With regards to No.12A Back Lane, the proposal would be set away from the shared boundary by some 2 metres and given the off-set of the neighbouring garden from this shared boundary, the proposal would be sited from 4.5-5 metres from the neighbouring garden. This level of separation, given the limited single storey height of the building, is considered to ensure that no undue overbearing impact would result.

Overall development

At present, the site is in use for car sales with a considerable number of vehicles on display/parked within the rear yard area. Such a use can result in a relatively significant level of intensity and noise. Whilst the proposal would result in occupancy over and above those single dwellings which surround it, it is considered that the comings/goings associated with 6no. assisted living units would not exceed those of a vehicles sales use. Accordingly, it is considered that the proposal would not result in increased noise or general disturbance to neighbouring occupants.

It is noted that some concern has been expressed with regards to the impacts arising from the construction/demolition phases. These concerns are noted and, given the relatively constrained

nature of the site being surrounded by residential properties, it is acknowledged that some disturbance would result. However, a condition securing a detailed Demolition and Construction Management Plan would ensure that measures to control noise and dust emissions could be secured to try and mitigate the harm as far as is possible.

Taking the above into account, it is considered that the proposal would not result in an unacceptable degree of harm to the amenities of most neighbouring occupants albeit some harm would result to the occupants of No.12 Back Lane. However, this degree of harm is considered to be outweighed by the public benefit arising from the provision of housing for disabled persons.

d) Access and parking

The proposal seeks to use the existing dropped kerb access from Back Lane which extends across the entire width of the plot. From this, would be 2no. parking spaces which would not provide any turning however this is no different from the current situation. The Local Highway Authority (LHA) has raised no objections to this arrangement albeit they have requested that the scheme be revised to ensure that the parking spaces show the required 1.5 metre x 1.5 metre vehicle-to-pedestrian visibility splays. This is noted, however at present the entire width of the plot is a dropped kerb and parking/vehicular access is taken from the entire frontage. There are presently no visibility splays and it is not considered that the proposal would represent an intensification of this substandard arrangement. Furthermore, there is no pedestrian footway to this side of Back Lane and pedestrians would be using the footway to the opposite side of the highway. Accordingly, it is not considered appropriate to require this amendment as it is not necessary in planning-terms.

With regards to pedestrian access, the proposal includes a covered walkway at ground floor level within the building which would provide an entrance onto the High Street. This walkway would be available for use by all occupants and would therefore allow for safe and convenient pedestrian access directly to those services/facilities offered within Eye. This would prevent the need for unsafe pedestrian access out onto Back Lane which is deficient in terms of its footway width and would not be safe for occupants who use wheelchairs.

In terms of the proposed parking provision, it is noted that the Parish Council and local residents have raised objections. Primarily, their concern relates to the lack of parking provision for both staff and visitors which they fear would increase on-street parking congestion and worsen existing dangerous parking along Back Lane. These concerns are noted however the LHA has not raised any objections to the level of parking provision owing to the type of accommodation proposed. Given that the residential units would be for persons with a physical or learning disability who require assistance to live, it is not anticipated that they would own cars. Furthermore, only one staff member would be present within the site on a full-time basis, with other care providers and support assistants coming and going throughout the day. Whilst it is acknowledged that there may be some instances whereby visitors could exceed the 1no. space available, this would not generate additional on-street parking demand above and beyond the existing site which does not provide any formal parking for staff or customers. Accordingly, as agreed by the LHA, the level of parking for the use proposed is considered sufficient and not likely to result in an unacceptable highway safety danger.

As this conclusion is solely based upon the intended occupants/use of the site, and not an unrestricted Class C3 use which would need to adhere to the Council's adopted minimum parking standards (7no. spaces would be required), it is necessary to impose a condition which limits the occupancy of the units. The Applicant has provided a detailed statement setting out the criteria which occupants must meet to qualify for the proposed housing, and a condition securing compliance with is considered to be sufficient to prevent unrestricted occupancy.

On this basis, it is considered that the proposal would provide safe and convenient access for all users, and would not pose an unacceptable danger to highway safety. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

e) Trees

As detailed within Section 1 above, immediately adjacent to the site (within the curtilage of the neighbouring dwelling No.12A Back Lane) is a mature beech tree subject to formal protection by virtue of a Tree Preservation Order. Whilst the submitted Arboricultural Assessment is not accepted by the City Council's Tree Officer (owing to deficient assessment and commentary regarding the impact of the development), he has advised that the proposal would not pose an unacceptable risk to the long-term health of this tree. The proposed single storey building would be sited a sufficient distance to ensure no significant encroachment upon the root protection area results. Some facilitating pruning may be required and the Tree Officer considers that the principle of this is acceptable. A detailed scheme for this pruning would be required however this would need to be subject to a separate application for works to protected trees, an informative could be placed upon any permission to advise of this.

In addition, the proposal would likely result in the removal of the existing hardstanding on the site and replacement with new. This would be within the root protection area of the beech tree and the Tree Officer has requested that a detailed arboricultural method statement be conditioned to ensure that the works are carried out so as to not harm the roots of the tree.

Subject to the above, it is considered that the proposal would not result in harm to or loss of a tree of key amenity value to the surrounding area. Accordingly the proposal is in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

f) Future occupant amenity

Turning first to the internal space, it is considered that the proposal would provide adequate room for future occupants which is well-served by daylight and natural sunlight. Furthermore, each of the self-contained residential flats would be afforded adequate privacy, with an acceptable relationship between primary habitable windows and neighbouring dwellings.

The proposal would provide a small area of landscaped garden, situated between the main and single storey buildings proposed. It is acknowledged that this area would be relatively limited in its ability to offer meaningful outside space for occupants. Nonetheless, the area would provide an outside space for occupants to enjoy outside of their inside living accommodation, and would be usable for the drying of clothes etc. Accordingly, it is considered sufficient to meet the needs of the 6no. 1-bed flats proposed.

With regards to bin provision, it is noted that the Parish Council has raised objection to the lack of adequate bin space for occupants. However, the proposal includes an enclosed communal bin area as part of the single storey detached building and the City Council's Waste Team has confirmed that this is of sufficient size to accord with the Council's adopted waste management guidance (RECAP Waste Management SPD (2012)). The bin stores would be of sufficient size and are located within easy reach of both occupants and the waste collection crews.

On this basis, it is considered that the proposal would afford future occupants with an acceptable level of amenity in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

g) Archaeology

The City Council's Archaeologist has advised that whilst the site is located within an area of known archaeological interest, given the known history of its land use and the anticipated degree of truncation and/or disturbance caused by the existing development, the archaeological potential of the site is deemed to be negligible. Accordingly, no archaeological evaluation is required.

6 Conclusions

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

- the proposal would provide 6 no. 1-bed residential units for persons with a physical or learning disability for which there is a demand within Peterborough. This would result in a significant benefit to the wider community, in accordance with Policy PP8 of the Peterborough Planning Policies DPD (2012);
- the demolition of the existing building and redevelopment proposed would not result in an unacceptable impact to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would preserve, and to some degree enhance, the character and appearance of the Eye Conservation Area and would preserve the setting of key listed buildings contained therein, in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 131 of the National Planning Policy Framework (2012);
- the proposal would result in some degree of harm to the amenities of neighbouring occupants of No.12 Back Lane however it is considered that this harm is outweighed by the public benefit arising from the provision of housing to meet the needs of persons with physical and learning disabilities;
- safe access would be made for all users of the site and the proposal would not pose an unacceptable danger to the safety of the surrounding public highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in harm to or loss of the adjacent protected beech tree which is of key amenity value to the surrounding area, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- the archaeological potential of the site is deemed to be negligible.

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 permitted shall be carried out in accordance with the following drawings:

- Location Plan (drawing number 16215(PL)001 Revision B)
- Existing Site Plan (drawing number 16215(PL)002 Revision B)
- Block Plan (drawing number 16215(PL)003 Revision F)
- Proposed Site Plan (drawing number 16215(PL)010 Revision H)
- Massing Comparison Diagram (drawing number 16215(PL)085 Revision A)
- Ground Floor Plan (drawing number 16215(PL)100 Revision G)
- First Floor Plan (drawing number 16215(PL)101 Revision G)
- Second Floor Plan (drawing number 16215(PL)102 Revision D)
- Proposed Elevations 1 & 2 (drawing number 16215(PL)200 Revision G)
- Proposed Elevations 3, 4, 5 & 6 (drawing number 16215(PL)201 Revision F)
- Proposed Site Sections (drawing number 16215(PL)301 Revision C)

Reason: For the avoidance of doubt and in the interests of proper planning.

C 3 No development other than groundworks and foundations shall take place until samples/details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling (samples), including all render and cladding;
- Roofing (samples);
- Windows (details), including dormer window cheeks;
- Doors (details);
- Rainwater goods (details).

