

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 20 JULY 2021

1.30 PM

Sand Martin House - Engine Shed

[Peterborough City Council Youtube Page](#)

AGENDA

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3. 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.	
4. Members' Declaration of intention to make representations as Ward Councillor	
5. Development Control and Enforcement Matters	
5.1 21/00708/FUL - Cranmore House Thorney Road Eye Peterborough	13 - 40
5.2 21/00641/HHFUL - 71 Elmfield Road Dogsthorpe Peterborough PE1 4HA	41 - 46
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Committee Members:

Councillors: C Harper (Chairman), P Hiller (Vice Chairman), R Brown, Warren, Iqbal, Jones, Hogg, Bond, Dowson, Hussain and Sharp

Substitutes: Councillors: B Rush, M Jamil, Bond and Yurgutene

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

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Sylvia Bland, Janet Maclennan, David Jolley, Louise Simmonds,, Amanda McSherry, Matt Thomson, Asif Ali, Michael Freeman, Jack Gandy, Carry Murphy, Mike Roberts, Karen Ip, Shaheeda Montgomery and Susan Shenston

Minerals and Waste: Alan Jones

Compliance: Jason Grove, Amy Kelley and Alex Wood-Davis

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.

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 15 JUNE 2021
SAND MARTIN HOUSE, PETERBOROUGH**

Committee Members Present: Hiller (Vice Chairman), S Bond, Brown, Dowson, Hogg, Amjad Iqbal, I Hussain, Jones, Sharp, Simons and Warren.

Officers Present: Sylvia Bland, Group Lead Development Management Place and Economy
Louise Simmonds, Development Management Team Leader
Carry Murphy, Principal Development Management Officer
Jez Tuttle, Senior Highways Engineer
Chris Gordon, Planning Solicitor
Nick Greaves, Principal Engineer
Daniel Kalley, Senior Democratic Services Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Harper and Cllr Andrew Bond. Cllr Simons and Cllr Sandra Bond were in attendance as substitutes.

2. DECLARATIONS OF INTEREST

Councillor Simons declared an interest in item 5.3 - 21/00150/HHFUL - Pond House, The Park, Wisbech Road, Thorney by virtue of being a Ward Councillor for Thorney.

Councillor Amjad Iqbal declared an interest in item 5.3 - 21/00150/HHFUL - Pond House, The Park, Wisbech Road, Thorney by virtue of knowing the applicants family but had not had any involvement in the application.

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

There were no declarations of interest received to address the committee as a Ward Councillor.

4. MINUTES OF THE PREVIOUS MEETING HELD ON:

4.1 23 MARCH 2021:

The minutes of the meeting held on 23 March 2021 were agreed as a true and accurate record.

4.2 13 APRIL 2021:

The minutes of the meeting held on 13 April 2021 were agreed as a true and accurate record.

4.3 20 APRIL 2021:

The minutes of the meeting held on 20 April 2021 were agreed as a true and accurate record.

5. PLANNING AND ENFORCEMENT MATTERS

5.1 21/00287/R3FUL - Land at Bishops Road, Eastgate, Peterborough

The Committee received a report, which sought:

1) Full planning permission for the erection of a three storey building for research and development use associated with the University of Peterborough, known as Phase 2. This would be sited to the rear of the recently permitted and implemented Phase 1 planning permission, on the former Wirrina car park site. The proposal also includes associated car parking, works, infrastructure and landscaping; and

2) Outline planning permission with access and scale sought, and all other matters (appearance, landscaping and layout) reserved, for the construction of a decked car park for up to 180 additional vehicles (up to 380 in total), on the current Peterborough Regional Pool car park site. This also includes the creation of a new vehicular access off Bishops Road, and closure of the existing Regional Pool car park access, with associated works, infrastructure and landscaping.

It was noted that the scheme has been amended from that which was originally submitted, to move the location of the proposed car park from the public open space within the red line boundary known as Bishops Park, to the Regional Pool car park. Whilst retained within the red line boundary, no development is proposed on Bishops Park.

The Development Management Team Leader introduced the item and highlighted key information from the report and update report.

Manjeave Singh, on behalf of the agents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Anglian Ruskin University Peterborough (ARUP) was a joint collaboration driven by the Cambridgeshire and Peterborough Combined Authority (CPCA), Peterborough City Council and the Anglian Ruskin University. This was a new £30 million university which was set to open in 2022. It was deemed to provide higher educational facilities to the city. This was hoped to improve skills and knowledge within the city and drive up aspirations for young people in the region.
- The aim of the university was to work with employers as co-creators in developing curriculum led by employer and student demand.
- The first teaching building for the university was granted planning permission in November 2020, which was the first phase of the building off Bishops road, with construction of the building having already commenced.
- Courses were to be delivered by means of campus based lessons, in work training, distance learning and apprenticeships.

