

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 19 DECEMBER 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 28 November 2017 **5 - 18**

5. Development Control and Enforcement Matters

5.1 **17/01765/FUL - Land To The East Of Manor Farm Nene Way Sutton Peterborough.** **19 - 34**

5.2 **17/01432/FUL - Thorney Golf Club English Drove Thorney Peterborough.** **35 - 52**

5.3 **17/01833/FUL - 22 Topham Crescent Thorney Peterborough PE6 0SR.** **53 - 60**

5.4 **17/01785/FUL - Lazyacre Werrington Bridge Road Milking Nook Peterborough.** **61 - 74**



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Committee Members:

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

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

Further information about this meeting can be obtained from Dan Kalley on telephone 01733 296334 or by email – daniel.kalley@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Paul Smith, Mike Roberts, Janet Maclennan, Louise Simmonds, Vicky Hurrell, Sundas Shaban, Amanda McSherry, Sam Falco, Matt Thomson, Michael Freeman, Jack Gandy, Carry Murphy and Joe Davis

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, Head of Planning and/or Development Management Manager 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, 28 NOVEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Officers Present: Lee Collins, Development Management Manager
Theresa Nicholl, Development Management Support Manager
Simon Ireland, Principal Engineer, Highway Control
Karen S Dunleavy, Democratic Services Officer
Stephen Turnbull, Planning Solicitor

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

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

Councillor Bond declared an intention to make a representation on item 5.3 17/01615/HHFUL - 8 Borrowdale Close Gunthorpe Peterborough PE4 7YA.

The Planning and Environmental Protection Committee **AGREED** for Councillor Bond to speak on Item 5.3.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 7 NOVEMBER 2017

The minutes of the meeting held on 7 November 2017 were agreed as a true and accurate record.

5.1 16/01361/FUL - LAND TO THE SOUTH OF LAWRENCE ROAD WITTERING PETERBOROUGH.

The Planning and Environmental Protection Committee received a report in relation to an application, which 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 Head of Planning introduced the report and update report.

John Dudge the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Officer's recommendation was clear and had been supported by the background documentation requested by the Planning and Environmental Protection Committee on 7 September 2017.
- The site proposal had been included in the draft Local Plan to the Growth Environment and Resources Scrutiny Committee and Cabinet 190 dwellings, which had been approved. There were no objections raised in regards to highway infrastructure.
- If the proposal was approved the development would be deliverable in a short period of time.
- The development would help with the five year land supply and housing allocation for Peterborough.

Richard Drain, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The A1 was a dangerous road and there had been three accidents since the proposal was presented to Committee.
- The Royal Air Force was releasing 90 houses for general sale and that data had not been taken into account in regards to the impact on facilities such as doctors and schools. There was a concern that these types of services would be saturated for the Wansford and Stamford areas.
- There were 140 empty unmarried quarters on the RAF site that had not been factored into the traffic movement figures.
- There could be 1000 vehicles in Wittering village in total if the proposed development was approved including the forces accommodation when occupied.
- It was not clear how the developers could enforce use of public transport and cycleways in Wittering village. The bus service for Wittering village had not offered travel hours to accommodate those travelling to a place of employment, in addition there was no bus service on a Sunday.
- There were no cycle routes from Wittering to Peterborough and the A47 was felt too dangerous to travel by cycle.
- It was believed that accidents were not going to stop and could happen on a monthly basis on the A1/Townsend junction.
- The three accidents occurred between June and September 2017 around the A1/Townsend junction. One of the accidents required an air ambulance to respond to the injured travellers.
- The data provided by Cambridgeshire County Council over a five year period from January 2012 to April 2017 highlighting six fatalities had been noted. However, it was felt that these were enough to cause a concern over the safety of the A1/Townsend junction.

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

- There was no reason why Highways England could not consider a variable speed restriction at the A1/Townsend junction.

- Accidents were always considered significant on the highways network and the Local Authority (LA) officers monitored these on a regular basis.
- It was not clear what the finite details were of the recent accidents at the A1 Townsend junction, which was alluded to by Mr Drain.
- Traffic assessments impact for proposed developments would be undertaken by taking into account the movements for HGV, residential and office worker vehicles at peak times on particular junctions. If there had been more than 30 movements in an hour the LA would explore whether there were any changes required at a junction.
- The site had already be allocated as development in the Local Plan (LP).
- The traffic data presented had highlighted that the junction was fit for purpose and there would be less movements to the proposal originally contained in the LP.
- Members felt that the A1/Townsend junction would benefit from installation of a flyover sooner rather than later, however, there were no grounds to refuse the proposal as there was no significant traffic impact.
- Members were eager to lobby Highways England and the Government to ask for consideration to be given to reduce the speed limit at the A1/Townsend junction to 50 miles per hour.
- It was appreciated that the A1/Townsend junction was difficult for motorists to navigate, however, due care and attention should always be taken when approaching it as they motorists would do with pedestrian crossings.
- Sympathy was felt for the residents of Wittering village, however, there had been no technical reason for the Committee to refuse the planning application in relation to the traffic concerns raised.
- The 30 extra houses had not highlighted a significant traffic movement concern.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions.

ACTION AGREED

It was agreed that the Chairman would write to the Government and Highways England in regards to the application and ask for consideration to be given to reduce the speed limit over a two to three mile distance to 50 miles per hour at the A1/Townsend junction of Wittering village.

Reasons for the decision:

The accident data submitted showed that at the A1/Townsend Rd junction of the seven slight accidents over the five year period, none were as a result of vehicles entering or leaving Wittering junction. The updated traffic surveys and traffic distribution data, demonstrated that there was capacity at this junction to accommodate the development proposed. It also showed 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 showed that there was capacity at the A47/Oundle Rd junction to accommodate the development proposed. Therefore the existing A1/Townsend Rd junction had 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.

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

The Planning and Environmental Protection Committee received a report in relation to an application site which comprised a one and a half storey commercial building located on the southern side of the High Street. The site was 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 occupied the entire depth of the block which ran along the High Street and Back Lane albeit there were numerous examples of backland residential development which had resulted in a frontage being created to Back Lane. The surrounding area was of varied character, with commercial/retail premises to the High Street and residential dwellings to Back Lane and beyond to the south. Vehicular access had been granted to the site via a dropped kerb crossing from Back Lane.

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

The application sought planning permission for the demolition of the existing commercial unit and construction of six one-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 included associated parking, landscaping and a small staff office with shower room (not living accommodation).

Members were requested to note that the proposal had been amended from that which was originally submitted to address comments raised by officers. These alterations related 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.

The Development Management Support Manager introduced the report and update report.

Jonathan Mills, the Applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed dwelling would facilitate specialist accommodation for disabled people, which was much needed in the city.
- Liveways was a support service for thousands of people with disabilities across the United Kingdom and could meet a wide range of needs.
- The design team had worked hard to minimise any impact on amenities to neighbouring properties.
- The proposal would not impose a detrimental impact on the character and appearance of the conservation area.
- The proposal would aesthetically improve the appearance of Back Lane and High Street.
- The original building provided a car sales service which was felt to cause noise and disturbance to local residents.
- Six new homes for residents with disabilities that would not be car owners.
- The two parking places were policy compliant.
- Any planning conditions imposed by the Committee would be worked.
- The referral by the Eye Parish Council and their objection was in relation to parking, however the existing property was used as a car sales building that

offered no parking for staff. The chances of the parking being used by residents of the proposed development would be rare due to the nature of their disabilities. Therefore, parking would in the main be used for staff working on a shift rotation pattern.

- The proposed property was on a main bus route and it was anticipated that staff providing support would be local to the area.
- If there were more than four people visiting at once there were other parking options near to the proposed development such as on Back Lane, which was currently used by many motorists. It had been anticipated that the parking situation in the area would improve compared to what had been created by the present car dealership.

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

- The parking situation would not be any worse compared to the current situation of the car dealership and was anticipated by officers and the highway authority to be acceptable.
- Had the proposal been for six open residential properties the amenity space would be considered limited.
- There would be a condition that the proposed dwellings could not be occupied by anyone other than what had been specifically applied for.
- Members felt that the design was sympathetic and had only raised the building slightly and was in line with the chimney line.
- The demolition of the existing building for the proposed development was positive.
- The parking had not appeared to cause concern and would be an improvement to what existed compared to the current car dealership.
- The existing structure was an eyesore and the proposal would blend into the street scene sympathetically.
- The concerns of objectors had been addressed and discounted by officers in the planning report.
- The proposed development was in a conservation area and the current building had not blended in.
- The demolition work would be temporary and was not considered significant.
- Cominal use of refuse bins had been conditioned.
- The proposed development would have less impact to the area and would be an enhancement.
- Eye Parish Council had not attended to the meeting to explain their objections further to Members.
- Ward Councillors had not made any objection.
- Mr Mills and the development team should be commended for such a development, which helped people with disabilities live in a community.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions.

Reasons for the decision:

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

- the proposal would provide six one bed residential units for persons with a physical or learning disability for which there was 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 number 12 Back Lane however it was considered that this harm was 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 was 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 was deemed to be negligible.

2:25PM - At this point the Committee took a short break and Councillor Bond stepped down from the Committee to discuss the next item.

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

The Planning and Environmental Protection Committee received a report in relation to The application site comprised a two storey semi-detached dwelling located within a residential area. The property had a single detached garage positioned to the rear of the house which adjoined the neighbouring garage at number nine. The properties within Borrowdale Close were predominantly detached bungalows, however, upon entry into Borrowdale Close from Coniston Road, number one to fourteen were all semi-detached two storey dwellings. The properties to the rear of the site, within Eskdale Close, were two storey dwellings.

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 had been

received during the course of the application, which reduced the size of the two storey rear extension, thereby creating a part two storey rear extension and part single storey rear extension. The amended plans had 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 five metre (length) by five metre (width), with a ridge height of six point six metre and eaves height of five point five metre. The amended plans received, reduced the two storey rear projection from five metre to two point seventy five metre, however, they retained the ground floor projection at five metre, creating a part two storey and part single storey rear extension. The ground floor rear extension proposed a non-pitch roof, with ridge height of three point six metre and eaves height of two point six metre. The proposed front porch would measure approximately one point eight metre (depth) by two point two metre (width). It would have a mono-pitch roof with an overall height of three point six metre (two point two metre to eaves).

In addition three new side windows were 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 was also proposed in the new extension on this side elevation.

The Development Management Support Manager introduced the report and update report.

Cllrs Davidson and Bond, Ward Councillors addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The councillors were representing two residents Mr Sturges and Claire Jackson.
- There would be an impact to the area and amenities if the proposed extension was to be approved.
- The identity of the applicant was different to what had been registered with the land registry.
- The design of the layout was not in accordance with DBD policies PP02, CS16 and PP04 as the proposal design and layout had a detrimental effect on the character of the area.
- The impact for the neighbours at 6 and 7 Borrowdale and 18 Eskdale Close would be adversely affected.
- The proposal would cause loss of natural daylight, increase in noise and other disturbance to neighbours, and was in contravention to DPD 2012 and PP03, however, the officers deemed this to be acceptable.
- Neighbouring windows would be exposed, thereby loss of privacy for neighbours.
- The proposal would be obtrusive to primary habitable rooms and the outdoor amenity area for the neighbour at number 7 Burrowdale Close.
- There would be a drainage impact for both properties
- The extension would be duly prominent to neighboring properties and would increase disturbance.
- No properties in the area had a two storey extensions and would set a precedent for other residents to undertake the same extension, which would affect the aesthetics in Borrowdale and Eskdale Close.
- The rear extension would limit views from the surrounding public highways
- The main view of the extension would create unacceptable visual harm to the surrounding area due to limited views in the surrounding streetscene.

- The proposed extension had not matched the aesthetics of the surrounding properties in Borrowdale Close.
- The value of neighbouring properties could be adversely affected.
- Objections included in the additional information pack from residents, should be given consideration.
- There had been a shared drainage point at number 8 and 7 Borrowdale Close which had a met by a fence. The proposed development would impact on the structural impact of the fence. There was also a concern in regards to a shared proposed drainage move and soakaway and the limited floor space.
- The reference in respect to PP13 objection related to loss of light to the rear garden, bedrooms and kitchen and would it could have an impact on the neighbours wellbeing. In addition there would be an increase in parking as a result of the proposed extension.

Mr RA. Johnson-Markley and Mrs Claire Jackson speaking in objection addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was a community spirit in Borrowdale Close and all neighbours had kept their properties within keeping of the area.
- There was a large porch extension proposed, although none of the other properties in Borrowdale Close had extended their porches.
- There was a partition wall to the front and rear of the property and there had been no clarification over what would happen with it.
- There would be a huge overshaddowing and light obstructions in many rooms of number 7 Borrowdale.
- The proposed porch extension would impact on light would be obstructed in the front hall and living room areas of number 7 Borrowdale.
- Two letters from estate agents to state that number 7 Borrowdale would devalue by £20,000, should the proposed extension be approved.
- The application form had not been conducive to Peterborough City Council Planning in respect of the questions asked.
- There were discrepancies on the drawings and dimensions on the internal plans for the proposed extension.
- It was uncertain whether the proposed extension materials would be in keeping with the surrounding properties as they were no longer manufactured.
- The proposed extension would alter the whole streetscene in particular reference to the porch.
- The streetscene was a mixture of bungalows and houses, however, the extension would be overbearing and there were no porches on any of them in Borrowdale Close.
- There would be five large windows facing the neighbouring property of the proposed extension.

Terri Kitoco, the applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed extension was to provide an additional bedroom and larger kitchen and bedroom as the applicant's daughter was going to live with her.
- It was believed that there would be no overshadow in the morning as the sun would not rise on the side of the building alluded to by the objectors.

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

- A property could be extended up to three metres and two stories in length set into the boundary without planning permission. The proposed application was on the boundary and needed an application.
- An ground floor single storey extension up to four metres for a semi detached properties would also not need planning permission. There was a provision under prior approval rules where an extension could go up to eight metres, however if there were objections from a neighbouring property, then planning application route would be required.
- There would be some shadowing in the morning to certain areas of the neighbouring property, however, these were considered not significant enough for officers to recommend refusal of the application.
- The fifth window alluded to by the objector was in relation to the porch window.
- The reduction in value of the neighbouring properties would not present a material consideration to planning approval.
- The size of the garden that would remain following the proposed extension to 7 Borrowdale Close was acceptable and matched the gardens of new developments.
- The first floor extension proposed was in line with the start of the existing garage of 8 Borrowdale Close.
- A condition could be applied by the Committee for the applicant to submit building material samples before the construction was started.
- The objector would need to seek separate legal advice in regards to the parting wall.
- There was a sympathy felt for the neighbouring residents and the size of the rear extension and concerns raised regarding the wall that was proposed.
- The proposed porch extension was not too imposing and was an element that Members would be minded to approve, if it had been presented as a separate planning application.
- The planning application boxes appeared to be ticked and there had been a fairly mixed streetscene, however the rear extension was felt to be too big.
- The planning application needed to be revisited by the applicant.
- Members were minded to refuse the proposed extension due to the unacceptable harm to the amenity of the neighbour of 7 Borrowdale, by way of overbearing and over shadowing and reduced privacy impact.
- The reasons as to why the residents at 8 Borrowdale Close wanted to extend their property had been taken on board by the Committee.
- The Committee cared about the community and how properties looked, however, it had to take into account the impact on the neighbour of 7 Borrowdale Close and the poor amenity they would be presented with if the proposal was approved.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (Unanimously) to **REFUSE** the planning permission.