The samples/details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The samples shall be made available for inspection by the Local Planning Authority on-site. The development shall not be carried out except in accordance with the approved details.

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

C 4 No development shall take place until details of the existing and proposed finished ground and building slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in accordance with the approved details.

Reason: In the interests of the visual amenity of the surrounding area and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no groundworks affecting the site levels take place without the details having first been approved.

C 5 Prior to first occupation of any residential unit hereby permitted, a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not limited to:

- Hard surfacing materials for all parking and pedestrian circulation areas;
- Measures to delineate parking bays;
- Details of all boundary treatments; and
- Planting plans including retained trees, species, numbers, size and density of planting.

The approved hard landscaping scheme shall be carried out prior to first occupation of any residential unit and the approved soft landscaping scheme shall be carried out no later than the first planting season following completion of the development.

Reason: In the interests of visual amenity, preserving the amenity of neighbouring occupants and the amenity of future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP3 and PP4 of the Peterborough Planning Policies DPD (2012).

C 6 Notwithstanding the submitted information, no development shall take place (including demolition, soil stripping, preconstruction delivery of equipment or materials, the creation of

site accesses, positioning of site huts) until a site specific method statement and associated plan has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include, but not limited to:

- Details of the area of any excavation within the Root Protection Area of the Beech protected by Tree Preservation Order 08/2000;
- Details of the work practices to minimise root severance e.g. hand digging; and
- Details of how root pruning (if required) will be undertaken.

The development shall not be carried out except in accordance with the approved details/plan.

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 PP16 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no works take place on site (including demolition) which may harm the adjacent protected tree.

C 7 No development (including demolition) shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include, but not limited to:

- Haulage routes to/from the site;
- Hours of working, including delivery times and contractor arrival/departure;
- A demolition method statement;
- Contractor parking;
- Areas for the parking, turning, loading and unloading of all delivery vehicles;
- Site welfare facilities (if applicable);
- Measures to control the emission of dust;
- Measures to control noise; and
- Wheel washing facilities, through which all construction vehicles visiting the site must pass before entering the public highway.

The development shall not be carried out except in accordance with the approved management plan.

Reason: In the interests of highway safety and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no demolition/construction works take place which may pose a harm.

C 8 Prior to first occupation of any residential unit hereby permitted, the 2no. parking spaces shown on drawing number 16215(PL)010 Revision H 'Proposed Site Plan' shall be provided. Thereafter, those spaces shall solely be used for the parking of vehicles in connection with the use of the site in perpetuity.

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

C 9 Prior to first occupation of any residential unit hereby permitted, the bin storage area shown on drawing number 16215(PL)100 Revision G 'Ground Floor Plan' shall be provided and made available for use by occupants. Thereafter, that area shall be used solely for the storage of refused bins in connection with the use of the site in perpetuity.

Reason: In order to provide an acceptable level of amenity for future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C10 The residential units hereby permitted shall solely be used as supported living apartments with on-site support for those persons with a registered physical or learning disability, and for no other purpose within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification).

Reason: The site is not acceptable for unrestricted Class C3 residential units owing to a deficiency in parking provision which would pose a danger to highway safety, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C11 Notwithstanding the provisions of Part 3 Class L of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the development hereby permitted shall be a residential dwelling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) only.

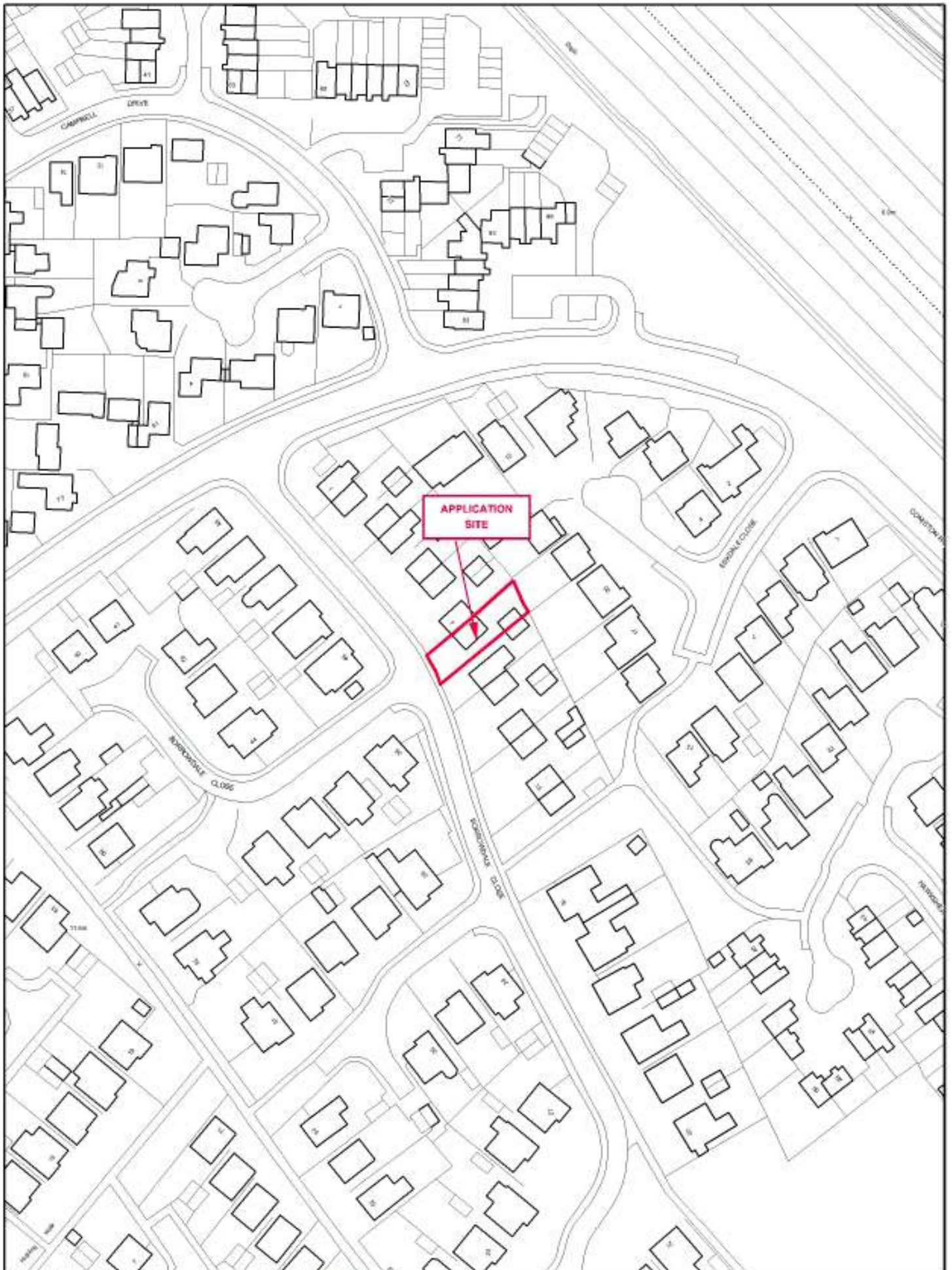
Reason: The site is not capable of providing the necessary parking or access requirements for a small-scale house in multiple occupation, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C12 Notwithstanding the provisions of Part 1 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions or external alterations shall be constructed/made to the single storey residential unit hereby permitted other than as those expressly authorised by any future planning permission.

Reason: In order to protect the amenity of the area and neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012).

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LOCATION PLAN 17/01615/HHFUL
8 Borrowdale Close, Gunthorpe Peterborough PE4 7YA

Scale NTS **Date** 14/11/2017 **Name** AA **Department** Planning Services



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Agenda Item 3

Planning and EP Committee 28 November 2017

Application Ref:	17/01615/HHFUL
Proposal:	Proposed two storey rear extension, front porch and additional windows on side elevation
Site:	8 Borrowdale Close, Gunthorpe, Peterborough, PE4 7YA
Applicant:	Mrs Terri Kitoto-Luhata
Agent:	Mr Sajan Varghese BRETWAY Designs
Referred by:	Councillor Davidson and Councillor Bond
Reason:	The impact to the character and appearance of the site and the surrounding area as well as the impact to the amenity of surrounding neighbours.
Site visit:	28.09.2017
Case officer:	Mr Jack Gandy
Telephone No.	01733 452595
E-Mail:	jack.gandy@peterborough.gov.uk
Recommendation:	GRANT subject to relevant conditions

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

Sites and Surroundings

The application site comprises a two storey semi-detached dwelling located within a residential area. The property has a single detached garage positioned to the rear of the house which adjoins the neighbouring garage at No. 9. The properties within Borrowdale Close are predominantly detached bungalows, however, upon entry into Borrowdale Close from Coniston Road, Nos. 1 to No. 14 are all semi-detached two storey dwellings. The properties to the rear of the site, within Eskdale Close, are two storey dwellings.