REASONS FOR THE DECISION

The planning application was refused on the grounds of it was too overbearing to the neighbours amenity and therefore it would be contrary to Planning Policy PP03.

At this point of the meeting Councillor Bond returned to sit on the Committee.

5.4 17/01753/FUL - 11 Northfield Road Millfield Peterborough PE1 3QQ.

The Planning and Environmental Protection Committee received a report in relation to an application site, which was a semi-detached dwelling of brick and tile construction. Neighbouring dwellings were arranged in a traditional linear alignment. The dwelling was located in the Millfield area, approximately one mile north of the city centre. The dwelling had a small enclosed front garden with rear access to the side. The rear garden was fully enclosed. Parking to the front was on road, restricted to resident permit or one hour, no return within two hours.

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

The Head of Planning introduced the report and update report.

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

- Representing residents on their request.
- The rear lounge change of use was for religious teaching.
- The applicant would live in the property and there was no change of appearance applied for.
- The area was covered by public transport.
- The site had on street parking for bikes.
- It was anticipated that most attendees would walk to the site and it was of ground level with no disability access issues.
- No one had objected to the application.
- There was a petition for the development to go ahead.
- If application had been for two groups of seven there would be no need to apply for permission.
- There were a number of religious establishments in the area and there had been no objection to their operation.
- The application was not for a nursery school.
- Common sense should be applied to the application and consideration of temporary permission.
- There had been no complaints received about other religious teaching establishments.
- The site was adjacent to Councillor Nadeem's ward and many children from his ward would attend.
- The applicants had been resident in the area for 50 years.
- The religious teaching would be provided free of charge.
- The proposal was important to the operation can do area as it would keep young people off the streets.
- The proposal would take pressure off local parents that needed this facility in place for their children.
- Acoustic boards could be installed to deal with any issue of noise as outlined in the additional report.
- The officers photos and survey of parking and traffic undertaken were not in line with the timings of the application. The applicants pictures showed a different situation to the drop off and pick up times, which demonstrated that there was issue.
- Several houses had more than five children living in one house. There would only be 10 children in attendance. The applicant was passionate about the

wellbeing of the children and would teach them how to behave and respect the neighbours of the site.

- There were a number of similar religious education facilities and there had been no issues as already alluded to. Residents neighbouring the site were given an opportunity to add representations in objection to this application and had not.
- North ward was about 50 metres from the site and would not be too far for students to walk.
- The next religious study facility was on Gladstone Street, which was already congested. This presented an issue whereby children would need to cross the busy Lincoln Road. The proposed application would present children and parents with a safer and shorter distance to travel.
- The average age of students would be between 7 and 16 years old.
- The proposed religious teaching environment would be of an Islamic structure, which would not create a noise disturbance. There had been no noise complaints brought to the Councillors attention to date in respect of other similar teaching establishments.

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

- A D1 application required the provision of parking drop off and pick up, including for staff. Although there were parking facilities near the site and off Northfield Road the area was already congested with traffic. The religious studies were proposed to take place at peak times of traffic movements in the area and therefore would increase the congestion issue. The Highways team were currently exploring improvements to the area adjacent to Lincoln Road in order to improve the traffic congestion.
- The officer traffic survey and photos had taken place at 11:00am.
- There had been staff parking provision at the larger mosques as this was a requirement under planning policy D1. The proposed application would rely on parents to park up and drop off the children. The proposed application has no staff parking as the staff lived at the property.
- The area needed establishments that could provide religious Islamic teaching, however, the proposed site was in the wrong location and next to a junction with mixed vehicle use.
- If there had been a reduction in the number of children to seven in each lesson, this would still constitute a change of use and therefore require planning permission. However, a reduction to three or four children per lesson would not require a change of use.
- Members felt that the learning facility was much needed, however, not to the detriment of neighbour disruption or children's safety.
- The area was furnished with commercial businesses and vehicles that visited regularly, which presented an issue for the learning facility in terms of traffic movements and parking.
- Some Members felt that consideration should be given by the Committee to approve the application to give temporary consent. If issues arose during the temporary operation in relation to noise or parking, then the permission could be revoked.
- Some Members felt that temporary permission should not be granted as the site was in the wrong place and highway concerns had been raised by officers.
- Members commented that they felt a great responsibility should an accident occur within a temporary 12 month trial period.
- There were some schools that were located in the wrong place and this had been historically agreed by previous Planning Committees, however, Members

felt a duty to ensure that learning establishments were placed in the right location going forward.

- The parking and traffic issues could be improved, however, temporary permission would not provide a prediction on how many cars would use the site in future.
- Motorists would not expect a group of 10 children travelling out into the road at the time of day stated in the application.
- Parents would be expected to wait outside a mosque in order for staff to manage the safeguarding issues of children and would not release a child to an adult until a name was confirmed. Following collection, all children would be accompanied home by parent.
- Some Members felt that to have 10 sets of parents waiting to collect children from the proposed site would exacerbate the traffic congestion problem in the area.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (7 voted in favour, 3 voted against, 1 abstained from voting) to **REFUSE** planning permission.

REASONS FOR THE DECISION

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

The proposal would result in an increased demand for car parking from the site, in an area with an existing parking problem. The applicant had not proposed to provide any off street parking or drop off/pick up facilities for the proposed use therefore people were likely to seek on street parking. The increase in vehicle trips to the site and increased parking demand would be to the detriment of other highway users and may result in vehicles being parked in unsuitable locations on the adjoining public highway. This was 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, would result in unacceptable noise disturbance to the occupiers of neighbouring dwellings, to the detriment of their amenity. This was contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policy PP3 of the Peterborough Planning Policies (DPD) 2012.

4:56PM - at this point Members took a short break.

5.5 09/01368/OUT - Land To The North off Norman Cross London Road Peterborough

The Planning and Environmental Protection Committee received a report in relation to The Great Haddon urban extension, which had been allocated for development in the adopted Local Plan. The site was 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 comprised 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 2017, unless an additional period of time was given.

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

Since the Committee resolution in July 2017, officers had been working hard with the applicants to resolve the key issues associated with the S106 agreement and the practical delivery of what had been a very large and complex development. The majority of these issues had been agreed in principle and detailed drafting of the wording of the S106 agreements was ongoing.

Whilst significant progress had been made, there was still further work to undertake, especially in respect of the detailed drafting of the S106 agreement. The obligations to be included in the agreements were high value and complex. In light of this, it had 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, had advised that a period of at least three months was required.

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

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

- All officers involved in finalising the S106 agreement were working diligently with all parties involved to complete the requirement quickly.
- Assurances were given to Members that the S106 agreement would be resolved within a three month period.
- The officers had not wished to be in a position where the application was refused due to the incompleteness of a S106 agreement.
- Officers would reiterate the position to stakeholders in order to avoid any further risk of delay in signing the S106 agreement.
- The letter received from David Shaw would be responded to by officers to ensure that the Committee's message of no further delay would be accepted, regardless of any future government initiatives on offer.
- There had been a lessons learnt exercise carried out and the findings would be applied for future developments. Officers were advising forthcoming developers to try and resolve the S106 agreement details as soon as possible.
- Members commented that the Committee would expect the local authority Director and all Developers to attend a Planning and Environmental Protection Committee in the future if there should be further delay.
- Members wished to receive confirmation once the S106 agreement had been signed.

RESOLVED:

The Planning and Environmental Protection Committee considered the report and **APPROVED** (Unanimously) to extend the authorised delegation to officers to refuse the application if the S106 Agreement has not been completed by 28 February 2018.

REASONS FOR THE DECISION

The application gave 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 were not met. The development was therefore considered to be contrary to the provisions of policy CS13 of the adopted Core Strategy.

6. Appeals Performance 1 March to 31 October 2017

The Planning and Environmental Protection Committee received a report in relation to the Planning Service appeals performance.

The purpose of the report was to review the Planning Service appeals performance and identify whether there were any lessons to be learnt from the decisions made. This would help inform future decisions and potentially reduce costs.

The Head of Planning introduced the report and Members were asked to note the past performance and outcomes.

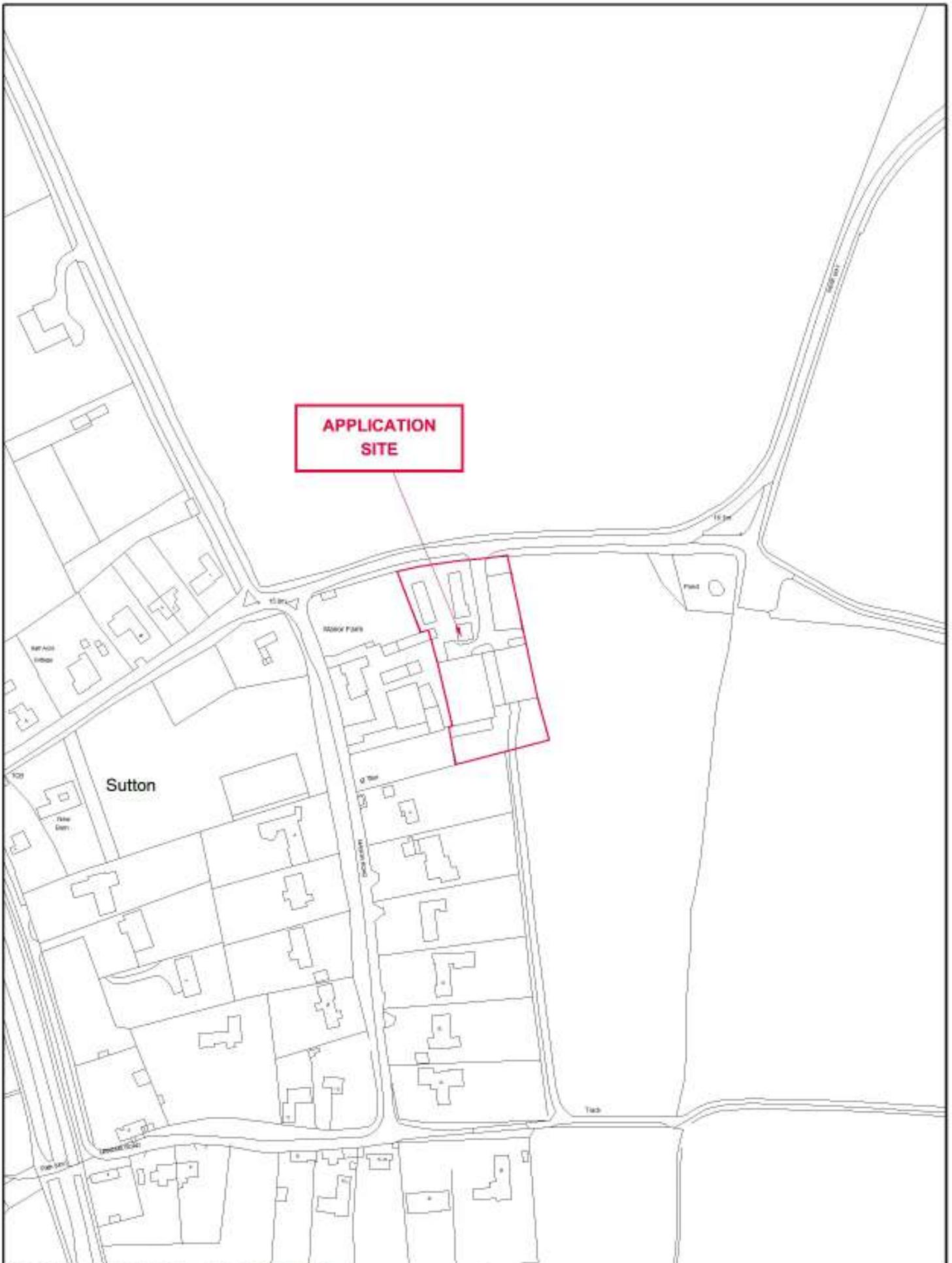
The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The Chairman commented that the officers appeal results of 2.8% was good and had exceeded national requirements.
- The Nine Bridges appeal remained ongoing and Members would receive an update in due course.
- If there were more than 10% of planning applications which went to appeal due to the Committee dismissing officer recommendation, then the relevant body would intervene.

RESOLVED:

The Planning and Environmental Protection Committee considered and **RESOLVED** (Unanimously) to note the past performance and outcomes.

Chairman
1.30pm – 5.35pm



LOCATION PLAN 17/01765/FUL
 Land To The East Of Manor Farm, Nene Way, Sutton

Scale NTS **Date** 6/12/2017 **Name** AA Department Planning Services



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Application Ref: 17/01765/FUL

Proposal: Demolition of farm buildings and erection of single dwelling and detached garage outbuilding with associated parking and amenity space

Site: Land To The East Of Manor Farm, Nene Way, Sutton, Peterborough

Applicant: Mr & Mrs R Facer

Agent: Mr J S Dadge
Barker Storey Matthews

Referred by: Director of Growth and Regeneration

Reason: Departure from Local Plan

Site visit: 02.10.2017

Case officer: Mr M A Thomson

Telephone No. 01733 453478

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

Recommendation: **REFUSE**

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

Site and Surroundings

The application site is at the north-east corner of Sutton. The land was developed as a farm yard associated with Manor Farm, however the adjacent Manor Farm (the house and stables) were separated off from the farmland and the farm yard (subject of this application) some time ago. There are various 20th-century agricultural buildings across the site, in various states of repair. These buildings are a mixture of steel and timber portal buildings with corrugated roofs of varying ridge heights from 5.8m to 9m. This tallest is a former grain dryer.

These buildings on-site are dilapidated to various extents. There is also a large area of hardstanding. The application details state that the farmyard is no longer used, although neighbours have previously commented that the access and associated track are in use.

The site is partly within, and partly outside, the village envelope boundary. All land to the west of the eastern access road is within the village boundary, and all land to the east is situated outside of the village boundary.

Between Manor Farm and the first of the row of dwelling plots to the south on Manor Road is a vacant piece of land. It appears to fit the pattern of plot layouts on Manor Road, although is about half the width of the typical plots. Outline planning permission for residential development was granted in 2001 under App Re: 01/00550/OUT. Part of the largest agricultural building just projects into the east end of this plot, but otherwise there are views out of the village across this land.

The Manor Farmhouse is a Grade 2 listed building. The Sutton Conservation Area covers the majority village, but does not include the farmyard to which this application relates.

Pre-Amble

In 2016 planning permission was granted by the Planning and Environmental Protection Committee for the 'demolition of farm buildings and construction of 2 dwellings together with associated works'.

These dwellings were of an L shape design and to be constructed out of coursed limestone, conservation roof slate and timber openings. The dwellings would stand at 8.6m and 9.8m

respectively. These properties utilised the eastern most access into the site, and shared a single storey building situated in between, forming garages and bin storage.

To confirm this planning permission is extant and doesn't expire until July 2019, so is a material planning consideration.

Further to the previously approved 2016 scheme, the red line forming part of the site location plan has been altered. For all intents and purposes the eastern and southern redline boundary has been squared off, and would incorporate additional scrub land situated in the north east and south-east corners respectively. To confirm these areas are situated outside of the village envelope, within the open countryside.

Proposal

This application seeks planning permission for the 'demolition of farm buildings and erection of single dwelling with associated parking and amenity space'.

The proposed dwelling would be sited 50m from Nene Way site frontage and would utilise both existing vehicle access points creating an in and out access arrangement. The dwelling would stand at three and two storeys in height. The main dwelling would have a floor area of 16.9m x 16.9m and proposes to stand at 7.4m to eaves and 9.5m to ridge. The two storey element would have a floor area of 7m x 16.9m proposing to stand at 4.75m to eaves and 6.6m to ridge.