Proposal

Planning permission was originally sought for a two storey rear extension, front porch and additional windows on the side elevation of the property. Amended plans have been received during the course of the application reducing the size the two storey rear extension, thereby creating a part two storey rear extension and part single storey rear extension. The amended plans also changed the internal first floor layout and changed the glazing to some of the windows.

The two storey rear extension was originally proposed to measure approximately 5m (length) x 5m (width), with a ridge height of 6.6m and eaves height of 5.5m. The amended plans received reduced the two storey rear projection from 5m to 2.75m, however, they retained the ground floor projection at 5m, creating a part two storey and part single storey rear extension. The ground floor rear extension proposes a mono-pitch roof, with ridge height of 3.6m and eaves height of 2.6m.

The proposed front porch would measure approximately 1.8m (depth) x 2.2m (width). It would have a mono-pitch roof with an overall height of 3.6m (2.2m to eaves).

In addition 3 new side windows are proposed to be inserted into the existing side gable of the

property, a ground floor dining room window, and two first floor obscure glazed bathroom/en-suite windows. A ground floor kitchen window is also proposed in the new extension on this side elevation.

2 Planning History

Reference	Proposal	Decision	Date
P0732/76	Residential development of 14 houses, 11 chalets and 15 bungalows (approval of reserved matters)	Permitted	02/11/1976

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.

PP13 - Parking Standards

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

Peterborough Local Plan 2016 to 2036 (Preliminary Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

4 Consultations/Representations

Werrington Neighbourhood Council

No comments received

Councillor Davidson

Objection – For the following reasons:-

The development would completely change the aesthetics of the street and properties to the rear. It would not be in keeping with the character and appearance of surrounding residential properties

in Borrowdale Close and Eskdale Close to the rear. The proposed development will cause structural and drainage issues for neighbouring properties.

Councillor Bond

Objection – For the following reasons:-

The height of the build; the loss of light and privacy to surrounding neighbours and the reduction in property values.

Local Residents/Interested Parties

Initial consultations: 7

Total number of responses: 16

Total number of objections: 16

Total number in support: 0

First Consultation on original plans:-

9 letters of objection were received raising the following issues:-

- Loss of light to the windows and rooms of surrounding properties and their gardens and patio areas.
- Rear extension too large. The large side elevation would be very overbearing for neighbours. Reduced privacy for neighbours from proposed windows. Especially if obscure glazed windows could be fully opened.
- No properties within the surrounding area have a two storey extension down the close, so this will look out of context with all the other properties.
- The proposed porch would extend beyond the frontages of No. 7 and No. 8 Borrowdale Close. No surrounding properties have a 'full front porch', only porch roofs. Therefore this will be out of keeping with the surrounding area.
- Decrease in property values.
- Loss of privacy to surrounding rear gardens.
- A single rather two storey extension would be fine.
- Query received as to why occupiers of No. 6 Borrowdale Close they were not notified.
- The view from the garden would be the extension, not be a clear blue sky.
- The proposed extension would be an eyesore, out of character and not in keeping with surrounding properties.
- Approval would set a precedent for anyone in that row of houses to do the same, which would have an adverse effect on properties in Eskdale Close.
- Access to the building works would be down the drive, where neighbouring vehicles are parked.
- The extension would be visible from the road.
- Land of extension higher than that of neighbouring sites resulting in unacceptable reduction in light and privacy for neighbouring sites.
- Extension too close to neighbouring boundary.
- Overshadowing impacts.
- Overdevelopment of the site.
- Little or no garden space would remain, just buildings.
- 'Air loss' to the property, which corners on to it
- Has correct notice been served at No. 9 Borrowdale Close?
- Extra noise and disruption
- Artificial light pouring into my well used garden.
- Front extension would look out of place.
- Neighbour's right to light would be affected. Legal advice would be sought if approved.

Second Consultation on amended plans:-

7 letters of objection were received raising the following issues:-

- Reduction in light levels to the neighbouring property.
- Unacceptable loss of privacy for neighbouring rooms and gardens.
- Overshadowing and the neighbour's right to light would be affected. Legal advice would be sought if approved.
- Overdevelopment of land. Extensions proposed too large for these houses.
- Proposal made up of three sections and would be out of character to properties within the surrounding area.
- Even with the amendments, the proposal would impact upon natural daylight entering the gardens of surrounding neighbouring properties.
- The amended plans will impact upon privacy due to its height
- Front porch would be out of character with properties in the surrounding area.
- The amended extension is still far too large.
- Devaluation of property.
- Proposal would be an eyesore and out of character.
- The three bed property has recently been purchased. There are fears it would be used as a rental property with increased traffic and parking requirements than would be available.
- Proposal would set a precedent for the other houses along Borrowdale Close, intruding on other properties, restricting light and changing the street character, both to the front and rear of the site.
- The extension would appear very large / dominant.
- If plans are approved, this would set a precedence over properties within the surrounding street scene.
- The revised plans include an extra side elevation window at first floor level. This would overlook into the garden of No. 9 Borrowdale Close.

5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding area
- Neighbour amenity
- Parking provision

a) The design and impact on the character and appearance of the site and the surrounding area

i) The two storey and single storey rear extension

When the application was originally submitted a full two storey rear extension was proposed to the rear of the house. The amended plans received subsequently reduced this to a part two storey and part single storey rear extension.

The original plans were considered by Officers to be unacceptably harmful to the amenity of No. 7 Borrowdale Close with respect to overbearing and overshadowing impacts. The original plans were also considered to have unacceptable impacts on the privacy to No. 9 Borrowdale Close.

It is considered that the reduced size, scale and design of the proposed rear extensions would be in keeping the character and appearance of the host property. The two storey extension has been designed with a ridge height approximately 0.9 metres lower than the main roof, to ensure it appears visually subservient to the main house. The materials of the proposed extensions are to match those of the existing house to ensure an acceptable visual appearance.

As this is a rear extension there would be extremely limited views of it from the surrounding public highways. The main views of it would be from the immediate surrounding rear windows and

gardens of neighbouring properties.

Whilst there may not be many properties in the surrounding area that have two storeys rear extensions, it is not considered that this proposed extension would result in unacceptable visual harm to the character and appearance of the site or surrounding area, particularly due to limited views of it from the surrounding streetscene.

ii) The front porch extension

The existing property currently shares a flat roof canopy structure over its front door with the property it adjoins. This is a characteristic of the properties in this part of the streetscene. Some of the surrounding properties have changed from a flat to monopitch roof design, but none of them have built fully enclosed porch extensions.

A fully enclosed porch extension measuring 1.8m x 2.2m is proposed as part of this application with a monopitch roof design. Whilst the porch would be different to the existing style of dwellings in the surrounding street scene, this in itself does not make it unacceptable. What needs to be considered is to what degree this difference would result in visual harm to the character and appearance of the surrounding area. There are variations in roof pitches of the porch structures in the vicinity of the site, with flat and mono-pitched roofs, therefore the monopitch roof design proposed is not considered to be visually harmful to the character and appearance of the surrounding streetscene.

The change from solely a canopy porch roof structure to a fully enclosed porch would appear visually different on the property frontage. However, given the small scale of porch and its simple design, it would still remain a visually subservient addition to the property's frontage. Therefore whilst it would appear different, it is not considered it would result in a visually harm addition to the property or surrounding streetscene.

iii) New windows to the elevations of the property

New windows are proposed to the south-east facing elevation of the property. This includes one ground floor dining room window and two first floor obscure-glazed bathroom windows on the existing side elevation of the house. On the new extensions, one side porch window and one kitchen window is proposed. .

The window design proposed is considered to be in keeping with the existing windows of the existing property. Therefore, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

b) Neighbour amenity

i) No 7 Borrowdale Close

No. 7 Borrowdale Close is the adjoining property located to the north west of the site. On the rear elevation of this property at ground floor level is the kitchen/diner and at first floor level is a bathroom and a bedroom. The bathroom window is the closest window to the side boundary and proposed extension. Bathrooms are not considered to be primary habitable rooms, and as such are not afforded the same degree of protection in terms of loss of light, overbearing and shadowing impacts as say a bedroom or living room window. It is considered that the 2.75 m projection of the two storey extension proposed would not result in unacceptable overshadowing or reduced light impacts to this room.

The neighbouring first floor bedroom window is positioned approximately 2.4 metres from the side boundary of the application site. Therefore, due to its separation distance from the boundary, the lights levels and amenity of this room would not be adversely affected by the two storey rear

extension. In addition, the 0.9 metre lower ridge height also helps to minimise the impacts on this neighbour in terms of loss of light and overshadowing impacts.