A detached one and a half storey triple garage with accommodation above is also proposed to the side of the property, with a floor area of 7.3m x 16m and proposes to stand at 2.7m to eaves and 5.5m to ridge.

The description of development has been amended to include 'a detached triple garage', which originally fell under the general heading of 'associated parking'. Officers wanted the description of development to be more precise and for the avoidance of any doubt, however did not consider it necessary to re-consult on the basis that the garage building is clearly shown on the proposed plans, and there has been letters of support from neighbours and the Parish Council.

2 Planning History

Reference	Proposal	Decision	Date
16/00349/FUL	Proposed demolition of farm buildings and construction of 2 dwellings together with associated works	Permitted	08/07/2016
14/02024/FUL	Proposed demolition of farm buildings and construction of 5 dwellings with associated works	Refused	10/04/2015

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 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 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.

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS20 - Landscape Character

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

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

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

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

CS26 - Mineral Safeguarding Areas

Development will only be permitted where it can be demonstrated that the mineral concerned is no longer of economic value, the mineral can be extracted prior to development taking place, the development will not inhibit extraction in the future, there is an overriding need for the development and prior extraction cannot be reasonably undertaken or the development is not incompatible.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP05 - Prestigious Homes

Permission will not be granted for development involving the loss of prestigious, top-of-the market housing unless there is clear evidence of appropriate marketing or new prestigious homes would be created.

PP07 - Occupational Dwellings in the Countryside

Permission for a permanent dwelling will only be granted to enable an agricultural/forestry worker to live at or in the immediate vicinity of their place of work. Permission will not be granted for a new permanent dwelling in association with a proposed or newly established enterprise in the countryside.

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.

PP15 - Nene Valley

Development which safeguards and enhances recreation or which would bring landscape, nature conservation, heritage, cultural or amenity benefits will be supported. Development which would increase flood risk or compromise flood defences will not be permitted.

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

PP20 - Development on Land affected by Contamination

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

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

Sutton Parish Council

Support – The Parish Council welcome the application.

Historic England

No objection - On the basis of the information available we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Peterborough Civic Society

No objection - The Peterborough Civic Society neither objects or supports the proposal, advising that it is a pastiche of Georgian architecture, and as such fails to recognise the fundamental principles of Georgian proportions and design.

PCC Conservation Officer

Objection - The proposed development would result in the clearing of modern steel clad and timber agricultural buildings, which have a negative impact on the setting of the Grade 2 Manor Farm and Sutton Conservation Area. Their removal would make a significant positive contribution.

However, the proposed dwelling is very large in both footprint and massing and its architectural detailing is hierarchically and architecturally dominant of its surroundings, including Manor House and its curtilage listed buildings. Manor Farm should in itself be the dominant building within its immediate setting and has been for centuries. The result of this is that the proposed dwelling and its siting would appear contrived and erode the prominence and architectural importance of the Manor Farm considerably.

Development that results in such should be resisted on the grounds of impacting on its historic significance and awkward and uncomfortably close relationship between Manor Farm and the proposed development.

The proposed house is designed in a C18 country house architectural style and design that would benefit from an isolated setting, rather than located on the edge an established settlement breaking up the established sequence of a farmstead merging into the open countryside.

The removal of the portal buildings would enhance the immediate setting of Manor Farm, but the proposed dwelling is considered to be less than sensitive to the defining characteristics of the area and its edge of settlement location.

The creation of formal gardens and in and out driveway further adds to the impact outlined above, due to its situation between an established farmstead and open countryside.

The proposal would have an unacceptable adverse impact on the setting and significance of the Grade 2 Manor Farm, and the proposal would not preserve or enhance the character and appearance of the Sutton Conservation Area.

PCC Minerals And Waste Officer (Policy)

Object - The eastern part of the site lies within a Minerals Safeguarding Area. The proposed dwelling has two principal elevations towards Mineral Safeguarding Areas and it is considered that development of this nature is not compatible; on this basis the proposal fails to accord with policy CS26 (Mineral Safeguarding Areas), of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

To minimise any conflict with future quarrying activities the proposed landscaping of the site to both the north and east should be designed in such a way as to enhance screening for the development in addition to any biodiversity and landscape enhancements.

PCC Archaeological Officer

No objection - The archaeological record shows a dearth of finds within a 250m radius although, historically, the place name would suggest a possible medieval/post-medieval origin for the farm.

Cartographic evidence shows that the part of the site to be affected by redevelopment is relatively modern. In addition, most of the area is currently occupied by farm buildings the foundation of which are likely to have caused extensive damage.

There is insufficient evidence to justify a programme of archaeological work. However, given the historic origin of the site, I would invite the applicant and/or his/her agents to report any remains/finds exposed during groundwork operations. Please ensure that the applicant states his commitment in writing.

PCC Peterborough Highways Services

No objection - Subject to conditions being attached with respect to parking and turning, access details which include visibility splays, temporary construction facilities, gates to be set back, wheel cleaning during construction and informative's.

The LHA have advised that it is the intension of the Applicant to retain both accesses into the site post-development. As a result of this both access points must be reduced to residential standard i.e. both must be amended in width to 3.5m and vehicle to pedestrian visibility splays measuring 1.5m x 1.5m should be provided on both sides of each access. The splays must be measured and located from and along the back edge of the adjacent public highway.

PCC Pollution Team

The PCC Pollution Team previously raised no objections, stating 'No Objection - The granting of planning permission will alter the character of the locality and there may be potential for disturbance to the new dwelling residents from sources at Manor Farm. Should those sources result in nuisance the local authority would have a duty to require the abatement of the nuisance'.

PCC Tree Officer

No objection - There is no arboricultural objection to this proposal, subject to conditions. There are no protected trees on site. There would be some tree loss and the exact trees to be removed and retained needs to be confirmed. However, it does not appear from the tree report that the majority of the better quality trees can be retained. Tree retention along with a new landscaping scheme is important due to the site location and to ensure an attractive appearance to compliment the adjacent Conservation Area.

If the proposal is successful then it is advised that a landscaping scheme be secured by way of condition that concentrates on the roadside boundary and tree protection.

PCC Wildlife Officer

No objection - The application is accompanied by an Ecological Appraisal Report (Oct 2013) and subsequent Ecological Updated Report Letter (Feb 2016).

Nesting Birds: The proposal involves the removal of dense vegetation and scrub which is likely to support nesting birds. In addition there was evidence of birds nesting inside the buildings proposed for demolition including swallows and a robin. It is therefore recommend that a standard bird nesting Informative be attached should the scheme be approved.

To mitigate for the loss of bird nesting habitat, it is requested that a range of nesting boxes are installed that cater for a number of different species, secured via a suitably worded condition.

Mammals: Evidence of rabbits was found within the site adjacent to the wall of railway sleepers. Rabbits are protected under the Wild Mammals Act 1996 from crushing, asphyxiation etc. Given that site clearance works may inadvertently cause such suffering, it is recommend that a suitably worded condition is imposed.

The majority of boundary hedges and trees are proposed to be retained and strengthened. With regard to any additional planting it is recommend the use of a range of native tree and shrub species, the detail of which may be provided via a suitably worded condition.

There are no objections to the proposal subject to the use of appropriate conditions as set out above.

Local Residents/Interested Parties

Initial consultations: 2

Total number of responses: 2

Total number of objections: 0

Total number in support: 2

Two letters of support have been received from the adjacent Manor Farm, advising the following;

'We support the planning application which has been considerably thought through in its position and lack of windows facing our Grade 2 listed property. The positioning of the dwelling at the back of the plot allows full visibility of our listed property to be maintained which was a key concern of ourselves and the heritage department with the previous applications. The building application is not intrusive in terms of the overlooking of our property either due to its position behind the barn rebuild that we have just received permission for ourselves'

Submitted separately, it was also stated that there are precedents for houses being set back from the road, such as Follyfields and two properties on Graeme Road.

5 Assessment of the planning issues

The main considerations are:

- a) Principle of development
- b) Impact on Manor House Farm (Grade II) and Sutton Conservation Area
- c) Residential amenity
- d) Access and highway implications
- e) Trees, landscape and ecology
- f) Minerals Safeguarding Area
- g) Archaeology

h) Developer contributions

a) Principle of Development

Sutton village is defined as a small village under Policy CS1 of the Peterborough Core Strategy DPD (2011). The principle of infill development of up to 9 dwellings within the village envelope is therefore considered to be acceptable, subject to the application being satisfactory in all other respects.

There is an extant planning permission for two large L shaped residential dwellings on the site, established under App Ref: 16/00349/FUL. However, the redline plan for this application has since changed and the application being considered now incorporates an area of scrub land situated in the north-east and south-east corners respectively. To confirm there was a small encroachment along the eastern and southern boundary under the 2016 approved scheme, however this was due to a barn and area of hard standing being situated outside of the village envelope. These areas were included to secure a better, more comprehensive scheme.

There has been no justification for this additional encroachment into the open countryside, over and above what was secured as part of the 2016 approval, other than what appears to facilitate a larger garden to serve the proposed dwelling.

As discussed in further detail below the scheme as submitted is not supported due to its juxtaposition to the Grade 2 Manor Farm House, and the resultant impact on the hierarchy and setting of this adjacent listed building. There is no also justification provided for the additional encroachment into the open countryside outside of the settlement boundary, therefore the proposal is contrary to Policies CS1, CS2 and CS16 of the Peterborough Core Strategy DPD (2011), PP2 and PP7 of the Peterborough Policies DPD (2012) and SA4 of the Peterborough Site Allocations DPD (2012).

b) Mineral Safeguard Area

The part of the site situated outside the village envelope is located within a Mineral Safeguarding Area (MSA) relating to underground resources of limestone, sand and gravel. These areas are defined and allocated in order that proven mineral resources are not needlessly sterilised by non-mineral development. Development proposals on land which is not otherwise allocated should be assessed against Policy CS26 of the Minerals and Waste Core Strategy.

The proposed dwelling would be situated within the settlement boundary and therefore Officers consider that it is very unlikely that mineral would be extracted right up to the edge of the village envelope and that a quarry buffer strip would abut the village envelope.

It is therefore considered that the dwelling would not form a significant constraint to extraction of the mineral. Quarrying, although it can take several years, is temporary, and sites are always remediated after extraction.

Therefore, whilst Officers recognise the existence of the adjacent Mineral Safeguarding Area, the proposed development is of a lower density to the previously approved residential scheme and it is a relatively minor encroachment into the open countryside. Therefore it is not considered that the proposed dwelling would form a significant constraint to the extraction of adjacent minerals in the future.

c) Residential amenity of existing and future occupiers.

Manor Farm, adjacent to the application site, is used for various activities including the keeping of horses, chickens and sometimes, according to the occupants, foals and sheep. A barn has also recently been approved under App Ref: 17/00712/FUL and 17/00713/LBC. As a consequence of keeping the livestock, there is a requirement for a muck heap. This is located just within the boundary at Manor Farm, adjacent to the shared boundary.

These existing, legitimate activities at Manor Farm may cause noise and disturbance, including

smells, of a type that maybe unacceptable to residents of the proposed dwelling. If new occupiers complained about this, and the complaint was upheld as a Nuisance by the Pollution Control section, the occupants at Manor Farm could be required to cease their activities.

It is therefore important not to allow a development that would be certain to prejudice an existing, otherwise acceptable, use. However, it is the view of the Planning Authority that people considering to develop or purchase the site would decide for themselves whether to live there, and on the edge of a village next to the Manor Farm. Future occupants should reasonably expect to experience noises and smells, on a day-to-day basis, that would be associated with an adjacent farm yard use.

This proposed dwelling and outbuilding, whilst large, do not propose any first or second floor side facing windows to the west, and there would be a separation distance of some 45 metres to Manor Farm. As such the proposal is not considered to be overbearing, or result in any adverse loss of light or privacy. To confirm a letter of support has been received from the Manor Farm House to the west.

Given the separation distances involved and intervening boundary treatments and outbuildings the proposed dwelling would not result in any significant adverse impacts on existing residents by way of overshadowing, loss of light, privacy, overbearing or noise.

Planning permission would be required to install first and second floor windows, as well as side facing roof lights, unless they were obscurely glazed, or set at specific heights. However, if planning permission were granted permitted development restrictions for the installation of windows and/or roof lights would be attached to the detached triple garage, for the avoidance of doubt.

A bedroom is proposed at first floor (Bed 4) which faces south, however when considering the juxtaposition of this bedroom and No. 5 Manor Road, the distances and angles involved, and intervening natural vegetation, this bedroom is not considered to result in an unacceptable loss of privacy, and the relationship is accepted.

Policy PP4 sets out that new dwellings must provide for adequate internal space, adequate light, privacy and noise attenuation, good quality private amenity space and well-designed bin storage. The proposed development demonstrates good levels of amenity for future occupants.

The proposed dwelling and outbuilding are both large structures, however these have been laid out to allow for good light penetration and no unacceptable mutual overlooking or overshadowing. Amenity space is adequate. Refuse bin storage could be accommodated on site.

A bin collection point would be provided at the entrance to the site, screened by wattle fencing and a native hedge. It is recognised that this is some distance to drag bins on collection days, however it is not considered reasonable to design the access road to cater for a refuse collection vehicle, as this would result in a large, over engineered access wholly out of keeping with this rural area. This bin collection point shall be secured by planning condition should permission be granted.

In this respect, the proposal is considered to be in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012).

d) Access and highway implications

The Local Highway Authority (LHA) have raised no objections, subject to a number of conditions being attached with respect to the provision and retention of parking and turning, access details which include visibility splays, temporary construction facilities, gates to be set back into the site, wheel cleaning facilities during construction and a number of informative's.

The LHA have advised that it is the intension of the applicant to retain both the existing accesses

into the site post-development. As a result of this both access points must be reduced to residential standard i.e. both must be amended in width to 3.5m and vehicle to pedestrian visibility splays measuring 1.5m x 1.5m should be provided on both sides of each access. The splays must be measured and located from and along the back edge of the adjacent public highway.

Subject to the conditions set out above the proposed development is considered to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

e) Impact on Manor House Farm (Grade II) and Sutton Conservation Area

Historic England have raised no objection to the proposal, however they have advised that the Council should consult their own specialist Conservation and Archaeological Officers.

The Council's Conservation Officer has objected to this proposal.

As a starting point Officers are in agreement with the submitted Heritage Statement that the application site does not form part of the listed curtilage of the adjacent Manor Farm. The principal of clearing the site of the modern steel clad agricultural buildings has been supported in the past and continues to be supported. The existing steel portal buildings and C20 timber structures currently have a negative impact on the character and appearance of the approach to the village and the Sutton Conservation Area and the setting of the Grade II Listed Manor Farm. Therefore the removal of these buildings would make a significantly positive contribution to the character and appearance of the site and the Sutton Conservation Area.

Manor Farm is a prominent and historically significant dwelling within the village of Sutton. Its farmstead character, with associated barns, outbuildings and yard is part of its setting and add to its significance and to how the site has been used and has evolved over time. Some of the larger agricultural structures on the application site are clearly modern and as stated above, detract from the character and setting of the Manor Farm and its appreciation, but the agricultural character that is provided by the more traditionally constructed, curtilage listed barns and outbuildings is essentially what would be expected to the rear of this farmstead on the edge of a historic settlement (east).

Part of the significance of Manor Farm is derived from its prominence and status within a small rural settlement setting and continues to do so to this day. The NPPF (2012) seeks new development to make a positive contribution to the character and appearance of a Conservation Area, (including within its setting) and development which would result in unacceptable harm should be refused.

2016 Approved Scheme

The previous permitted application allowed for the access road to be located outside the village envelope, with all buildings located within the envelope. It was deemed, on balance, to be acceptable to incorporate this land for access to the site, in order to allow access to the property at the rear.

The previously permitted development (16/00349/FUL) was a result of significant work by all involved and was considered appropriate, by way of providing a subservient, albeit substantial, farm house style dwelling on the frontage and a continuation of the farmstead character with a second dwelling in the style of a barn to the rear. The associated garages mirrored traditional appearance of agricultural outbuildings appropriate to the setting and hierarchy of its surroundings and most importantly retained a degree of agricultural character in the architectural detailing adjacent to the open countryside.

The Proposal

The design of the proposed dwelling on its own is well considered. An additional chimney centre-right would do much to balance this classically styled building. The building does appear to be a little squat in proportion, which has likely resulted from trying to keep its height as low as possible against Manor House.

The proposed dwelling is very large in both footprint and massing, this together with its grand architectural detailing would result in a dwelling which hierarchically and architecturally is very dominant in its surroundings. It would appear very dominant within the setting of Manor Farm and its curtilage listed buildings. Manor Farm should be the dominant building within its immediate setting as it has been for centuries. The siting of such a large dwelling in close proximity to Manor Farm would therefore appear contrived and erode the prominence, setting and architectural significance with Manor Farm. Through both the new dwellings design and d scale and its uncomfortably close relationship with Manor House, the proposal would result in an unacceptable impact on the historic significance on Manor Farm.

The proposed house is designed in a C18 country house architectural style and design that would be more appropriate in an isolated setting, rather than located on the edge of a village, on a former farmyard, which encroaches on the setting of the Grade II Manor Farm.

The removal of the portal buildings would enhance the immediate setting of Manor Farm, but the proposed dwelling is considered to be less than sensitive to the defining characteristics of the area and its edge of settlement location. The creation of formal gardens and in-and-out driveway further adds to the impact outlined above, due to its location between an established farmstead and open countryside.

The proposed dwelling would be highly prominent when traveling into the village along Nene Way. Rather than entering the village and viewing a sympathetic farmstead style development, that builds up to one of the foremost curtilages in the village and compliments its surrounding barns and outbuildings, this proposal would read as contrived and an anomaly. From a heritage consideration, the proposed dwelling would feature in views of Manor House, again in an uncomfortably close proximity and will impact on the historic setting of, and therefore the significance of, the Listed Building. To confirm the 2016 scheme achieved an appropriate relationship, preserving the setting of the Listed Building and Conservation Area.

Additionally, views from along The Drift towards the site would likely to result in confusing views of these two dominant properties in close proximity and impact on the setting of the listed building and its curtilage. The location of the site of the proposed development would have an impact on the character and appearance of the Conservation Area and the applicant does not acknowledge or provide any justification for this level of harm.

The proposed development will harm the significance of the Conservation Area and the listed Manor House through inappropriate development within their setting. The NPPF (2012) requires that harm to a heritage asset must be weighed against any public benefit. It is considered that the impacts upon those assets identified within these comments are significant, though less than substantial. While the harm is less than substantial, the harm is significant and the level of harm is not justified.

The harm caused by the proposal on designated heritage assets triggers the "strong presumption" against granting permission and the harm is not exceeded by the limited public benefits of the proposal.

As such the proposal does not accord with Policies CS16 or CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Policies DPD (2012), Paragraphs 13 and 134 of the NPPF (2012) and the Sutton Conservation Area (2015).

f) Biodiversity

Wildlife - The application has been accompanied by an Ecological Appraisal Report (Oct 2013) and subsequent Ecological Updated Report Letter (Feb 2016). The proposal involves the removal of dense vegetation and scrub which is likely to support nesting birds. In addition there was evidence of birds nesting inside the buildings proposed for demolition including Swallows and a Robin. It is therefore recommend that a standard bird nesting Informative be attached to any permission

should the scheme be approved.

To mitigate for the loss of bird nesting habitat, it is requested that a range of nesting boxes are installed that cater for a number of different species. This shall be secured via a suitably worded condition.

With respect to mammals, evidence of rabbits was found within the site adjacent to the wall of railway sleepers. Rabbits are protected under the Wild Mammals Act 1996 from crushing, asphyxiation etc. Given that site clearance works may inadvertently cause such suffering, it is recommended that a suitably worded condition be imposed for the avoidance of doubt.

The majority of boundary hedges and trees are proposed to be retained and strengthened. With regard to any additional planting it is recommended the use of a range of native tree and shrub species, the detail of which may be provided via a suitably worded condition.

Trees – The Council's Tree Officer has raised no objection. There would be a tree loss and this needs to be firmed up along with tree protection. Tree retention along with a landscaping proposal is important due to the location of the site and an attractive appearance to compliment the conservation area is important to maintain.

If the proposal is successful then it is advised that a landscaping scheme is secured by way of condition that concentrates on the roadside boundary and tree protection.

The part of the site outside the village envelope is just within the Nene Valley Policy Area, as defined on the Planning Proposals Map, and covered by Policy PP15. The policy is supportive of development that would safeguard and enhance biodiversity and appropriate use of the river. Given that this designation covers a very small part of the application site, and that the designation does not go beyond the north or west site boundaries, it is not considered that the policy applies to the proposal.

Subject to conditions with respect to biodiversity enhancement and tree protection the development would accord with Policy PP16 of the Peterborough Policies DPD (2012).

g) Archaeology

The Council's Archaeology Officer has advised that records show limited finds within a 250m radius although, historically, the place name would suggest a possible medieval/post-medieval origin for the farm. Cartographic evidence shows that the part of the site to be affected by redevelopment is relatively modern. In addition, most of the area is currently occupied by farm buildings the foundation of which are likely to have caused extensive damage. It is therefore considered that there is insufficient evidence to justify a programme of archaeological work. However, given the historic origin of the site it is recommended that the applicant should report any remains/finds exposed during groundwork operations. Therefore, if planning permission is granted, a note to applicant shall be attached to the decision notice for the avoidance of doubt.

h) Developer contributions

A Section 106 legal agreement is not required in this instance, as the infrastructure contribution required for this development would be secured via the Community Infrastructure Levy (CIL) charge.

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**

1. The proposed dwelling by reason of its overall size, mass, scale and elaborate detailing, would hierarchically and architecturally dominate the adjacent Grade II Manor Farm building and its setting. Given the close proximity and juxtaposition, the proposal would appear contrived, cramped and unacceptably erode the prominence, stature and historic significance the original Manor House and its setting. The impact would be exacerbated through the creation of formal gardens and landscaping, that would diminish the historic relationship of the Manor House, its agricultural curtilage listed farm buildings and the natural transition of built form and the open countryside. As such the proposal would have an unacceptably adverse impact on the setting and significance of the Grade II listed Manor House, and be contrary to section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012), the Sutton Conservation Area Appraisal (2015) and the National Planning Policy Framework (Heritage considerations) (2012).
2. The proposed dwelling by reason of its overall size, mass, scale and proximity to the adjacent Sutton Conservation Area would fail to preserve or enhance the setting of that Conservation Area. This harm would be exacerbated through the introduction of a large, single dwelling house on this narrow farmyard site, which would unacceptably compete with the principle Grade II Manor Farm, thereby detracting from the hierarchy of buildings within the Conservation Area. Further, the unsympathetic redevelopment of this farmyard site would erode the natural transition between the built form of this Conservation village and open countryside to an unacceptable degree. As such the proposal would be contrary to section 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012), the Sutton Conservation Area Appraisal (2015) and the National Planning Policy Framework (Heritage considerations) (2012).
3. The proposed development would result in an unjustified extension of residential curtilage into the open countryside. Development in the countryside, outside of the boundary of all settlements in the hierarchy, is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation and access to greenspace, transport or utility services, or residential development which satisfies the exceptions test under Policy CS8. The dwelling would not fall into any of this criteria, and there are no special circumstances to support this encroachment into the open countryside. As such the proposal is contrary to Policies CS1, CS8 and CS16 of the Peterborough Core Strategy DPD (2011), PP2 and PP7 of the Peterborough Policies DPD (2012) and SA4 of the Peterborough Site Allocations DPD (2012).

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Application Ref: 17/01432/FUL

Proposal: Change of use from leisure land as an 18 hole golf course (ceased in 2015); to leisure land with 17 holiday lodges/caravans and associated development (part-retrospective)

Site: Thorney Golf Club, English Drove, Thorney, Peterborough
Applicant: Mr Morgan, Thorney Golf Centre Limited
Agent:

Referred by: **Director of Growth and Regeneration**
Reason: Level of public interest

Site visit: 18.08.2017

Case officer: Mr Nicholas Harding
Telephone No. 01733 454441
E-Mail: nicholas.harding@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site and Surroundings

The application site comprises a small parcel of some 0.65 hectares of land which was formerly part of the wider Thorney Golf Club site, located on the northern side of English Drove. The site is currently laid over to scrub land, having formerly been landscaped as part of one of the holes associated with the Par 3 course of the Golf Club. There is a small single access track serving the site to the eastern boundary which appears to have been modified/extended prior to the submission of this application. Beyond the site to the north and west, the site has been reverted to agricultural land, used for arable crops.

The southern boundary of the site is formed by a 2 metre high close boarded fence with mature hedgerow comprising mature shrubs and trees beyond, albeit these trees were heavily pollarded in circa 2014. The Golf Club extends to the east of the site, beyond the access track.

The site is located within the open countryside, surrounded by arable fields. There are a small number of residential dwellings in proximity of the site, the closest of which is Elder House (immediately to the east of the site). Barroway House and White Hart House are also located in relatively close proximity, to the south-west of the site.

Proposal

The application seeks planning permission to change the use of the site to leisure land to allow the siting of 17no. holiday lodges and caravans. The use of land for the siting of such units would fall within Class C3 (residential dwellings) of the Town and Country Planning (Use Classes) Order 1987 (as amended) albeit the lodges/caravans are intended for holiday/leisure use and it is on this basis that the proposal has been considered (i.e. not unrestricted residential use). The proposal also includes associated hardstanding, internal roads and the widening of the existing vehicular access onto English Drove.

As the development has already begun (the access road has been widened in part and some hardstanding has been constructed), but not yet been completed, it is part-retrospective.

It should be noted that the lodges/caravans in themselves do not require the benefit of planning

permission as they do not fall within the definition of 'development' within the meaning of Section 55 of the Town and Country Planning Act 1990. The lodges/caravans, subject to adhering to the dimensions provided by the Applicant, would fall within the definition of a 'caravan', as defined within the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1986. Accordingly, they do not constitute operational development and it is only the use that may be considered as requiring permission.

It should also be noted that the extent of the application site boundary (the red line boundary) has been altered from that which was originally submitted in response to comments made by Officers. This change has reduced the extent of the application site to only contain the lodges and hardstanding proposed (previously additional open land to the north and east was included).

2 Planning History

Reference	Proposal	Decision	Date
92/P0127	Extension to car park (retrospective)	Permitted	28/01/1993
93/P0865	Installation of floodlights on driving range	Permitted	08/12/1994
94/P0083	Conversion and extension of existing building to form enlarged clubhouse	Permitted	23/03/1994
94/P0248	Extension of existing buildings to form members lounge as amended by plan no. 36893/107	Permitted	12/05/1994
96/P0191	Renewal of planning permission 93/P0865 for installation of floodlights	Permitted	02/05/1996
14/01786/FUL	Installation of ground mounted solar PV array	Refused	12/12/2014

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 3 - Rural Economic Growth

Should be encouraged through sustainable growth and the expansion of business/ enterprise including sustainable rural tourism/leisure developments which respect the character of the countryside, via the conversion of existing buildings and well-designed new buildings. The retention and development of local services and community facilities should be promoted.

Section 10 - Development and Flood Risk

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

Section 11 - Biodiversity

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

opportunities to incorporate biodiversity into new development encouraged.

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

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

Peterborough Core Strategy DPD (2011)

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.

CS20 - Landscape Character

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

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

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

CS26 - Minerals Safeguarding Area

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.

PP08A - (a) Tourism, Leisure and Cultural Uses in Villages/the Open Countryside

Permission will be granted for development of an appropriate scale; which would support the local community; is compatible with the surrounding character / would not harm the open countryside; is easily accessible; and is supported by a robust business plan.

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 Flood and Water Management SPD (2012)

Chapter 4 - Guidance on suite selection for sites within flood zones

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

Lead Local Drainage Authority (17.11.17)

Objection – Before removing our objection the applicant needs to demonstrate that soakaways will work on site. Full infiltration tests and calculations demonstrating this must be submitted along with details showing the groundwater level, to make sure this won't interfere with the proposed drainage. Regarding the use of permeable paving on this site, we will need to see the details of the permeable paving along with a typical section showing the depth and materials proposed.

PCC Tree Officer (28.11.17)

No objections – It is requested that the roadside (southern) boundary planting is retained and adequately protected during the period of construction. Pruning may be required and ideally plots 1-8 should be moved further north to prevent shading. If the application is successful, request a condition regarding a detailed arboricultural method statement to ensure that the boundary trees are not harmed.

PCC Wildlife Officer (22.11.17)

No objections – Whilst no ecological assessment has been carried out, satisfied that the proposal is unlikely to impact on any protected species or habitats. External lighting should be directed to avoid illuminating the boundary hedgerow and strengthening planting should be secured.

Thorney Parish Council (12.09.17)

Objection – Whilst some additional details have been submitted in respect of this application to allow a better assessment of some of the matters raised in our original objection, there are areas which remain outstanding.

- There is no consultee representation in respect of Archaeology which seems to be an important omission given that an earlier application for the installation of ground mounted

- solar PV panels was refused on this basis. We recognise that this application differs from that but would anticipate that an archaeological report would be a requirement.
- We note that other consultee representations raise queries and suggest conditions (e.g. the Tree Officer). Please could we be provided with a copy of the responses you receive to these queries?
 - We would like to be informed as to what holiday-related activities may take place in relation to the proposed accommodation, together with an assessment of the possible noise levels that could be generated. This is to allow for assessment to be made as to the possible disturbance/invasion of privacy that these activities may have upon local residents.
 - We are aware that the site is to be well screened by vegetation and fencing which may (or may not) fully screen the lodges from view. Although lack of screening may not be a valid objection on planning grounds, we query the suggestion that a holiday lodge may have a terrace/balcony. Overlooking from such may constitute an invasion of the privacy of the residents of neighbouring properties.
 - Can we be informed as to how the site and its entrance will be illuminated? We would be pleased to see a lighting scheme that meets with the approval of the planning department. Again, this is requested in order that we can be satisfied that any lighting will not have a detrimental or disturbing impact on local residents.
 - The submitted documents contain a certain amount of content which is assumed to represent a Business Plan. We are not experts on this form of plan but would be grateful for the Council's advice as to whether or not the information submitted information constitutes a robust a viable plan on a long-term basis.
 - Is the Council satisfied that the holiday lodges/caravans will not be sold as full-time residential accommodation? What would be the procedure taken should it become apparent that any of the lodges are being used as permanent residences?

GeoPeterborough (Sites Of Interest)

No comments received.

Environment Agency (31.08.17)

No objections – Should the proposal satisfy the requirements of the Sequential and Exceptions tests, no objections provided the flood mitigation measures set out in the Design and Access Statement (i.e. floor levels no less than 1 metre above ground level) are secured by condition.