At ground floor level, adjacent to the boundary fence, the neighbouring property has a door and a kitchen window. It is not considered that the 2.75 metre projection at two storey level, and the 5 metre projection at single storey level, would result in unacceptable impacts of overbearing or overshadowing for this neighbouring property.

The overall projection of the extension proposed (2.75 metres at two storey, 5 metre at single storey level) would not result in harmful overbearing or overshadowing impacts to the adjoining neighbour's rear garden that measures 13 metres in depth.

No windows are proposed to the north-west facing side elevation of the proposed extension. As such, taking the above matters into account, it is not considered that the proposal would unacceptably impact upon the privacy, light levels and amenity of No. 7 Borrowdale Close.

ii) No 9 Borrowdale Close

No. 9 Borrowdale Close is the adjacent property to the south east of the site. The application site and No. 9 Borrowdale Close are separated via their driveways and their adjoining garages. Therefore the separation distance between the two properties is approximately 5 metres.

With the 5 metre distance, it is not considered that the first and ground floor rear extensions would be unacceptably prominent with the rear garden of No. 9 Borrowdale Close or to its rear rooms. Only the mono-pitched roof of the single storey extension would be visible as the garages screen the ground floor rear extension. It is not considered that the proposal would cause unacceptable overbearing to this neighbouring property due to the large separation distance and intervening garage buildings. With the proposal to the north-west of site, the natural sunlight No. 9 Borrowdale Close receives would not be adversely affected.

Of the additional windows proposed, five new windows would face towards No. 9 Borrowdale Close. The two first floor windows relate to an en-suite and bathroom windows. These would be obscured glazed, and fixed shut, with any openings being top hung only above a height of 1.7m, to prevent overlooking. As such, these would not invade the privacy of the adjacent neighbours. A condition is recommended to secure this.

In respect of the ground floor windows proposed, these would look out onto the driveways of the property and the side gable of No. 9 Borrowdale Close. There is one high level window to the side elevation of No. 9 Borrowdale Close in its single storey rear extension. As the neighbouring window is high level, the proposed ground floor windows on the application site will not result in any harmful overlooking to this window. The high level window is also a secondary window. The principle windows are located on the rear elevation of the single storey extension. Therefore, it is not considered the proposed extensions would result in significant harm to this window.

Whilst Officers consider the relationship between the windows to be acceptable, Members should also note that under permitted development rights, any new ground floor side windows could be inserted into an existing property without the benefit of planning permission.

Therefore it is not considered that the proposed extensions would result in any unacceptable harm to the residential amenity of the neighbours of No. 9 Borrowdale Close by way of overbearing, overshadowing and reduced privacy impacts.

iii) Properties from Eskdale Close

Nos. 16, 18 and 20 Eskdale Close are located at the rear of the application site. These are all two storey properties.

The separation distance between the existing rear elevation of the application site and No. 18 Eskdale Close is approximately 24 metres. This distance is similar for No. 16 and No. 20 Eskdale Close. As the overall length of the extension is 5 metres, there will still be around 18 metres in separation distance. Therefore, it is not considered that the proposal would cause unacceptable overbearing to these neighbouring sites. In addition, due to the orientation of these neighbouring sites to the north-east, it is not considered that the proposal would not cause unacceptable overshadowing.

The extension proposes two first floor rear-facing bedroom windows. These move the existing first floor windows 2.75 metres closer to these neighbouring properties. However, with the remaining 21 metres separation distance between the first floor windows of the neighbouring and application sites, along with surrounding land levels, this is considered to be sufficient to secure privacy.

On the basis of the above, it is not considered that the proposal would result in unacceptable harm to the amenity of surrounding neighbours. The proposal is therefore considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

c) Parking provision

The existing property currently has a long driveway which measures approximately 20m in length. This can comfortably accommodate the required 2 car parking spaces in accordance with our car parking standards. In addition to the driveway the property has a single rear garage.

The extensions proposed results in the property changing from a three to a four bedroom property. Under the current adopted car parking standards, there is no increased requirement for any additional car parking spaces when changing from a three to a four bedroom property. The proposed extensions will also not result in the loss of any on site car parking spaces, therefore there will be sufficient space in the property's driveway to accommodate the required 2 spaces.

With the retention of sufficient on site car parking, the proposal would be in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012).

Other matters

In relation to other matters raised in the representations but not answered in the report above:

- Decrease in property values of neighbouring properties: This is not a material planning consideration that can be taken into consideration in the determination of a planning application.
- Opening of obscure glazed windows to the first floor bathroom: Condition 4 is recommended to ensure that the proposed obscure glazed windows are non-opening for the first 1.7 metres above floor level, with top hung opening above this level only, to prevent overlooking when open.
- The setting of a precedent – Each case is considered on its own merits and no two sites are ever the same.
- Letter to No. 9 Borrowdale Close - Consultation letters are addressed as 'Owner / Occupiers'. The Local Planning Authority has no obligation to seek the specific identity of 'Owner/Occupiers'.
- Building works operations, including noise and disruption - This is not a material planning consideration.
- Loss of view from neighbouring sites - This is not a material planning consideration that can be taken into consideration in the determination of a planning application

6 Conclusions

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

- The character and appearance of the site and the surrounding area would not be unacceptably affected by the proposed development, in accordance with Policy CS16 of the Peterborough Core

Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The proposal would not unacceptably harm the amenity of surrounding neighbours, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).
- Parking provision to the site would be in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012).

7 Recommendation

The Case Officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

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

- Existing Ground Floor Plan (Drawing number PP/17/0216-01)
- Existing Elevation Plan (Drawing number PP/17/0216-02)
- Existing and Proposed Block Plans (Drawing number PP/17/0216-03 Revision A)
- Location Plan (Drawing number 17/0216-04)
- Proposed Ground Floor Plan (Drawing number PP/17/0216-05 Revision A)
- Proposed First Floor Plan (Drawing number PP/17/0216-06 Revision A)
- Proposed Elevations (Drawing number PP/17/0216-07 Revision A)
- Proposed Section (Drawing number PP/17/0216-08 Revision A)

Reason: For the avoidance of doubt and in the interests of proper planning.

C 3 The materials to be used in the construction of the external surfaces of the proposed development; 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 4 Notwithstanding the submitted details and prior to the use of the rooms to which they relate, the proposed windows serving the first floor bathrooms on the east-facing side elevation shall be fitted with obscure glazing (Pilkington level 3 or equivalent) and shall be affixed shut with the exception of a top opening vented window only, and shall thereafter be retained and maintained as such in perpetuity.

Reason: In the interest of protecting future occupier amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP4 of the Peterborough Policies DPD (2012)

Copy to Cllrs Judy Fox, John Fox and Lane



LOCATION PLAN 17/01753/FUL
 11 Northfield Road Millfield Peterborough PE1 3QQ

Scale NTS **Date** 14/11/2017 **Name** AA **Department** Planning Services



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Agenda Item 4

Planning and EP Committee 28 November 2017

Application Ref: 17/01753/FUL

Proposal: Change of use of ground floor rear lounge for religious teaching

Site: 11 Northfield Road, Millfield, Peterborough, PE1 3QQ
Applicant: Mrs I Akhtar

Agent: Mr N P Branston
Branston Assoc.

Referred by: Head of Planning Services

Reason: Opportunity for a transparent discussion of the issues of an application with wider public and Councillor support.

Site visit: 13.10.2017

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

Recommendation: **REFUSE**

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

Site and surroundings

The application site is a semi-detached dwelling of brick and tile construction. Neighbouring dwellings are arranged in a traditional linear alignment. The dwelling is located in the Millfield area, approximately 1 mile north of the city centre. The dwelling has a small enclosed front garden with rear access to the side. The rear garden is fully enclosed. Parking to the front is on road, restricted to resident permit or 1 hour (no return within 2 hours).

Proposal

Permission is sought for change of use of the ground floor rear lounge for religious teaching.

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.

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

PCC Peterborough Highways Services

No comments received

Millfield & New England Residents Planning Sub Group

No comments received

Victoria Park Residents Association

No comments received

Local Residents/Interested Parties

Initial consultations: 9

Total number of responses: 3

Total number of objections: 0

Total number in support: 3

2 representations of support have been received from local councillors in relation to the proposal stating;

Cllr Nadeem: I have known the applicant for many years and can confirm that she is highly regarded within the local Asian community.

There is an increasing need for this type of study for our children and I hope you will be able to approve.

Cllr Peach: I am happy to support the above planning application in my ward.

A representation from a neighbour has been received stating; I agree, it does not matter to me and my family.

A petition in support of the application, with 71 Signatures has also been received.

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
- The highway implications of the development

The impact of the proposal on the character of the area

The proposal requires no material internal or external alterations to the property, pupils would access the rear of the property via the side access. The proposal is to provide education to approximately 20 pupils per day between 15.00 and 18.00. Whilst this is a relatively high number of visitors in a short period of time, as the site is close to two busy retail units it is unlikely that this increase would be noticeable.