PCC Minerals and Waste Officer (08.11.17)

No objections – The site lies within a Mineral Safeguarding Area however the Minerals and Waste Core Strategy states that developments for outdoor recreation facilities (e.g. golf courses) are excluded from the need to consult with the Minerals Planning Authority.

PCC Archaeology Services (08.11.17)

No objections – The site lies within an area which may contain buried remains including wetland peaty deposits. Insufficient information regarding groundworks has been provided and to ensure that no harm results to undiscovered buried remains, request a condition securing an archaeological watching brief.

PCC Peterborough Highways Services (08.11.17)

No objections – The revised access would be of sufficient width to accommodate the movement of the lodges as well as service vehicles/deliveries and there is adequate vehicle-to-vehicle visibility which allows emerging drivers to see approaching traffic. Request a condition which requires that the widened access be installed prior to commencement of development, and has a gradient of no steeper than 1:15 for the initial 10 metres.

Local Residents/Interested Parties

Initial consultations: 6

Total number of responses: 25

Total number of objections: 25 (one of which is the Parish Council)

Total number in support: 0

Two rounds of public consultation have taken place. The first related to the original submission, during which 24no. objections were received on the following grounds:

- Broadly support the introduction of accommodation if it means that the golf course and site can thrive as a local business.
- This development is a blueprint many other courses have successfully followed, and you need only look at the Wyboston Lakes site to see it can be done well.
- Concerned about the potential for additional noise from the site.
- Concerned about the impact on through traffic on English Drove which, at present has no footpaths. Note that the Local Highway Authority raises no objections and suggests that there will be no significant impact on the road. However in future it can be assumed that there will be more lodges built.
- Concerned that the submitted Design and Access Statement appears to contain a thinly veiled threat to sell the site to travellers if the application fails. The tone of this statement is somewhat bullish and dismissive of the objections of many of the interested local parties – surely not a good way to go about appeasing their perfectly valid concerns?
- The concerns of the Parish Council are fair and valid. Not least of which is the lack of a clear business plan, and the contradictory statements that the lodges will be for occasional use. The Thorney Golf Club website is patently advertising the lodges for 365 day use.
- The application contains a number of errors, omissions and contradictions. [The objector has provided a considerable and lengthy list of these however Officers are not presenting them. They have been fully considered during the determination of this application].
- The submitted site plan is deficient for a number of reasons as follows:
 - The red line boundary includes some roadway that the Applicant would like to claim and exclude some hedgerow he would rather disown.
 - No information regarding visibility splays has been included.
 - A small brick building has been started on the site but not included in the drawings.
 - The waste storage area is not shown.
 - The drawing does not include site levels.
 - The drawing does not include the 205 metres of close boarded fencing erected.
 - The area of land to the north of the site is shown as golf course, it is agricultural field.
 - No parking spaces appear on the site plan.
 - Drainage should be shown.
 - The drawing does not show an LPG tank compound and safety clearances to other structures, proposed or existing.
 - None of the overhead wires crossing the site are shown.
- Items missing from the application include: site-specific Flood Risk Assessment; Environmental Impact Assessment; biodiversity checklist; business case; fire risk assessment; road traffic survey; details of landscaping/planting; lighting assessment; television aerials.
- The proposal makes no reference to electric car charging points, cycle parking, disabled parking or any mention of renewable energy or rainwater harvesting. This is contrary to Policy CS10.
- Biodiversity on the site has already suffered from the removal of large mature trees and damage to the hedgerow prior to this application. No reference is made to the planting of new trees or hedges and the existing fence is a clear impediment to the movement of wildlife. The Wildlife Officer comments are noted however no reference is made to a site visit.
- Has the Tree Officer visited the site to see the newly erected fence and the damage that has taken place? He is suggesting pre-commencement tree protection measures yet development has begun. Root damage has already occurred.
- The application displaces approximately 2 hectares of agriculture which constitutes a carbon

- sink in the order of half a tonne of carbon dioxide per annum that will be lost.
- The application is some 300m from the nearest lake which puts it within the radius of requiring a Great Crested Newt survey.
- English Drove currently has 26 homes along its 2 and a quarter mile length. The proposal therefore represents a 2/3 increase, assuming that no more lodges are proposed.
- English Drove is, at times, a busy, fast and dangerous road used by heavy agricultural machinery as well as private cars. It does not need any more traffic.
- There is only one water main along the road to meet the needs of both residents and agriculture. The proposed increase might well be outside its capacity.
- 17 lodges, each with 3 bedrooms constitutes 40-50 more people living in Thorney. Local services, especially the Doctor, are already under increasing pressure from extra housing in the village.
- Apart from a café and bar, the golf club has limited facilities to support the development and the nearest facilities in Thorney involve a car journey.
- The local landscape is flat and open with sporadic housing. Densely packed lodges and long runs of close boarded fencing are not compatible with this or enhance it.
- How can the fencing off of 5 acres of farmland and covering it in lodges not constitute harm to the open nature of the countryside?
- The site is not easily accessible by anything other than private car.
- As a brick building has been started on site, but not included on this application, Policy PP8 requires that a business plan be provided.
- None of the requirements of Policy PP8 are met by this proposal.
- Densely packed lodges are not in keeping with, or sensitive to, the surrounding landscape which is contrary to Policy PP20.
- In the event these lodges are granted, should the Council not be seeking Section 106 monies to alleviate the infrastructure pressures?
- If the development discharges directly into the drain, 2 hectares of storm water storage will be lost which will increase flood risk downstream.
- The lack of a site-specific Flood Risk Assessment is a reason for refusal under paragraph 102 of the NPPF, despite the comments of the Environment Agency.
- The assertions of the Applicant in regards to flood risk are incorrect. They site has previously flooded.
- The proposal does involve excavations which would harm the archaeological potential of the site, which is proven.
- Insufficient information regarding the level of parking proposed has been provided. There is concern insufficient parking is proposed which may lead to overflow parking on English Drove which would be dangerous.
- The proposal poses an unacceptable fire risk which has not been considered.
- No evidence has been provided to demonstrate the economic viability, or otherwise, of the Golf Course.
- The proposed lodges would cause loss of privacy to my home (property along Black Drove) and I would lose the right to enjoy not only my privacy, but a quiet and safe environment.
- The proposal will hugely dominate the area.
- The proposal would result in the permanent loss of high grade agricultural land.
- Noise disturbance will result to local residents during unsociable hours.
- The lodges will conflict with the character of the area and the quiet country rural road.
- The road system is inadequate to accommodate the development. The increase in traffic generated by the lodges along with vehicles travelling in excess of 60mph and coming across vehicles turning into the site will be a hazard.
- The proposal will affect listed buildings.
- The lack of demand in this location for the golf club use will inevitably lead to the lodges being used for permanent residences/lettings.
- Insufficient public consultation has taken place.
- Loss of trees.
- Fear that the site will end up being a run-down caravan site attracting a different type of clientele than those proposed.

A revised consultation has taken place following revision to the red line boundary of the application site and submission of additional supporting information. Two letters of objection were received during this time from persons who had previously raised objection. The only additional comments made (not set out above) are as follows@

- Whether the submitted flood risk assessment is adequate or not, I (resident of English Drive) am not in a position to judge. However, the site has flooded in the past and 1 metre minimum heights for floor levels should be enforced as they would be elsewhere.
- The Applicant is now stating that each lodge will have its own dedicated under-lodge soakaway but these are not in the original application as claimed. These soakaways need to be put into both the application and the revised plan. In addition, the Applicant needs to explain why they have not been built under the 3 bases that have already been built on the site.
- Some business information has been submitted but this does not show the demand for the development or that the facilities provided would constitute a viable business proportion on a long-term basis, as required by Policy PP8 of the Council's Planning Policy DPD. In particular, it does not detail how the revenue from sales or rental income will be re-invested into Golf Club facilities.
- The submitted tracking diagram is incomplete and misleading. The size of lorry shown is smaller than the sizes of the proposed lodges. In addition, we need to see that loaded lorries can turn into and out of the site. WE (resident of English Drive) do not want to see the lodges unloaded onto English Drive.
- The revised plan shows a 7 metre wide entranceway but foundations already installed show less than this.
- The revised site boundary is noted however it is not clear as to how this new boundary will be physically demarcated on site.
- The revised site boundary presents new problems as the new fencing/hedgerow is outside the boundary. Therefore, this should be removed from the application.
- The red line boundary does not include the brick hut whose base was cast on site earlier this year. How will this get enforced?
- The lodges are still being advertised as for permanent residential use which, under national planning practice guidance, falls within the 'highly vulnerable' flood risk which should not be permitted within Flood Zone 3.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Flood risk and drainage
- Access and highway implications
- Neighbour amenity
- Archaeology
- Minerals and Waste Safeguarding
- Trees

a) Background

During the course of this application, there has been some discussion regarding the lawful planning status of the application site as existing. This has been clarified following an amendment to the red line boundary of the application site which is now reduced from that which as originally submitted.

It is established without question that the application site was formerly in use as part of the Par 3 course of Thorney Golf Club albeit this use ceased in 2015. The Applicant has confirmed that the majority of this wider site (i.e. the land which abuts the application site to the north and west) was then reverted to agricultural land in July 2016 and this remains the use at present. However, the application site does not appear to have been subject to this change of use. As such, it is the view of the Local Planning Authority that the lawful use of the site at present is as a golf course (Class

D2).

As detailed within Section 1 above, the development has already begun but is not yet complete, thereby making this application part-retrospective. On 12 July 2017 the Local Planning Authority took the action of serving a Stop Notice which came into force on 18 July 2017. This notice (and the related Enforcement Notice) was subsequently withdrawn on 24 November 2017.

Notwithstanding this, the application must be considered on its own merits and the unauthorised development that has taken place cannot form part of the consideration of this application. In addition, only that development which is proposed may be considered at this time. Any works which have taken place without the benefit of permission, which are not included within this application cannot be considered.

b) Principle of development

Policy PP8 of the Peterborough Planning Policies DPD (2012) is the starting point in considering whether the principle of the proposed development is acceptable. This policy states that planning permission for the development of tourism and leisure uses, such as that proposed, will be granted provided that a number of criteria are met. Accordingly, assessment (set out below) must be undertaken of those criteria before determining if the principle is acceptable. This policy is considered to be in line with the provisions of paragraph 28 of the National Planning Policy Framework (2012) which supports sustainable rural tourism and leisure developments that benefit businesses in rural areas.

i) Scale of development

The policy requires that the development be consistent in scale with its rural location and should not have unacceptable impacts upon the environment. Turning first to scale, the proposal seeks to develop a relatively small area of a wider parcel of land immediately adjacent to the existing Golf Club. Whilst the level of physical development visible, consisting of the 17no. lodges/caravans and associated hardstanding, would be more obvious within the historic context of the site and its surroundings, particularly given the site's long-established soft landscaping of the golf course, it is considered that the overriding scale would not be visually dominant or obtrusive. Subject to appropriate mitigating landscaping on land within the Applicant's ownership but not within the red line application boundary (to the north of the lodges proposed), it is considered that the overall degree of impact to the visual amenity of the surrounding countryside would be limited. Accordingly, the scale is considered appropriate.

With regards to environmental impacts, the issue of drainage and flood risk is discussed in detail below. In terms of ecology, the application has not been accompanied by any form of ecological assessment or survey. Notwithstanding this, the City Council's Wildlife Officer has advised that the ecological potential of the site is low, and he is satisfied that the proposal is unlikely to impact upon any protected species or habitat. There is some potential for the proposal, which is likely to include external lighting, to impact upon bat foraging surrounding the existing hedgerows within the locality, however this could be appropriately conditioned to ensure no unacceptable levels of light reach this ecological features. In this respect, it is considered that the proposal would not give rise to unacceptable environmental impacts.

Taking the above into account, this criteria of Policy PP8 is considered to be met.

ii) Impact to local services and facilities

It is not considered that the proposal would have an unacceptable detrimental impact upon the existing local services and facilities, primarily located within the nearby settlement of Thorney which is some 2km from the site (driving distance to the village centre). The lodges/caravans proposed would be for holiday accommodation, not permanent residential dwellings, and as such, no additional demand for doctors, dentist or school places would arise. Suitable restrictive conditions could be imposed upon the development to ensure that the lodges/caravans are retained solely for holiday accommodation, thereby preventing future unrestricted residential use. In addition, it is acknowledged that the proposed lodges may result in increased revenue to the shops and public houses located within Thorney albeit the exact level of this cannot be determined

accurately. On this basis, this criteria of Policy PP8 is considered to be met.

It is noted that the Applicant has proposed that the development would seek to enhance and sustain the existing Golf Course, providing indicative financial information as to how much money could be brought into the existing facility. However, none of the information provided is detailed and does not include any evidence to demonstrate that these figures are realistic. Accordingly, it cannot be concluded that the proposal would result in a benefit of local facilities.

iii) *Character and appearance of the landscape*

The policy requires that the development be compatible with, or enhance the character of the landscaping in which it would be situated. The landscape character of the fens, within which the application site is situated, is primarily formed by vast open arable fields interspersed with delineating hedgerows and drains, with some sparse trees. The immediate character of the site is somewhat different from this overriding character however, by virtue of the landscaping associated with the existing Golf Course (which includes undulations, vast grassed areas and significant tree coverage).

As set out above, within the wider locality the application site is not readily visible owing to the established existing hedgerows which surround the wider parcel of land (along English Drove to the south and Black Drove to the west). Accordingly, the proposed lodges/caravans would not appear visually prominent or obtrusive. Owing to flood risk mitigation (set out below), the lodges would stand at 1 metre above ground level. Their maximum height would not exceed 3.48 metres internally (as this is the stipulation for meeting the definition of 'caravan' within the Caravan Act) and the overall maximum height could be conditioned accordingly. Taking this into account, it is not anticipated that the lodges/caravans would exceed 4.5 metres above ground level. Furthermore, subject to the provision of the proposed additional landscaping to the northern boundary (in the form of a native hedgerow), the proposal would to some degree enhance the existing character of the locality by providing an appropriate and sympathetic boundary treatment where one does not currently exist. The proposal would also bring about the redevelopment of a parcel of land which is currently set to scrub, where some degree of harm to the visual amenity of the locality exists at present.

To ensure that the lodges/caravans themselves are of an appropriate and sympathetic design/appearance, it would be prudent to require the elevation treatment/design to be submitted and approved by the Local Planning Authority. This approach is commonplace in many permissions granted for such development and would ensure that the overall appearance of the lodges was appropriate in the context of the site thereby preventing undue harm from arising to the local landscape context.

On this basis, it is considered that the proposal would not result in unacceptable harm to the character or appearance of the surrounding area or its landscape, and accordingly this criteria of Policy PP8 is met. Furthermore, the proposal would not be contrary to policy PP20 of the Peterborough Planning Policies DPD (2012).

iv) *Open nature of the countryside or designated sites*

The matter of impact to the open nature of the countryside is intrinsically linked to the impact of the proposal in terms of the character and appearance of the landscape. This is discussed in detail above. Furthermore, the site and its surroundings are not designated natural or heritage assets and therefore, this does not apply. Accordingly, this criteria of Policy PP8 is deemed to be met.

v) *Accessibility*

This part of the policy requires that the development be easily accessible, and indicates a preference for this to be by public transport. It is clear that this is not the case for the application site as there are no bus stops or services which run along English Drove or indeed the wider area. Accordingly, the proposal would be entirely reliant upon trips by private car. However, this is also true of the adjacent Golf Course which has been in situ for a considerable number of years. Furthermore, there are numerous examples across the country whereby rural tourism and leisure

facilities are not served by public transport and they could not readily or acceptably be accommodated within or close to existing settlements. Accordingly, whilst the proposal fails this criteria of Policy PP8 it is not considered to be a factor for which the proposal should be resisted.

vi) Business plan

This criteria of the policy relates to the construction of a new building only. As the proposed lodges/caravans do not constitute 'operational' development, and the hardstandings/access road are not buildings, it is not considered that this criteria is applicable to the proposal.

Conclusion

Taking all of the above into account, and notwithstanding that the proposal fails to be 'accessible' as defined by the policy, it is considered that the proposal sufficiently accords with the provisions of Policy PP8 of the Peterborough Planning Policies DPD (2011) and paragraph 28 of the National Planning Policy Framework (2012) to accept the principle of development.

c) Flood risk and drainage

Flood risk

The application site is located within Flood Zone 3 which is at the highest risk of flooding. In accordance with the National Planning Policy Framework and the National Planning Practice Guidance, all applications for new development within these areas are required to be accompanied by a site-specific Flood Risk Assessment. No such assessment has been submitted with the proposal however the Environment Agency, the Statutory Consultee for such matters, has raised no objection in this regard as some flood information has been provided by the Applicant and the site is not located within an identified safety hazard area.

Notwithstanding this lack of Flood Risk Assessment, both national and local adopted policies require that development within Flood Zone 3 meet both the Sequential and Exceptions Tests. The Environment Agency do not comment on such matters (save for the safety aspect of the Exceptions Test) and it is instead the responsibility of the Local Planning Authority to determine whether a proposal is acceptable in these regards.

Turning first to the Sequential Test, it is a requirement that all new proposals demonstrate that the development could not be accommodated on available sites located within areas of lower flood risk – first being directed to Flood Zone 1 and then Flood Zone 2. The Applicant has undertaken such an assessment, identifying those sites which are currently available. It is considered appropriate that land allocated or available for residential dwellings be discounted, as the dwellings are required over and above the proposed holiday accommodation. In light of this, it is considered that the assessment undertaken is sufficient for the purposes of this exercise, and the Applicant has acceptably identified that there are no more sequentially preferable sites upon which the proposal could be accommodated. Accordingly, the Sequential Test is met and passed.

However, the proposal must also pass the requirements of the Exceptions Test which are broken down as follows (as set out in paragraph 102 of the National Planning Policy Framework):

- 1) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
- 2) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reduce flood risk overall.

Turning to the latter in this first instance, the matter of safety forms the basis of assessment by the Environment Agency. As detailed above, whilst no site-specific FRA has accompanied this proposal, the EA is content that sufficient information has been provided to demonstrate that the development would be safe for its lifetime. The proposal seeks to ensure that the finished floor levels of the lodges/caravans are set no lower than 1 metre above existing ground levels which would be sufficient to ensure, in an event of flooding, that the development would be safe. Subject to securing this floor level by condition (as required by the EA), it is considered that part two of the Exceptions Test is met.

With regards to the first part, the development is required to demonstrate that it would provide a wider sustainability benefit to the community that would outweigh the flood risk. The main crux of the Applicant's argument in this regard, is that the lodges/caravans, and the income that they would generate not only from their sale but also the ongoing rents/revenues throughout the year, would be used to sustain the existing Golf Course. The Applicant has provided some information in this regard however, despite requests from Officers, no robust, detailed or evidenced business plan has been provided. Officers consider that the information provided by the Applicant in support of their view is at best anecdotal. Whilst the Applicant has provided examples elsewhere, and within their ownership, of similar facilities, no evidenced financial information has been provided. As such, Officers are unable to corroborate the statements made regarding income generation. Furthermore, no information regarding the current finances of the Golf Course have been provided and as such, it cannot be determined with certainty that the Golf Course would struggle to survive without the income arising from the proposal. In light of this lack of information, it is considered that the proposal cannot demonstrate wider sustainability benefits to the community that outweigh the flood risk and as such, the proposal fails part one of the Exceptions Test.

It is considered that should the Applicant, through a future planning application, submit a robust and evidenced business plan, demonstrating that the income generated by the proposal would sustain a well-established leisure facility to the benefit of the rural area around Thorney, Officers would deem that the Exceptions Test was met.

Taking into account the above, as the proposal fails to meet the requirements of the Exceptions Test, it is considered to be contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011), Chapter 4 of the Peterborough Flood and Water Management SPD (2012) and paragraphs 100, 102 and 103 of the National Planning Policy Framework (2012).

Drainage

The proposal, as first submitted, applied to a site area greater than 1 hectare which therefore meant that the proposal fell within the 'major' classification. In accordance with the National Planning Policy Framework, all major development must adopt Sustainable Drainage Systems (SuDS) and be subject to consultation with the Lead Local Flood Authority (in Peterborough this is the City Council's Drainage Officer). During the initial round of consultation, the Drainage Officer raised objections to the proposal as no information regarding surface water drainage was submitted. The Applicant has not provided clarification that all hardstandings would utilise soakaways, principally beneath the lodge/caravan bases. However, no details regarding the capacity of the land to allow infiltration have been provided and the Council's Drainage Officer has maintained his objections.

Whilst these concerns are noted, the level of physical development only extends to an area of 0.65 hectares and the amount of hardstanding is even less than this. Given the context of the wider area, and this relatively limited amount of development, it is not considered that the lack of permeability information could be sustained as a reason for refusal. The specific means of surface water drainage, which would need to include ground infiltration results, could be secured by condition and it is considered that this would be sufficient to ensure that surface water run-off was not increased from greenfield (undeveloped) levels.

d) Access and highway implications

Access

The application proposal has been revised to alter the width of the access into the site. At present, the access exists onto First Drove and has been used for a number of years by the Golf Course for maintenance vehicles. The proposal would intensify the use of this access, as it would not only be used by maintenance vehicles but also occupants of the 17no. proposed lodges/caravans. To accommodate this intensification, and the size of vehicles which would deliver/take away the lodges/caravans proposed, it is proposed for the access to be widened to no less than 7 metres for a distance of 10 metres from the back edge of the public highway. This then reduces to a width of

3 metres to serve the lodges/caravans themselves. To demonstrate that this access width is sufficient, the Applicant has provided tracking diagrams. The Local Highway Authority (LHA) has advised that this new access arrangement would be sufficient. Not only would it accommodate the delivery vehicles for the lodges/caravans but also refuse/emergency service vehicles and would allow two vehicles to pass one another. Accordingly, it is considered that the proposed access arrangement would be sufficient to accommodate the proposed use without posing an unacceptable danger to highway safety.

Highway implications

It is noted that a number of objections have been received from local residents in respect of the additional traffic generation arising from the proposal. It is accepted that at present, the site generates little traffic movement as it has only ever been a maintenance access. The proposal would clearly increase the amount of traffic entering/leaving the site and this would be notable to surrounding residents. However, the number of lodges would be limited to 17no. which would, at worst, result in one or two traffic movements per day. By virtue of the leisure/holiday use, these movements would not all arise during the same times and as such, the impact would be relatively spread out and not result in a peak as other uses might generate. The LHA has not raised any objections in this regard and it is considered that the level of traffic generated would not pose an unacceptable impact to the surrounding highway network .

Parking

Whilst the proposed lodges/caravans would be for leisure/holiday use, in planning-terms they would fall into the same use class as typical residential dwellings and it is on this basis that the parking demand is assessed. Whilst no specific details regarding the internal layout of the lodges/caravans proposed have been provided, it is not anticipated that the lodges would exceed 2 or 3 bedrooms each. Each plot proposed would provide parking for at least 2no. vehicles and this is accords with the Council's minimum adopted parking standards for dwellings of this size. With regards to visitor parking, no provision is to be made within the site. However, the site is associated with Thorney Golf Course and in the rare event that occupants would receive visitors, it is considered that this parking could be accommodated within the Golf Course's car park.

Taking all of the above into account, it is not considered that the proposal would result in an unacceptable impact to the surrounding public highway network, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

e) Neighbour amenity

A relatively large number of objections have been received from local residents in respect of the proposal, many of whom have expressed concern regarding the impact that the proposal would have upon their amenity. These concerns are noted, however the proposed lodges would be entirely contained within the site which is, or will be, screened from the surrounding public realm by fencing and natural hedgerows. Accordingly, the lodges would not be readily visible from those nearby properties, the closest of which are located to the south-west some 23 metres (boundary to boundary).

In terms of the general level of activity/noise arising from the proposal, it is acknowledged that the lodges would bring about additional noise/general disturbance by virtue of the number of lodges and potential occupants. This would clearly represent an intensification from the former use of the site as a golf course. However, it is not anticipated that the use would generate such a significant level of noise or general disturbance that undue harm would result to neighbouring occupants (except for during the construction period which could be managed by virtue of a condition securing a Construction Management Plan).

On this basis, it is considered that the proposal would not result in an unacceptable degree of harm to the amenities of neighbouring occupants and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

f) Archaeology

The City Council's Archaeologist has advised that the application site is located within an area which may contain buried remains dating to the Mesolithic period (this has been demonstrated by recent past archaeological investigations). The site and its surroundings would have been deep fen in the past, becoming progressively wet from the Bronze Age period. Accordingly, the area may contain wetland deposits and peaty soils. The Archaeologist has advised that these deposits are an important archaeological resource in their own right but can also mask other archaeological activity. The proposed hardstandings and associated service may result in an adverse impact upon the water table and compromise the preservation of [potential organic deposits and as such, the Archaeologist advises that it is important to establish the presence/absence of such deposits.

Accordingly, to ensure that the proposal does not result in harm to potential undiscovered buried heritage assets, a condition regarding that all groundworks be carried out under archaeological supervision is considered necessary and appropriate. Subject to such a condition, the proposal is considered to be in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 128 of the National Planning Policy Framework (2012).

g) Minerals and Waste Safeguarding

The application site lies within an identified Mineral Safeguarding Area, as set out by the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011). However, the policy which governs this identifies that developments relating to outdoor leisure, including golf courses, are exempt. Whilst the proposal is not itself a golf course, that is deemed to be the lawful existing use of the site and it is on this basis, that the City Council's Minerals and Waste Officer has raised no objections to the proposal.

h) Trees

Along the southern boundary of the application site, as set out in Section 1 above, is a mature and established hedgerow which contains heavily pollarded mature trees. The City Council's Tree Officer has raised no objections to the proposal but has requested that further information be provided to ensure that no harm results to these trees which are considered to be of key value to the amenity of the locality. It is therefore considered necessary and appropriate to require an arboricultural method statement be secured by condition, to ensure that no harm results to these trees during the period of construction/operation.

In addition the Tree Officer has expressed some concern regarding the siting of some of the proposed lodges/caravans which may result in the requirement or future pressure to prune owing to shading. These concerns are noted however the lodges/caravans are not for permanent residential use and would be sited at least 5 metres from the hedge/tree line. Accordingly, it is considered that this pressure would be limited and in any event unjustified as the units are not to be permanently occupied by one person/family.

On this basis, it is considered that the proposal would not result in unacceptable harm to trees of key amenity value, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

i) Other matters

In response to those objections received which are not discussed above:

- *Fencing* – The fencing that has been erected around the boundary of the wider site did not require the benefit of planning permission and does not form part of the current application.
- *Brick building* – Whilst some objectors have raised queries regarding the base and brickwork that has already taken place, this again does not form part of the current application.

- *Potential future expansion* – This application can only be considered on its own merits and potential future development cannot be taken into account. In the event that permission were to be granted, the Local Planning Authority would strictly condition the number of lodges/caravans permitted and any increase would require the submission of a further planning application which would be assessed against the provisions of the Local Plan in force at the time.
- *Permanent residential accommodation* – Again, the Local Planning Authority would strictly restrict the occupancy of the lodges/caravans if permitted to prevent unrestricted residential use.

6 Conclusions

As set out in detail above, the principle of the proposed use is considered to be acceptable when considered against Policy PP8 of the Peterborough Planning Policies DPD (2012). However, this must be balanced against all other policies contained within the adopted Local Plan and other material planning considerations. Whilst the proposal has been considered acceptable in respect of highway safety, neighbour amenity, archaeology, drainage, trees and minerals and waste safeguarding, the proposal has failed to meet the requirements of the flood risk Exceptions Test. It is considered that the harm arising from permitting development within an area of flood risk without sufficiently robust justification, outweighs the benefits arising from the proposal and on this basis, the proposal is unacceptable.

7 Recommendation

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

- R 1 The application fails to adequately demonstrate, through the submission of a detailed, evidenced and robust business plan, that the development proposed is required to support and sustain the existing and well-established Thorney Golf Club. Accordingly, it has not been demonstrated that the proposal would result in an overriding wider sustainability benefit to the community that would outweigh the flood risks and the proposal fails to meet the requirements of the exceptions test. On this basis, the proposal is contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011) and paragraphs 102 and 103 of the National Planning Policy Framework (2012).

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Application Ref: 17/01833/FUL

Proposal: Construction of two-bed bungalow and access

Site: 22 Topham Crescent, Thorney, Peterborough, PE6 0SR
Applicant: Mrs P Caudle

Agent: Mr John Hartley
 J J & J Hartley

Referred by: Cllr Nigel Simons

Reason: Supports the application

Site visit: 28.09.2017

Case officer: Mrs J MacLennan
Telephone No. 01733 454438
E-Mail: janet.maclennan@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site and surroundings

The application site is part of the garden area to no. 22 Topham Crescent and is rectangular in shape approximately 20m in length x 9.5m in width. The site lies adjacent to the rear garden of no. 5 Jamerstone Close to the north which is a bungalow and no. 24 Topham Close to the south, also a bungalow. The site abuts the Duke of Bedford Primary School to the rear. The site would be accessed directly off Topham Crescent. The surrounding area is predominantly residential in character comprising primarily single storey dwellings.

Proposal

The application seeks approval for the erection of a two bedroom bungalow with independent access and parking provision for at least 2 vehicles.

The red outline of the application site has increased since the initial submission and the garage has been deleted. Re-consultation has been undertaken.

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)

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.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm,

address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

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 Tree Officer - No comments received

Archaeological Officer – No objection - The proposed development site and surrounding area contain no known heritage assets. Therefore, the archaeological potential of the site is considered to be low/unknown. On the basis of the available evidence the proposed development is unlikely to affect important buried remains. Therefore, there is no need to secure a programme of archaeological work.

PCC Peterborough Highways Services – No objections - The site frontage measures approximately 5.2m so the required access width of 3.5m with the 1.5m wide pedestrian splay to the south of the access can be provided on the site frontage edged in red. The pedestrian splay to the north of the access shall be located within blue land and therefore can be maintained by the applicant free from any obstruction over 600mm in perpetuity. A total of 2 on-site parking spaces for the development shall suffice. The proposed garage, to count towards parking provision, must measure 3m x 6m internally. The LHA would suggest that the proposed garage is increased in size and also that a parking space is provided to the north alongside the garage.

North Level Drainage Board - No comments to make on the application

Thorney Parish Council - No comments received

Cllr Simons - I have been contacted by the applicant and I have visited the neighbour. As per Thorney Parrish council, I also have no objections. I wish the application to be referred to Planning Committee.

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 1

Total number of objections: 0

Total number in support: 1

One letter has been received in support of the application stating:

- The proposed bungalow would be most suitable for the elderly
- New build small bungalows are a rarity

5 Assessment of the planning issues

The Principle of Development

The site lies within the village settlement boundary of Thorney where the principle of windfall development is supported under policy CS1 of the Adopted Peterborough Core Strategy DPD. The proposal would provide a new bungalow and would add to the City Council's much needed housing provision. The principle of development is acceptable subject to meeting the requirements of other relevant planning policy and material considerations.