Therefore aside from an increase to the intensity of the use of this part of Northfield Road it is considered that the proposal will have no material impact upon the character of the area.

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

The neighbour has submitted a representation but it is unclear whether they are objecting to the proposal. The neighbour has ticked the option to object but has stated on the representation that they agree to the proposal and do not believe that it would affect their family. The Local Planning Authority are of the opinion that they are not objecting to the proposal and as such no objections have been received.

The proposal would result in a maximum of 10 pupils being taught for a three hour period. It is considered that this number of pupils could generate relatively high noise levels which could unacceptably disturb the attached neighbour. The comings and goings of the pupils and their parents would also result in disturbance to the unattached neighbour who has a ground floor side window and door, as it would appear that pupils will use the side access to reach the classroom.

This level of activity is not commensurate with the use of the property as a dwelling house and therefore it is considered that the proposal would unacceptably harm the amenity of the occupiers of neighbouring dwellings.

The highway implications of the development

The application site is close to the junction of Lincoln Road and Northfield Road. At the junction there are two retail units, car spares and equipment hire. These units are outside of, but close to the boundary of Millfield District Centre and some of the on street parking is limited 1 hour, no return within 2 hours to reflect that these retail units generate a requirement for parking.

The proposed teaching establishment falls under D1 use class whereby in accordance with the councils adopted parking policy, an adequate drop off/pick up area, away from the public highway, should be provided. This area cannot be provided within the reline boundary. The application site has no designated on-site parking, however, the applicant has the option to park his/her vehicle/s in the residents parking bays adjacent to the property.

The applicant has stated that pupils would be local and as such it is unlikely that the proposal would result in unacceptable parking congestion, however this cannot be guaranteed and it would not be reasonable or enforceable to condition that no visits were made by car. The applicants have stated that there would be two classes per day, with a maximum of 10 pupils per class, and have indicated that the classes would run from 15.00 - 18.00. This conflicts with rush hour, where parking demand and general traffic levels are likely to be at their highest.

The Local Highway Authority has objected to the proposal stating that the cumulative effect of the

lack of on-site parking and the increased vehicles trips to and from the site shall mean that additional vehicles shall need to be accommodated on-street. This would in turn put pressure on an area which suffers from a lack of parking already and lead to vehicles parking in unsafe locations.

The LHA have also stated that the submitted parking survey is not admissible as evidence as it was not carried out in accordance with the standards required. Specifically the survey was not carried out between the hours of 7pm to 7am, did not specify parking restrictions and accesses along the road in the vicinity of the site and was carried out in the school holiday. Surveys carried out in the holidays do not give a true representation of available parking.

Other matters

The LPA note the support for the proposed development in the local community as witnessed by the submission of the 71 signature petition and statements of support from two local councils and acknowledge that the proposal would provide a service that has some community support. It is this level of support that has prompted the council to put the application before the planning committee as it is considered that the proposal has a wider public interest. However despite the local support for the scheme the LPA are of the opinion that the harm caused by the scheme outweighs any public benefit that would result.

The Human Rights Act 1998 means that it is, subject to certain circumstances, unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions.

It is also unlawful for the local authority to fail to have due regard to the need to achieve the objectives of the Equality Act 2010, and to discharge the duty imposed by Section 149 of the 2010 Act. These are: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The need to advance equality of opportunity between persons who share and do not share a relevant protected characteristic in particular, to the need to (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities. Foster good relations between persons who share a relevant protected characteristic and persons who do not particularly, (a) tackle prejudice, and (b) promote understanding. Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

In reaching the conclusions and recommendation regarding the application (set out below), the case officer has taken into account the above duty and potential issues. [The Human Rights Act and Equality Act 2010 is not referred to directly below because no relevant circumstances have been raised which require a more careful and sensitive consideration of Human Rights issues] or [The relevant circumstances in relation to the Human Rights Act and Equality Act 2010 are set out in detail in Section 5 below].

When a planning decision is made there is further provision that the Authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest and therefore the Local

Planning Authority's decision making will continue to take into account this balance.

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.

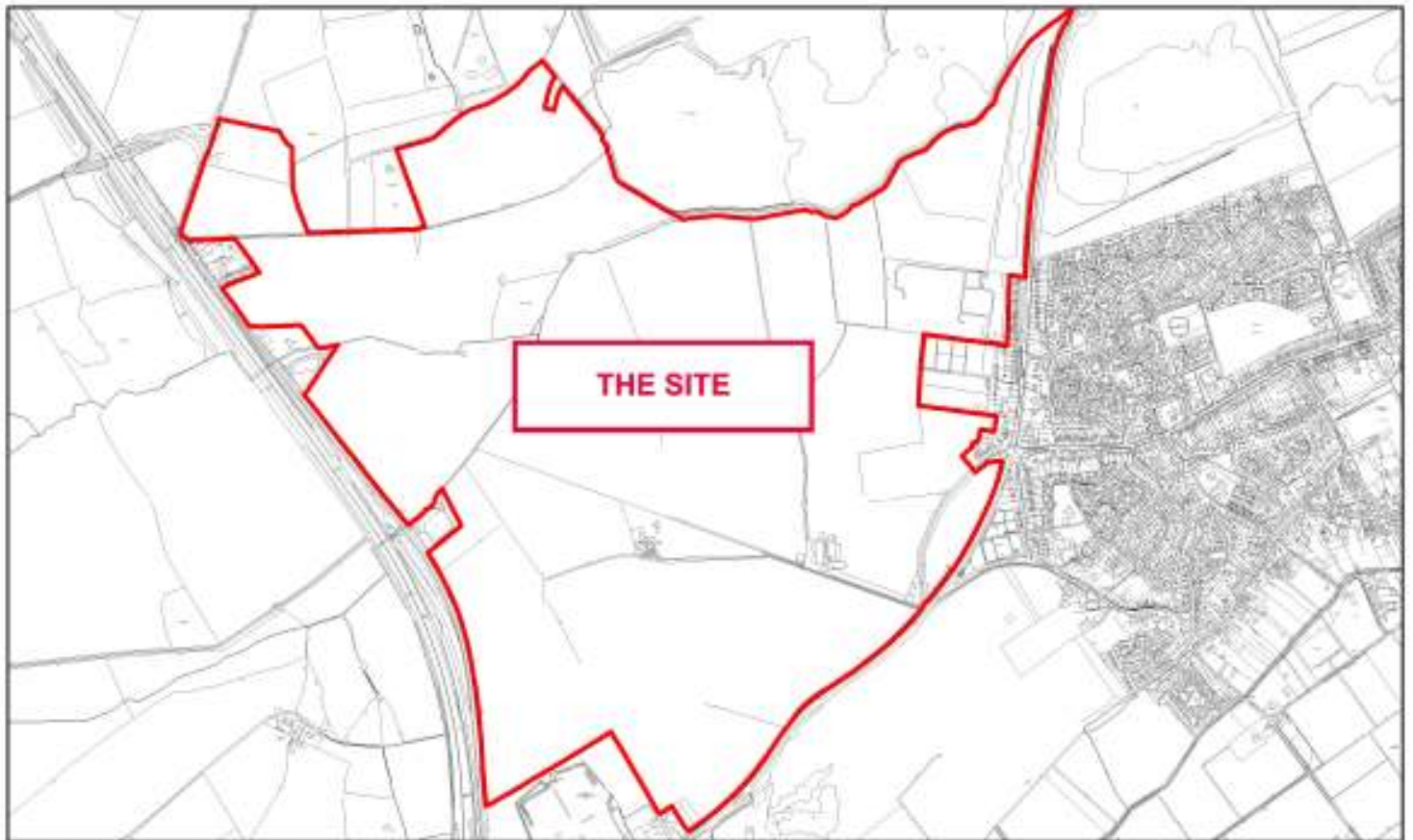
7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED**

- R 1 The proposal will result in an increased demand for car parking from the site, in an area with an existing parking problem. The applicant does not propose to provide any off street parking or drop off/pick up facilities for the proposed use therefore people are likely to seek on street parking. The increase in vehicle trips to the site and increased parking demand will be to the detriment of other highway users and may result in vehicles being parked in unsuitable locations on the adjoining public highway. This is contrary to policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD and policy CS14 of the Peterborough Core Strategy (DPD) 2011.
- R 2 The proposal by way of the number of expected pupils per day, will result in unacceptable noise disturbance to the occupiers of neighbouring dwellings, to the detriment of their amenity. This is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policy PP3of the Peterborough Planning Policies (DPD) 2012.

Copy to Cllrs Ferris, Nawaz and Peach

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LOCATION PLAN **09/01368/OUT**
Land to the North of Norman Cross, East of the A1(M) and West of London Road (A15)
Scale NTS Date 20/07/2017 Name ALA Department Planning Services

PCC GIS



PETERBOROUGH
CITY COUNCIL

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Agenda Number 5

Planning and Environmental Protection Committee 28 November 2017

Application Ref: 09/01368/OUT

Proposal: Development of an urban extension comprising up to 5350 residential dwellings; a District Centre (with up to 9200 square metres (99031 sq.ft) retail floor space) and two Neighbourhood Centres (with up to 2300 square metres (24758 sq.ft) retail floor space) comprising district/neighbourhood retail (A1-A5); community and health (C2, D1); leisure(D2); residential (C3) and commercial (B1) uses. Provision for education facilities (sites for three primary and one secondary school); sports and recreational facilities; a range of strategic open spaces including new landscaping, woodland and allotments; and cemetery provision. Associated highway infrastructure (including pedestrian, bridleway and cycle routes), public transport infrastructure and car parking for all uses. Utilities and renewable energy infrastructure; foul and surface water drainage networks (including suds and lakes)

Site: At land to the north of Norman Cross, east of the A1(M) and west of London Road (A15) Peterborough

Applicant: O & H Properties Ltd, Marlborough Oasis Ltd, Barrett Strategic (The Great Haddon Consortium)

Referred by: Director of Growth and Regeneration

Reason: Major Strategic Application

Case Officers: Lee Collins and Vicky Hurrell

Telephone: 01733 454421 and 453480

E-mail: lee.collins@peterborough.gov.uk and victoria.hurrell@peterborough.gov.uk

Recommendation: The Director of Growth and Regeneration recommends that authority be delegated to Officers to refuse the application if the S106 Agreement has not been completed by 28 February 2018.

1.Update

The Great Haddon urban extension is allocated for development in the adopted Local Plan. The site is located to the west of the city adjacent to the A1 and north of the A15. An outline application was submitted in 2009 for up to 5350 homes with associated infrastructure. The application was submitted by the Great Haddon Consortium, which comprises the following parties:-

- O & H Properties
- Marlborough Oasis
- Barratt Homes

The Planning and Environmental Protection Committee resolved to grant permission for the Great Haddon development in January 2015 upon the receipt of further specific information, subject to the satisfactory completion of the S106 Agreement. The Committee subsequently resolved in July 2017 to allow officers to refuse the Great Haddon planning application if the S106 legal agreement had not been signed by the end of September, unless an additional period of time was given.

Further to this, the Director of Growth and Regeneration and the Chair of the Planning Committee have agreed an extension time until the 28 November 2017.

Since the committee resolution in July, Officers have been working hard with the applicants to resolve the key issues associated with the S106 agreement and the practical delivery of what is a very large and complex development. The majority of these issues have now been agreed in principle and detailed drafting of the wording of the S106 agreements is ongoing.

Whilst significant progress has been made, there is still further work to do, especially in respect of the detailed drafting of the S106 agreement. The obligations to be included in the agreements are high value and complex. In light of this, it has been agreed with the applicants that it would be appropriate and sensible to allow a further period of time to complete the agreements. The lawyers representing the key parties, including the Council, have advised that a period of at least 3 months is required.

Given the period of time that is being sought, this matter is being referred back to Committee for its consideration.

2 Recommendation

The Director of Growth and Regeneration recommends that authority be delegated to Officers to refuse the application if the S106 Agreement has not been completed by 28 February 2018, for the following reason:-

The application gives rise to significant infrastructure requirements notably in respect of school provision, community facilities, transport including public transport provision, affordable housing, open space, ecology and archaeology. In the absence of a S106 Agreement these infrastructure requirements are not met. The development is therefore considered to be contrary to the provisions of policy CS13 of the adopted Core Strategy.

Copy to Cllrs Cereste, King and Seaton

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 6
28 November 2017	PUBLIC REPORT

Cabinet Members responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer:	Nick Harding (Head of Planning)	Tel. 454441
Reporting Officer:	Theresa Nicholl (Development Manager)	Tel. 454442

PLANNING APPEALS REPORT ON PERFORMANCE 1st MARCH 2017 TO 31 OCTOBER 2017

R E C O M M E N D A T I O N S	
FROM : Director of Growth and Regeneration	Deadline date : November 2017
That Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's appeals performance and identify if there are any lessons to be learnt from the decisions made. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.6.1.4.

This report covers the period from 1 March 2017 to 31 October 2017 and a list of all appeal decisions received can be found at Appendix 1. The previous report on appeals was presented to Committee on 14 March 2017.

For the purposes of 'lesson learning', these update reports will normally cover a selected number of cases in detail whereby the Local Planning Authority (LPA) has lost its case. This report highlights below, some of the issues identified in the cases at Appendix 1.

2. TIMESCALE.

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

3.1 Appeal Performance

In the period of 1 March 2017 to 31 October 2017, a total of 13 appeal decisions have been received. This is a lower number than previous periods particularly taking account that this reporting period covers 8 months. All of the appeals related to the refusal of planning permission, except for one which relates to an appeal against the imposition of a condition (first appeal on the list at Appendix 1). However, note that case 16/02168/WCPP concerns a planning condition.

Of the 13 decisions received, 9 cases were dismissed and 4 cases were allowed by the Planning Inspector appointed by the Secretary of State for Communities and Local Government. This equates to 69% of cases being dismissed and 31% being allowed. None of the decisions were subject to an award of costs either for, or against, the Council. This represents a decline of performance when compared to the previous quarter of 2016/17 when 100% of appeals were dismissed. In the quarter previous to this in 2016

86% were dismissed and 14% allowed. The figures for the period being reported here compare to previous performance where it was usual for approximately two thirds of appeals to be dismissed and one third allowed. Overall, the quality of decision making appears to be stable.

Of the planning application decisions appealed during this quarter, all resulted from Officer delegated decisions except for the outline application for residential development on the edge of Barnack (ref. 15/01840/OUT). This application was recommended for refusal by officers and refused at Committee. Members will be aware of the issues of this appeal. It is not a “typical” appeal for Peterborough but is an example of speculative residential development being allowed in many local authority areas where a robust 5 year housing supply cannot be demonstrated at the time of the appeal. The Council now has a 5 year supply of housing land.

There were no costs applications by appellants or the Council on any of the appeal decisions.

3.2 Update on enforcement of retrospective development where appeal was dismissed

16/01201/FUL – Use of land for traveller site at Nine Bridges, Glinton. An enforcement notice is in place on the site. The case is currently subject to further advice including legal advice.

16/02391/ADV – Advertisements at Hodney Road, Eye. The three adverts have been removed but the posts are still in situ. A letter has been sent to the agent requesting that the posts be removed.

17/00412/FUL – Two shipping containers at electricity substation, near 129 Hodney Road – Notice has been issued. A site visit is planned to check if the containers have been removed.

17/00359/FUL – Detached single storey garage for housing taxis at 62-64 Westgate. Notice issued.

3.3 Lessons to learn

Conditions

The first appeal on the list at Appendix 1 relates to an appeal against the imposition of a condition. Planning permission was granted for a satellite taxi office on the second floor of premises at 3 Fitzwilliam Street. The ground floor (in the appellant’s ownership) is an existing takeaway. The location plan showed the property edged in red. A condition was imposed on the planning permission which required no private hire or taxi vehicles to visit *the site*. The applicant appealed against the imposition of the condition because he wanted the condition removed all together. The Inspector agreed with the reasons the Council imposed the condition which was essentially to prevent inconvenience to nearby businesses and issues of highway safety due to additional taxi/private hire vehicles turning up at this taxi office. However, the Inspector allowed the appeal because the condition imposed was found to be unnecessary and unreasonable. The condition would have prevented taxis from dropping people off at the takeaway on the ground floor whereas the condition should have only related to the development proposed i.e. the taxi office. The Inspector therefore allowed the appeal and reworded the condition to read “development” rather than “site.” This appeal is an example of the care needed when drafting conditions. In accordance with the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), conditions should only be imposed where they are:-

1. necessary
2. relevant to planning and;
3. to the development permitted;
4. enforceable

5. precise and;
6. reasonable in all other respects.

The test of “necessity” is raised in the appeal case 16/02168/WCPP. The appellant successfully argued that a condition imposed on a planning permission for industrial development that required a footpath link to a bus stop was not *necessary*. The Inspector found that whilst the footpath might be “desirable” it was not necessary to meet planning policy requirements because there was an alternative bus stop with a footpath link to the site.

Evidence as opposed to speculative opinion

Whilst planning decisions in general are based on the opinion of the planning officer (and occasionally Members), these opinions should be based on evidence. In the majority of the appeal decisions subject of this report, Inspectors refer to evidence or lack of, as the basis for their decisions. The appeal decisions show that the LPA has done particularly well in defending issues of design and character and appearance, using policies CS16 and PP2. Even such seemingly subjective matters require an analysis of the local physical evidence of the area of concern, upon which to base the recommendation. Evidence comes all the more into question when dealing with technical based issues such as highway matters and calculating 5 year land supply - two relevant issues drawn from some of the appeal decisions in Appendix 1. Generally, the more that reasons for refusal are based in evidence (to back up the reasons) the greater the chance of success at appeal.