Design and Visual Amenity

The surrounding area comprises predominantly single storey residential development and therefore the scale and design of the dwelling would be in keeping with the surrounding character. However the site is part of the garden area of no. 22 Topham Crescent and a piece of land which provides a degree of separation to its neighbour at no. 24 Topham Crescent and no. 5 Jamerstone Close. Due to the alignment of the road the front elevation to no. 22 faces into its respective plot rather than fronting the street.

The application as initially submitted indicated the potential for a piece of land to be purchased from the neighbouring occupier at no. 24 Topham Crescent however this was not included within the red outline of the application. This has since been amended to include the extra land and re-consultation was undertaken. Whilst the additional land improves the space around the building it is considered that the development would not respect the layout and built form of development in the area.

The initial scheme also proposed a garage forward of the front elevation of the proposed dwelling. The applicant was advised to delete the garage as it would have been positioned forward of the building line which is uncharacteristic of development in the immediate area.

Concern was also raised regarding the proximity of the parking area to the host dwelling at no. 22 and the poor outlook for the occupants of this property. The scheme now proposes a 1.8m high fence, in part, between the two driveways to obscure views of the parked cars associated with the proposed dwelling. However, this is not considered to be characteristic of the development form in this location and would be detrimental to the street scene.

It would also result in an obscured view of the proposed dwelling from Topham Crescent. As such, unlike other properties within the street, it would have little frontage with the street.

The application would result in a significant reduction in available outdoor amenity space, albeit it is acknowledged that some of the dwellings nearby have small gardens.

In summary, the application site is not considered to be a development plot owing to its size, shape and relationship with surrounding properties. The proposal would not respect the form of development in the immediate area and spacing between properties and it would result in a contrived form of development that would appear at odds with the general character of this part of street. The proposal is therefore contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP2 of the Adopted Peterborough Planning Policies DPD.

Neighbouring Amenity

The dwelling would be set back within the site by some 14m. The front elevation of the dwelling would be situated approximately 3.5m from the host dwelling at no. 22. Due to the orientation of no. 22 facing into the site, cars associated with the new dwelling would be parked within 4.5m of the front elevation to number 22. This relationship is likely to cause noise and disturbance to the occupiers of the host dwelling due to the comings and goings, parking and manoeuvring of vehicles and level of activity, which would not be in the control of the occupants of No 22 and which would occur in close proximity to the front windows of the property.

This issue has been raised with the applicant and a revised plan has indicated the provision of a 1.8m high boundary fence of 9m in length to be positioned between the properties. Whilst this would screen the view of cars parking to the front of the dwelling, the fence would be a feature which is uncharacteristic to the frontage of properties and in addition would not provide an acceptable outlook for the future occupiers of the host dwelling.

Concern is also raised regarding the relationship with the property at no. 5 Jamerstone Close. The principle garden area to this property is south facing and has a depth of approximately 5.2m. There is currently a 1.8m high fence along the shared boundary with the application site which would currently overshadow part of the garden area. The proposed bungalow would be positioned approximately 6.7m from the rear elevation of no. 5 Jamerstone Close and would run in close proximity to, and along almost the whole length of, the rear garden of this neighbouring dwelling. It is acknowledged that the proposal is for a single storey property with a ridge height of 4m, however it is considered that there would be a very tight relationship with the neighbouring property at no. 5 Jamerstone Close which would be overbearing and which would result in some overshadowing to what is a relatively small garden area.

It is accepted that some of the dwellings have small gardens, for example, the relatively recent development in Jamerstone Close (ref. 11/02067/FUL) comprising bungalows with shallow gardens of some 5-6m however the relationship between these properties and existing development in Topham Close is such that separation distances between properties is acceptable, unlike the proposed application where the relationship with no. 5 Jamerstone Close would be much closer and would not be acceptable. The applicant has provided photographs of surrounding properties showing small gardens and this is not disputed.

The proposal would result in a contrived development which would not provide appropriate separation distance to the existing neighbouring development particularly, the host dwelling and overshadowing. It would also result in an overbearing impact on no. 5 Jamerstone Close. Hence the proposal is contrary to policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

Residential Amenity

The proposed dwelling would provide an acceptable level of amenity for the future occupiers. There would be a rear amenity area, all rooms would be served by natural lighting, there is an area for the storage of refuse bins and appropriate parking provisions would be provided.

The host dwelling would be left with a small garden area to the rear. Whilst the garden would be significantly smaller than is currently the case it would not be so unduly small as to make it unusable by occupiers; indeed in some cases a small garden is preferred. It would be unreasonable to refuse the application on this basis given that some of the dwellings in this location also have small garden areas.

The proposal would therefore accord with policy PP4 of the Adopted Peterborough Planning Policies DPD.

Highway Implications

The proposal includes a new access off Topham Crescent and parking provision for two cars. It is considered that an appropriate width of access with available visibility splays would be achievable. The visibility splay to the north of the access is within 'blue' land and a condition could be appended to ensure the visibility splay is retained in perpetuity. The access arrangements for the host dwelling would be unaffected.

The parking provision would accord with the parking standards under policy PP13 of the Adopted Peterborough Planning Policies DPD.

It is not considered that the proposal would result in any adverse impact on the safety of users of the public highway and hence the proposal accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

A letter has been received in support of the proposal stating that bungalows are hard to come across and that it would be suitable for an elderly person. It is accepted that the proposal would provide a contribution to the City Councils housing supply, however this does not outweigh the harm that would be caused to the surrounding character and the amenity of neighbouring occupiers.

6 Conclusions

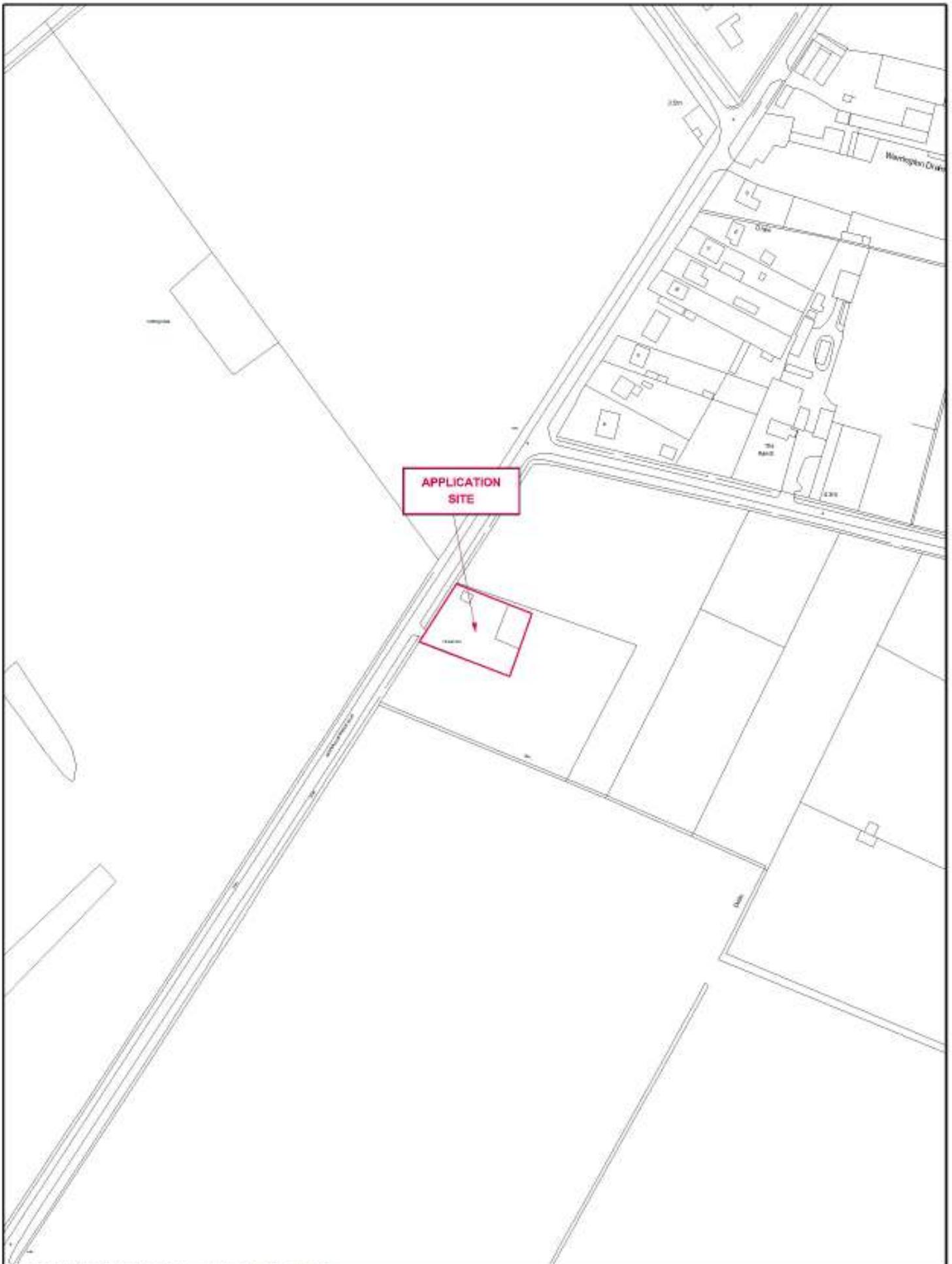
The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

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

- R 1 The positioning of the dwelling with its close relationship with the host dwelling at number 22 Topham Crescent and to the neighbouring property at no. 24 Topham Crescent, including the erection of a 1.8m high fence, would result in a contrived development which would not respect the general layout, spacing and character of the development within this location. Hence the proposal would be contrary to policy CS16 of the Peterborough Core Strategy DPD and policy PP2 of the Peterborough Planning Policies DPD.
- R 2 The proposed boundary treatment to the front elevation of number 22 Topham Crescent would mitigate some of the noise and activity associated with the occupiers of the new dwelling. However this would result in a poor outlook and an unacceptable sense of enclosure for occupiers of the host dwelling. Hence the proposal is contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.
- R 3 The proposed dwelling would be positioned close to the neighbouring property at no. 5 Jamerstone Close. The proximity of the proposed dwelling and the relatively shallow depth of this neighbouring garden, along with its south facing aspect, would result in overshadowing

and an overbearing impact to the occupiers of this neighbouring dwelling. Hence the proposal would be contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.



LOCATION PLAN 17/01785/FUL

Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough

Scale NTS Date 6/12/2017 Name AA Department Planning Services



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Application Ref: 17/01785/FUL

Proposal: Four additional pitches/caravans (8 in total) and erection of Day Room in association with the existing Traveller site to serve one extended family

Site: Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough

Applicant: Mr RICHARD SMITH

Agent: Mr Barry Nichols
ARCHITECTURAL & SURVEYING SERVICES LTD

Referred by: Newborough and Borough Fen Parish Council

Reason: Residential development in the countryside, impact on the area due to size of development, highway implications and precedent

Site visit: 21.11.2017

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

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

Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings

The application site is approximately 0.24 hectares and is located on the eastern side of Werrington Bridge Road, approximately 100m south of the junction with Bridgehill Road. The site is approximately 700m from the urban area boundary and is therefore on land designated as open countryside. The site contains a number of caravans including one static caravan/mobile home. There is a brick built toilet/utility block at the north west corner of the site and a wooden shed abutting the western boundary. The site is enclosed by timber fencing and mature shrubs. There is an access off Werrington Bridge Road.

The nearest group of dwellings are located immediately to the north of Bridgehill Road. To the east along Bridgehill Road, there are sporadically located dwellings which are primarily associated with agricultural and commercial enterprises otherwise the area comprises a relatively flat landscape. The site has a dense hedge to the frontage to the west which precludes views into the site. The remaining boundaries are formed by 2m high fencing with shrubs/trees behind.

Proposal

The application is a revised scheme following two former refusals for a day room ref. 16/00348/FUL (also dismissed at appeal) and ref. 15/00971/FUL (refused by members of the Planning and Environmental Protection Committee on 27.10.2015).

The application under consideration is as follows:

- Addition of 4 pitches/caravans (8 in total)
- Erection of a day room. The building would have a square footprint 9.6m x 9.9m with a hipped roof to a maximum height of 4m

The proposal is for an increase in the number of caravans for one extended family to cater for the family's children and grandchildren and comprises an increase in the overall site area.

2 Planning History

Reference	Proposal	Decision	Date
01/00595/FUL	Proposed two household residential traveller caravan site (4 caravans) utility block, workshop/store/pony paddock	Refused	06/12/2002
04/01786/FUL	Siting of four residential caravans and utility block	Refused	08/03/2005
08/00273/FUL	Storage unit for lorry	Refused	24/07/2008
15/00971/FUL	Erection of a day room	Refused	30/10/2015
16/00348/FUL	Proposed day room	Refused	20/04/2016

3 Planning Policy

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

National Planning Policy Framework

Planning policy for traveller sites - 2015 (DCLG)

Planning Policy for Traveller Sites (revised August 2015) which should be read in conjunction with the National Planning Policy Framework sets out the Government's planning policy for traveller sites. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic life of travellers while respecting the interests of the settled community.

Peterborough Core Strategy DPD (2011)

CS09 - Gypsies and Travellers

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

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.

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.

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

CS26 - Mineral Safeguarding Areas

Development will only be permitted where it can be demonstrated that the mineral concerned is no longer of economic value, the mineral can be extracted prior to development taking place, the development will not inhibit extraction in the future, there is an overriding need for the development and prior extraction cannot be reasonably undertaken or the development is not incompatible.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is

sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

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.

Gypsy and Traveller Accommodation Assessment (GTAA) 2016

The Cambridgeshire, King's Lynn & West Suffolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment (GTAA) was published in October 2016. The GTAA set out the findings of the assessment in relation to current and future gypsy and traveller need for pitch provision. The study concluded that there is no need for any additional pitches for households that meet the new definition. There is an "unknown" need which may vary from as little as two pitches upwards.

4 Consultations/Representations

PCC Minerals And Waste Officer (Policy) – No objection - The proposed site sits within a Minerals Safeguarding Area for Brickclay (Minerals and Waste Core Strategy policy CS28). No information appears to have been submitted demonstrating the existing layout of the site, however it is my understanding that application 04/01786/FUL for the siting of four residential caravans has been approved at appeal and implemented, and is based on the same red line. Should this be the case I would have no objection to the current proposals. However, if any information comes to light which suggests a different site boundary is being proposed I may seek to review these comments.

North Level District Internal Drainage Board - North Level Drainage Board has no comments to make on the application.

Environment Agency – No objection - This proposal falls outside the scope of matters which the Environment Agency is a statutory consultee. Therefore we have no comment to make on this application.

GeoPeterborough (Sites Of Interest) - No comments received

Newborough & Borough Fen Parish Council – Objection - The Council reject the proposed development because it is in open countryside. This site is adjacent to the protected landscape that is Peterborough Fen. As such residential development outside of the village envelope and designated areas should be refused. We accept this extended gypsy/traveller family have an established site at Lazy Acre. Further development, however, would extend beyond what was

approved as acceptable by the Planning Inspectorate. As a consequence the development of a permanent residential settlement would have a very different impact upon the open countryside. There is scarce case law for such developments. We would therefore ask that this development should be considered on its merits as it would set the precedent for a large number of sites within Peterborough and our parish to be developed.

The development would be a significant impact upon our local countryside by allowing a new permanent development on this site. The proposed day room is of a significant size and with the plan including toilet facilities it should be considered as a domestic dwelling. Kitchen and bathing facilities could be easily added to a building of this size. It is of a similar size to other bungalows in the area and should be, in our opinion, be considered as a domestic dwelling and not a day room.

The increased number of vehicles journeying to and from this site would bring an extra hazard to the traffic travelling along this very busy, badly repaired, narrow unclassified road.

Although we are receptive to the needs of the family we feel doubling of the pitches on this site along with addition of an extremely well-equipped Day Room will establish a very large development in open countryside. As mentioned in your application there are also additional caravans visiting the property on a regular basis.

There is a discrepancy with the description of the application and that within the application form.

Request the application is referred to planning committee if the recommendation is to approve.

Local Residents/Interested Parties

Initial consultations: 15

Total number of responses: 6

Total number of objections: 0

Total number in support: 5

6 letters have been received raising no objection and in support of the application as follows:

- No objection from a neighbouring resident
- Lazyacre should be given every opportunity to have a day room and 4 additional pitches - I wholeheartedly support their application.
- I have seen Mr Smith flourish as a family man and in business
- He maintains a high regard within the community
- The scheme would greatly improve Margaret's (applicant's wife) quality of life

5 Assessment of the planning issues

Background

Planning permission was allowed at appeal in 2006 for the siting of 4 residential caravans, the construction of a utility block and the laying of a hardstanding (04/01786/FUL). The approval was subsequent to an earlier application for 'a two household residential traveller caravan site (4 caravans) utility block, workshop/store/pony paddock' which was refused and dismissed at appeal.

However, the allowed application proposed a smaller utility block and no workshop or stable and was on a smaller parcel of land. The Inspector conceded that the proposed layout and positioning the small utility block at the north western corner of the site and the positioning of 3 caravans at the rear of the site in parallel to the road and another close to the northern boundary would minimise their visual impact from outside the site.

The Inspector also considered that this was a good location for a small family gypsy site and while there would be a limited degree of harm, in terms of its impact upon the character and appearance of the area, this was considered to be relatively small and could be rendered satisfactory in time, were it possible to establish additional screen planting along the southern boundary.

An application was submitted in 2015 for the erection of a day room (ref.15/00971/FUL). This application was refused by Members of the Planning and Environmental Protection Committee on 27th October 2015 for the following reason:

'The size, layout and design of the proposed day room would be tantamount to a permanent dwelling. Policy CS9 of the Adopted Peterborough Core Strategy DPD seeks to restrict permanent structures to small amenity blocks in order to protect the character and appearance of the open countryside from development. The proposed dayroom would be visible from outside the site and would represent an intrusive feature within the open countryside. Hence the proposal would be contrary to policies CS9 and CS20 of the Adopted Peterborough Core Strategy DPD. No evidence as to any personal circumstances has been submitted by the applicant which is sufficient to outweigh planning policy.'

An identical application was submitted in 2016 (ref. 16/00348/FUL) which was also supported with assessment reviews undertaken by the City Council's Occupational Therapy Team.

The application was refused under delegated powers for the following reason:

The size, layout and design of the proposed day room would be tantamount to a permanent dwelling. Policy CS9 of the Adopted Peterborough Core Strategy DPD seeks to restrict permanent structures to small amenity blocks in order to protect the character and appearance of the open countryside from development. The proposed dayroom would be visible from outside the site and would represent an intrusive feature within the open countryside. Hence the proposal would be contrary to policies CS9 and CS20 of the Adopted Peterborough Core Strategy DPD. Information in respect of the personal circumstances of a member of the applicant's family has been provided in support of the application however this information is not sufficient to outweigh planning policy.

The application was subsequently dismissed at appeal.

The principle of development

Policy CS9 of the Adopted Peterborough Core Strategy DPD seeks to make provision for gypsies and travellers to meet their accommodation needs and sets out criteria for the determination of planning applications for private pitches which proposals must meet to be acceptable. The policy is consistent with the National Planning Policy Framework (NPPF) in promoting sustainable development and the Planning Policy for Traveller Sites (PPTS).

The criteria which will be used to identify suitable new Gypsy and Traveller caravan are: (a) the site and its proposed use should not conflict with other development plan policies or national planning policy relating to issues such as floodrisk, contamination, landscape character, protection of the natural and built environment or agricultural land quality; (b) the site should be located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school; (c) the site should enable safe and convenient pedestrian and vehicle access to and from the public highway, and adequate space for vehicle parking, turning and servicing; (d) the site should be served, or be capable of being served, by adequate mains water and sewerage connections; and (e) the site should enable development and subsequent use which would not have any unacceptable adverse impact on the amenities of occupiers of nearby properties or the appearance or character of the area in which it would be situated.

The policy goes on to state that: the Council will be prepared to grant permission for sites in the countryside (i.e. outside the Urban Area and Village Envelopes) provided that there is evidence of a

need (as identified in the local assessment), that the intended occupants meet the definition of Gypsies and Travellers, as set out in Government guidance, and provided that the above criteria (a) to (e) are met. In the countryside, any planning permission granted will restrict the construction of permanent built structures to small amenity blocks associated with each pitch.

The forthcoming policy LP10 of the Peterborough Proposed Submission Local Plan reiterates and is consistent with policy CS9.

This is an existing Gypsy and Traveller site and therefore the principle of the use is established. Furthermore the criteria of policy CS9 is deemed to be met in that the site is not within an area at risk of flooding, the site is not contaminated, the site lies near to the urban area boundary, the site has an existing access to Werrington Bridge Road and adequate parking and turning provision, the site is served by water and sewerage connections and due to its location, there are no implications for neighbouring amenity.

On the basis of the evidence presented the family also meet the current government's definition of a Gypsy and Traveller as set out in the Annex to the PPTS.

In accordance with policy CS9 the main planning considerations therefore are the impact the additional caravans and day room would have on the visual amenity of the area (criterion (a)) and the need for the additional accommodation.

Design and Visual Amenity

Increase in number of caravans

The site area which accommodates the caravans would be extended to that approved under the 2006 scheme and would extend 70m from the Werrington Bridge Road frontage; 30m more than the approved scheme. The site would extend into a paddock area.

It was clear from the site visit when the appeal application was being considered that there were several more caravans present on site than the 4 allowed under the former permission. The Inspector's Decision confirmed that there were 6 touring caravans and a static caravan on site at the time of the appeal visit. The application states that there are 8 caravans on site and that this has been the case for a number of years.

The application is to formally apply for permission to increase the number of caravans on site from 4 to 8 to accommodate the members of the applicant's extended family. Consideration is therefore given to the appropriateness of the site as a larger site for Gypsy and Travellers.

The NPPF recognises the intrinsic character and beauty of the countryside. PPTS does not require that sites are completely screened from view but seeks to ensure that sites have adequate landscaping however that they are not enclosed by so much hard landscaping, high walls or fences giving the impression that the site and its occupants are deliberately isolated from the rest of the community, rather than isolating them, increases their openness.

Policy CS20 of the Core Strategy advises that new development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscape setting, retaining and enhancing the distinctive qualities of the landscape character area and sub area in which it would be situated. The site is screened to the frontage by a mature hedge which precludes direct views into the site. In addition due to existing boundary hedgerows the paddock area is also substantially screened to views into this part of the site.

Therefore it is considered that the proposed development would not result in significant harm in terms of the character and appearance of the open countryside.

Dayroom

The size of the building has been reduced in size and has a different design compared with the

former application refused on appeal, which proposed a an 'L'-shaped footprint of 132m (13m x 11m – max). The former scheme showed a single storey building with a dual pitched roof to a maximum height of 5m.

The footprint of the building now proposed would be 9.9m x 9.6m, square in shape with a hipped roof design to a maximum height of 4m. The building would be of brick and tile construction. The building would have two WCs, a utility room, a kitchen, lounge and dining room.

The existing brick utility building, located at the north-west corner, provides the only toilet and bathroom facilities.

In the appeal decision the Inspector accepted that there is a larger number of family members on site than would have been the case in 2006; and that on gypsy and traveller sites, day rooms sometimes include a dining area and no such provision existed on the site at present. However, the Inspector concluded that as the number of static and/or touring caravans on the land is restricted to a maximum total of 4, the combined scale of any such facilities that could be reasonably expected under the 2006 decision would not, in the Inspector's opinion, be as large as the proposal and that improved communal facilities for the permitted number of caravans could be provided by a less intrusive built form.

It is considered that the increase in site area and the increase in the number of caravans would justify a larger utility block and provision for dining as a family.

The applicant has provided examples of similar day rooms permitted by Huntingdon District Council for example. Planning permission has recently been granted in South View, Harpers Drove, Ramsey Heights, Huntingdonshire for a dayroom of the same footprint as currently proposed.

The building would have a maximum height of 4m and the hipped roof would reduce the amount of building which would be visible from Werrington Bridge Road.

Material consideration

The reason previous applications for a dayroom were submitted was to improve the facilities for Mrs Smith (applicant's wife) who lives on the site and has various medical conditions that severely affect her mobility. The proposal would allow improved access to toilet and hygiene facilities and so on.

The Inspector gave significant weight to the medical conditions and to her rights under the Human Rights Act 1998 and to the requirements of the Equality Act 2010. However, the Inspector concluded that the building would remain after her personal circumstances have ceased to be applicable and he considered that her stated needs did not justify a building of the proposed size with its large communal room and its 2 studies. The Inspector implied that the existing utility building could be altered or replaced to serve the requirements better. The medical conditions of Mrs Smith did not justify the proposal in light of the harm that would result.

The former scheme proposed a building with a much larger footprint to the scheme now under consideration. The height of the building would be 1m lower than the former scheme and the fully hipped roof design would reduce the visual impact the character and appearance of the open countryside.

It is considered reasonable to seek the removal of the existing utility block once the dayroom has been constructed to avoid the cluttering of the site. In addition, a condition would be appended to the decision notice to ensure the day room is not occupied for permanent residential use.

It is considered that the proposal would accord with policies CS16 and CS20 of the Adopted Peterborough Core Strategy DPD.

The Need for the Additional Pitches/Caravans

The Cambridgeshire, King's Lynn & West Suffolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment (GTAA) was published in October 2016. Pages 99 to 101 of the GTAA set out the findings of the assessment in relation to current and future gypsy and traveller need for pitch provision.

The study concluded that there is no need for any additional pitches for households that meet the new definition. There is an "unknown" need which may vary from as little as two pitches upwards. The Council's position on this matter is set out in the Peterborough Housing Strategy 2016 – 2021. This strategy was approved for adoption by Full Council on 12 April 2017. Following the latest GTAA conclusion that there is no need for additional pitches, the Council will not be allocating pitches in the forthcoming local plan. It will meet the unknown need through consideration of individual planning applications against a criteria based policy in much the same way as the current Core Strategy policy CS9.

Notwithstanding the conclusions of the GTAA in a recent appeal decision for Mile Drove, Glinton, the Inspector had concerns regarding the robustness of the Study and he stated that it is more likely that the Council cannot demonstrate an adequate supply to meet current need for gypsy and traveller sites. This needs to be given weight in the Council's decision making.

Under this proposal the applicant seeks the lawful provision of additional caravans to meet the changing needs of the family, in that his own children have married and now have children of their own. This consent would be personal to the applicant and his extended family and the proposal would meet this need.

If members of the family are required to vacate the site then another site would have to be secured. Such a site may not be in such a favourable location as Lazy Acre in terms of its relatively close access to services and facilities.

The Parish Council has raised concern regarding the proposal setting an undesirable precedent for a large number of sites within Peterborough and the parish to be developed. However each application is judged on its merits and in this particular case it is not considered that a precedent would be set as this is an established site which has existed for a number of years.

It is considered that the proposal demonstrates a need for the additional pitches and caravans and therefore accords with policy CS9 of the Adopted Peterborough Core Strategy DPD.

Highway implication

The existing access would be unchanged and there is ample parking provision within the site. Hence the proposal would not unduly impact upon the adjacent highway and accords with policy PP12 of the Adopted Peterborough Planning Policies DPD.

Neighbouring Amenity

The site is isolated in character and therefore the proposal would not impact on neighbouring amenity and would therefore accord with policy PP3 of the Adopted Peterborough Planning Policies DPD.

The Parish Council has queried the description of the application and that within the application form. The description was amended by the LPA as it implied there was already permission for 8 caravans. The description was amended to refer to an increase in 4 caravans.

6 Conclusions

Subject to the imposition of the attached conditions, the proposal is acceptable having been

assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- This is an existing Gypsy and Traveller site and therefore the principle of development is already established;
- The increase in number of pitches/caravans from 4 to 8 would not materially change the character of the site;
- The consent would be personal to the applicant due to the need of additional caravans for his extended family;
- The dayroom would not have an independent residential use;
- The site is substantially enclosed by hedgerow and boundary fencing and therefore it would be satisfactorily screened from views outside of the site;
- The proposed day room would be visible above the boundary, however, such views would not unduly impact on the character and appearance of the open countryside.
- The proposal would not result in any unacceptable impact on the adjacent highway; and
- The site would not adversely impact on the amenity of nearby residents.

Hence the proposal accords with policies CS9 and CS20 of the Adopted Peterborough Core Strategy DPD and policies PP2, PP3 and PP12 of the Adopted Peterborough Planning Policies DPD.

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 site shall be occupied only by Mr Richard Smith and his extended family.

Reason: In accordance with CS9 of the Adopted Peterborough Core Strategy DPD and Annex 1 of the Planning policy for traveller sites 2015.

- C 3 The Day Room building hereby approved and as detailed on plan ref: FP0001 received 21st September 2017 shall be used solely as a day room building and shall not be used for sleeping nor shall there be any furniture associated with sleeping.

Reason: The site is in an area where residential development in the form of permanent residential buildings would not normally be permitted in accordance with policies CS1 of the Adopted Peterborough Core Strategy DPD.

- C 4 No more than 8 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time.

Reason: In the interests of the visual amenity of the area and in accordance with policy CS9 of the Adopted Peterborough Core Strategy DPD.

- C 5 No development other than groundworks and foundations shall take place until details of the materials to be used in the external elevations of the Day Room hereby approved have been

submitted to and approved in writing by the Local Planning Authority. The development shall be implemented 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 6 No gates of supporting piers shall be erected at the site entrance until the details have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details.

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

- C 7 No external lighting shall be installed or erected within the site until details have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C 8 The hedges on the western, northern and eastern boundaries shall be retained. Any trees of plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and in accordance with policy CS16 of the Adopted Peterborough Planning Policies DPD.

- C 9 No commercial activities shall take place on the land, including the storage of materials.

Reason: In the interest of visual amenity of the open countryside location and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C10 No vehicle over 7.5 tonnes shall be stationed, parked or stored on the site.

Reason: In the interest of visual amenity of the open countryside location and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C11 Space shall be made available at all times to enable the turning and parking of all vehicles visiting the site.

Reason: To ensure that vehicles can leave the site in forward gear and in accordance with policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C12 Notwithstanding the details hereby approved within 3 months of the dayroom being brought into use the existing utility block shall be demolished and removed from site.

Reason: In the interests of visual amenity and in accordance with policy CS1 and CS16 of the Adopted Peterborough Core Strategy DPD.

C13 The development hereby permitted shall be carried out in accordance with the following approved plans:

- * Location Plan drg. no. OS0001
- * Proposed Site Plan drg. no. OS0002
- * Proposed Block Plan drg. no. BL0001
- * Proposed Floor Plan drg. no. FP0001
- * Proposed Elevations drg. no. EL0001

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

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