3.4 Annual (financial year) performance

The Government has announced that it will be looking at the quality of Local Authority decision making for major applications and non-major applications. As such, as of April 2018, the Council will be monitored on all appeals performance. The measure to be applied relates to the percentage of appeals lost (allowed against the Authority’s decision) as a percentage of the total number of decisions made and the Government has set the target at no more than 10%.

During the financial year 1 April 2016 to 31 March 2017, 1070 decisions for major, minor and other planning applications were issued. During the same period 3 appeals were allowed which equates to 0.28% of the total decisions. Therefore, this is well within the government target of 10%.

4. IMPLICATIONS

- 4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the planning/appeal processes themselves must have due regard to legal considerations and requirements.

Financial Implications – This report itself does not have any financial implications

Human Rights Act – This report itself has no human rights implications but the planning/appeals processes have due regard to human rights issues.

Human Resources – This report itself has no human resources implications.

ICT – This report itself has no ICT implications.

Property – This report itself has no Property implications.

Contract Services – This report itself has no Contract Services implications.

Equality & Diversity – This report itself has no Equality and Diversity Implications, although the planning/appeals processes have due regard to such considerations.

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Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
17/00209/FUL	3 Fitzwilliam St Peterborough PE1 2RU	Use of second floor as satellite Taxi office	Permitted subject to conditions. Cond 3 required that no taxi or private hire vehicle shall visit the site	N/A	N/A N.B the appellant appealed against the imposition of condition 3.	Written representations	Allowed 04.09.2017	N/A	<ul style="list-style-type: none"> - The Inspector agreed with the Council that to allow taxis and private hire vehicles to visit would cause harm through disruption to other occupiers of nearby premises. - The Inspector considered that the way the condition was worded did not accord with the test of necessity because it would preclude such vehicles from visiting the existing takeaway which formed part of the site. The Inspector re-worded the condition to prevent taxis and private hire vehicles from visiting the development i.e. the taxi office.
15/01840/OUT	Land west of Uffington Road Barnack	Construction of up to 80 dwellings including up to 30% affordable, landscaping, informal open space, childrens play area, surface water flood attenuation, vehicle access from Uffington Road and ancillary works. All matters reserved with the exception of the main access.	Refusal	22.03.2017	<ol style="list-style-type: none"> 1. The site is in open countryside contrary to CS1. The proposal doesn't meet the exception test set out in CS8. 2. No need for the development as the Council can demonstrate a 5 year housing land supply. 3. The development is of an inappropriate size and scale to be located on the edge of the village and its cumulative effect with the existing Payne's Field development would have a harmful impact on the character and setting of the rural edge contrary to CS20 and B & P1 of the P'boro Design and Development in Selected Villages SPD. 4. Size and scale of the development is too large for a limited growth village and the facilities it contains. The size and scale of the development doesn't accord with the locational hierarchy for new residential development contrary to CS2. 5. The form of development would harm the character and appearance of the conservation area contrary to S72(1) of the Listed Building and Conservation Areas Act, CS17, PP17 and paragraph 134 of the NPPF 6. The site is within an area of high archaeological value. The application was not submitted with sufficient information to enable an assessment of the need for suitable mitigation 	Public Inquiry	Allowed 27.03.2017	N/A	<ul style="list-style-type: none"> - Conservation Issues – the appeal site does not form a crucial element in the setting of the Conservation Area. The development would not be materially harmful to the setting of the Conservation Area. - Landscape and Visual Effects – the Inspector concluded that the density of the development would not be particularly uncharacteristic in the immediate context of the Payne's Field development. The visual and landscape harm would be limited to the immediate landscape setting on this side of the village. - 5 year housing land supply - The Inspector found that the Council could not demonstrate a 5 year housing land supply and that the development would make contribution towards achieving this. - Other Issues – The proposed mitigation measures including a contribution through S106 and provision of open space on site would reduce the impact on Barnack Hills and Holes SAC to an acceptable level. Loss of a private view is not a sufficient reason to withhold planning permission. - Conclusion – whilst the scheme would conflict with the development plan when read as a whole, the provisions of the NPPF in respect of boosting housing land supply are engaged. The proposal is considered as sustainable development and warrant a decision other than in accordance with the development plan.

Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

					contrary to CS17, PP17 and paragraphs 128 and 129 of the NPPF.				
16/00556/OUT	Land rear of Camelot First Drift Wothorpe PE9 3JL	Erection of 3 detached dwellings with garages	Refused	N/A	<p>1. The land is in open countryside and the site could not accommodate 3 dwellings in a manner in keeping with the village and open countryside setting contrary to CS1, CS16, CS20 and PP2.</p> <p>2. The development would detract from the spacious open character going against the reason for designating the Special Character Area contrary to SA19 and PP17.</p>	Written Representations	Allowed 07.04.2017	N/A	<ul style="list-style-type: none"> - In terms of the location of the development the majority of the site falls within open countryside where development is restricted by policy CS1 and therefore its location is contrary to the development plan - The site is previously developed land (recent Judgement in Dartford BC v SSCLG has confirmed private residential gardens that are not located in built up areas are not excluded from the definition of previously developed land. This is a consideration of significant weight in favour of the development. - Inspector disagreed with the findings of a previous Inspector and concluded the site did not have open qualities that would preclude residential development - Proposal would accord with the Design and Development of Selected Villages DPD, would not harm TPOs - Access acceptable - Conclusion is that the site is in a sustainable location accessible to everyday services and whilst in open countryside it is previously developed land which the NPPF encourages re-use of. Well-designed dwellings at reserved matters stage would complement the special character of Wothorpe village.
16/01925/FUL	202A Lincoln Rd Peterborough PE1 2NQ	Detached annexe to the rear	Refused	N/A	<p>1. The proposal includes primary residential accommodation (is a two bed bungalow) and is contrary to the pattern and character of development in the area contrary to CS16.</p> <p>2. Proposal will result in increased nuisance and disturbance to neighbouring properties and will affect the outlook from 7 Cambridge Street contrary to PP3</p> <p>3. Unacceptable living conditions for the future occupiers contrary to PP4.</p>	Written representations	Dismissed 29.03.2017	N/A	<ul style="list-style-type: none"> - The proposal would be occupied by the son of the owner of 202A and his wife and whilst related to the occupiers of the host dwelling, the proposal would be occupied as a new dwelling, functioning entirely as such. It would introduce a new tier of development in a back land form which would be contrary to the character of the area. - The proposal is sited close to the boundary with other residential properties and would introduce an increased level of noise disturbance to the neighbours - The proposal would span almost the entire width of the adjacent plot 7 Cambridge Ave and it would have a significant overbearing effect on users of No 7's garden. - The kitchen and bedroom windows would face high sided brick walls of another

Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

									outbuilding which would represent a poor quality of outlook for future occupiers.
16/01201/FUL	Land to the South of Nine Bridges, Mile Drove, Glinton	Raise ground levels and use of land as a traveller site with one static and one tourer caravan (part retrospective)	Refused	N/A	<p>1. The site lies in flood zone 3a i.e. high risk of flooding. No sequential test but in any event use of such land for caravans (vulnerable development) is not acceptable contrary to the NPPF, guidance in the NPPD, CS9(a) and CS22</p> <p>2. The development detracts from the landscape qualities of Maxey Cut and the North Fen landscape contrary to CS9(a) and CS20. There is also a localised impact when viewed by local people who use the area contrary to CS9(e)</p> <p>3. Lack of provision of mains utilities contrary to CS9 (d)</p>	Hearing	Dismissed 18.08.2017	N/A	<ul style="list-style-type: none"> - Planning history material to the case – an enforcement notice is in place following a previous appeal. - Inspector considered that the evidence provided by the appellant did not demonstrate the proposal is acceptable. In any event the PPG states that an exception test is inappropriate for highly vulnerable development in FZ3 where such development should not be permitted. - If all other aspects of the proposal were acceptable, the provision of services could be conditioned. - The visual and spatial impact of the traveller site proposed would be significantly harmful to the character of the area - With regard to “need” the Inspector queried the robustness of the survey on which the 2016 GTAA is based. As the Local Plan has not yet been examined not much weight can be placed on the Council’s claim that gypsy and traveller need is being met. More likely the Council cannot demonstrate an adequate supply to meet current need in accordance with the opening paragraph of CS9. - Regarding personal circumstances the Inspector agreed this settled base contributes to the health and educational needs of the family. - In weighing the planning balance, the Inspector concluded that the issues around flood risk and visual harm outweighed the benefits to the appellant and his family.
16/02168/WCPP	Land south of Ideal Home House, Newark Road, Fengate, Peterborough	Removal of C17 (footway) of planning permission 16/01296/FUL (Erection of 14 units for B1(c)/B2/B8 employment uses in 4 blocks, estate road, car parking, service yard and electricity sub station)	Refused	N/A	The loss of the proposed footway link would result in the loss of a safe and accessible walking route for pedestrians to the site contrary to PP12.	Written Representations	Allowed 13.06.2017	N/A	<p><i>The permission was granted subject to C17 requiring a footpath link to the southern bus stop near the site. This would be the first bus stop when travelling by bus from the city centre. A northern bus stop is further on but does have a footpath link.</i></p> <p>-The Inspector concluded that whilst the footpath link was desirable it is not necessary because the northern bus stop is 90m closer to the site and served by a footpath. For the sake of an extra few minutes on the bus, the Inspector concluded that those travelling to the site by bus would more than likely alight at the northern bus stop, especially at night</p>

Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

									and in bad weather. As the provision of the footway to the southern bus stop is desirable and not necessary it fails to meet the test of necessity set out in the NPPG.
17/00166/FUL	94 Wootton Ave Fletton Peterborough PE2 9EG	Three bedroom new dwelling	Refused	N/A	1. The proposal would be out of character with the area and the resultant layout of the plot and host dwelling would be a contrived development contrary to CS16 and PP2. 2. The proposed dwelling could not be accommodated without affecting the amenities of the occupiers of 94 Wootton Avenue contrary to PP3, PP4 and CS16.	Written representations	Dismissed 25.08.2017	N/A	<ul style="list-style-type: none"> - Inspector agreed that the proposal would substantially harm the character of the area and would fail to make a positive contribution to the character of the area by virtue of its location and design features contrary to CS16 and PP4. - The proposal would harm the living conditions of the occupiers of No 94 with regard to outlook, daylight and amenity space contrary to PP3.
16/01498/FUL	Golden Lion 5-7 Church St Standground Peterborough	Demolition of existing public house to be replaced by a ground floor retail unit and four residential flats	Refused	24.01.2017	1. The proposed servicing arrangements would represent and worsening of the “fall back” position by reason of inadequate visibility splays, resulting in vehicles manoeuvring on the highway to the detriment of highway safety contrary to CS14 and PP12.	Written representations	Dismissed 31.08.2017	N/A	<ul style="list-style-type: none"> - Inspector concluded that the number of trips generated by a retail unit would be greater than for a public house. They would also more likely occur during peak hours. The Inspector also stated that as the public house were to be demolished, the site would become a blank canvas (the fall back position of public house therefore has little weight). The manoeuvring of the delivery vehicle would also impede the free flow of traffic at the junction of Church St/Sough St, contrary to PP12. - Inspector did not criticise the design of the building but the issues around highway safety carried greatest weight in this case.
16/02391/ADV	Land at Hodney Road, Eye Peterborough	Three freestanding metal structures, each to be fitted with on non illuminated advertisement (restrospective)	Refused	N/A	1. Visual impact on surrounding rural landscape contrary to paragraph 67 of the NPPF, CS16 and PP2. 2. Unacceptable impact on highway safety of motorists using Eye Road through driver distraction contrary to PP12.	Written representations	Dismissed 14.08.2017	N/A	<ul style="list-style-type: none"> - Inspector noted the location of the signs (existing) is in open and flat countryside to the west, north and east and not at the entrance to any established business. - Regarding visual amenity, the Inspector concluded the structures and the advertisements are an incongruous addition to the area by virtue of their cumulative effect, siting, height, design and double sided nature. They are out of character with the surrounding open countryside setting. - Regarding highway safety, the Inspector noted the location next to the busy A47 and found that drivers would modify their driving behaviour to read the signs. This would result in harm to highway safety.

Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

17/00367/FUL	Land to the rear of 1332 Lincoln Road, Peterborough PE4 6LP	Construction of one No. 3 bed detached dwelling	Refused	N/A	<p>1. The siting of the dwelling in the rear garden is out of character with the pattern of development in the area thus causing harm to the character of the area contrary to paragraphs 58 and 61 of the NPPF, bullet point 1 of CS16 and (a) and (b) of PP2.</p> <p>2. The proposed vehicular access will cause unacceptable loss of amenity for the occupiers of the host dwelling byu reason of noise, disturbance, loss of outlook and sunlight and daylight to primary habitable rooms in the side elevation contrary to PP3.</p>	Written representations	Dismissed 27.09.2017	N/A	<ul style="list-style-type: none"> - The proposed dwelling would be highly visible when viewed between 1332 and 1326 Lincoln Road. This prominence would contrast harshly with the established pattern of dwellings sited closer to the road edge with long rear gardens. As such is would be harmful to the character and appearance of the area contrary to CS16 and PP2. - The principal elevation to 1332 faces the proposed access drive to the new dwelling. In the absence of a fence the occupiers of the host dwelling would be subject to engine noise, vibration and headlamp glare and possibly overlooking. Road noise could be mitigated through surfacing but the other issues would create an unacceptable level of amenity. If a fence of suitable height were to be placed to the side of 1332 this would present an unacceptable outlook to future occupiers contrary to policy PP3. - Acknowledged lack of a 5 year supply but the issues set out above outweigh the limited social and economic benefits that allowing one dwelling would bring.
17/00412/FUL	Electricity substation, 2m from 129 Montagu Road, 9m from unnamed road. Walton, Peterborough, PE4 6EP	Provision of two shipping containers for storage purposes (retrospective) - resubmission	Refused	N/A	<p>1. The shipping containers constitute an incongruous addition of an industrial element to a residential area to the detriment of the character of the area contrary to CS16 and PP2.</p> <p>2. The siting of the containers between two sets of allotment access gates result in loss of vehicular and pedestrian visibility to the detriment of the safety of the users of the allotments contrary to PP12.</p>	Written representations	Dismissed 18.09.2017	N/A	<ul style="list-style-type: none"> - Although the containers are positioned at the rear of the site they can be seen through the gap between the dwellings and along the access road to the allotments. Despite their siting they appear more prominent due to their incongruous appearance in the setting of domestic dwellings. The siting of the two shipping containers has an adverse effect on the character and appearance of this residential area and cannot be ameliorated by the erection of fencing/trellis as proposed. Contrary to bullet point one of CS16 and PP2. - Inspector noted that the Highway Authority objected both on grounds of visibility and displacement of parking but from the evidence it appears there is no right for users of the allotments to park on the appeal site which is in private ownership. There would be some limited impediment to visibility but conclusion is that there would be no significant adverse impact on the safety of users of the allotments.

Appendix 1 – Appeals Performance from 1 March 2017 – 31st October 2017

17/00359/FUL	62-64 Westgate Peterborough PE1 1RG	Construction of detached single storey garage for storage of taxis (part retrospective)	Refused	N/A	<p>1. The garage is sited in the North Westgate Opportunity Area and this development would prejudice the comprehensive redevelopment of this wider opportunity area contrary to CC3 and the parameter plans approved under extant permission 15/01041/OUT. It would prevent the masterplan layout of this planning consent being achieved on site.</p> <p>2. Once completed, the proposed outbuilding will result in a large, featureless and monotonous design which would be harmful to the visual amenity of the area contrary to CS16 and PP2.</p>	Written representations	Dismissed 21.08.2017	N/A	<ul style="list-style-type: none"> - At the time of the appeal site visit the garage had been partially completed but has not roof. It was filled with vehicle items such as tyres. - On the basis that policy CC3 in the CCP was adopted as recently as December 2014 and there is an existing mixed use scheme 15/01041/OUT the Inspector considered there is a real prospect that the redevelopment could commence within the foreseeable future. Concluded that it cannot be safely said that the garage would not prejudice the redevelopment and it would not be reasonable to impose a condition requiring the demolition of the garage after a period of time, so contrary to CC3. - Due to its height, design and position, the garage would adversely affect the character and appearance of the area in conflict with CS16 and PP2.
17/00275/HHFUL	2 Stonebridge Lea, Orton, Peterborough PE2 5LY	Extend roof height of existing single storey side extension	Refused	N/A	<p>1. The proposal by virtue of large roof design, mass, length from the side elevation and absence of front window openings would fail to respect the character of the host dwelling. The development would have an adverse impact on both the character and appearance of the host property and the area contrary to CS16 and PP2.</p>	Written representations	Dismissed 04.09.2017	N/A	<ul style="list-style-type: none"> - When viewed from Stonebridge Lea, the proposal would present a much steeper roof pitch and consequently much greater expanse of roof tiles that is evident on the host dwelling, its connected neighbour or with the surrounding area. As such it would appear as an awkward addition that would be out of character with the host dwelling or surrounding area. As such the proposal would be harmful to the character and appearance of the area in conflict with CS16 and PP2.