- The application in front of committee was for the next stage of the development, which comprised of a manufacturing and research skills centre. The development was to create a low carbon hub for research and development in Peterborough and enhance the geographical position as a global leader with knowledge and innovation.
- This development would integrate with the first phase building and create a campus hub feel.
- A local organisation called Photocentric, was proposed to be the anchor tenant, which specialised in photo polymer which involved hardening of materials using light.
- The applicant, agents and officers had listened to the concerns of local residents to create an application that would bring benefits to the city.

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

- The original application sought for a decked car park on the bishops park site, which was public open space. Following significant public opposition this was revised. The current application sought up to 180 additional parking spaces on top of the 200 that currently existed within the regional pool car park. Officers commented that the only way the additional spaces could be achieved within the confines of the land was for the parking to be decked to a maximum height of 13.3m. Members were informed that the final application may not want the full 180 additional spaces, however a minimum of 123 additional spaces would be required to meet the demands of the phase two building.
- It was confirmed that the car parking was to be built on the existing regional pool site.
- There had been a level of controversy around the car parking elements of the plans, however it seemed that people had been listened to and that the open space was to be protected.
- This was a welcome application and a university was much needed within the city.
- With this now being proposed on a brownfield site and no objections from Historic England there was no grounds for refusal.
- Application replicates the space of the car parking that was in place and did not interfere with the open space.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go with officer recommendation and **GRANT** the application with the correction to condition C6 of the full planning permission, as set out in the Update Report. The Committee **RESOLVED** (Unanimous) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON 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 represents the next phase of the development of the University of Peterborough and would be sited on land which is in line with the vision for the Riverside North Policy Area. As such, the principle of development is considered to be acceptable in accordance with Policies LP4 and LP51 of the Local Plan (2019);
- the application scheme would result in enhanced educational offer associated with the newly created University of Peterborough, which should be afforded great weight in decision-making, in accordance with paragraph 94 of the National Planning Policy Framework (2019);
- the proposed design is considered to be of high quality that would enhance the site and its wider surroundings, in accordance with Policy LP16 of the Peterborough Local Plan (2019);
- the proposal would ensure that the significance of nearby designated heritage assets are preserved and accordingly, the proposal is in accordance with Policy LP19 of the Peterborough Local Plan (2019) and paragraphs 193, 194 and 196 of the National Planning Policy Framework (2019);
- no harm to any buried heritage assets of key importance would result, in accordance with Policy LP19 of the Peterborough Local Plan (2019) and paragraph 189 of the National Planning Policy Framework (2019);
- the proposal would not result in a severe impact to the capacity of the surrounding public highway network, safe access would be afforded to all users, and adequate parking provision would be made to meet the demands arising from the Phase 2 development, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and paragraph 109 of the National Planning Policy Framework (2019);
- drainage from the site would be adequately managed such that no increased flood risk either on- or off-site would result, in accordance with Policy LP32 of the Peterborough Local Plan (2019), paragraphs 155 and 163 of the National Planning Policy Framework (2019) and the Peterborough Flood and Water Management SPD (2019);
- an unacceptable level of harm would not result to the amenities of neighbouring occupants, in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- the proposal would not result in unacceptable impact to species of principal importance and would secure overall biodiversity gain, in accordance with Policies LP22 and LP28 of the Peterborough Local Plan (2019), paragraphs 98 and 99 of the National Planning Policy Framework (2019) and the Peterborough Green Infrastructure and Biodiversity SPD (2019);
- the proposal would ensure that trees of key amenity value to the surrounding area are protected, and that overall enhancement to the landscape quality of the area is secured, in accordance with Policy LP29 of the Peterborough Local Plan (2019);
- the proposal would not pose an unacceptable risk to human health or controlled waters through contamination, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 178 of the National Planning Policy Framework (2019); and
- the proposal would not result in unacceptable harm to the air quality of the surrounding area, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and paragraph 181 of the National Planning Policy Framework (2019).

5.2 21/00229/REM - Land East Of, Aqua Drive, Hampton Water, Peterborough

The Committee received a report, which sought reserved matters consent relating to the access, appearance, landscaping, layout and scale for the construction of a three form of entry primary school with nursery with associated outdoor-sports areas, infrastructure, access, parking and landscaping works pursuant to outline permission reference 16/02017/OUT.

The school building will be located at the south east part of the site and is predominantly two 82 3 storeys in height. It will be constructed in a mixture of brick and timber and coloured panelling. To the north of this there will be a large area intended for soft and hard play. This includes a MultiUse Games Area (MUGA) which then leads on to playing fields intended for year round use.

Staff and visitor car/ motor cycling parking as well as drop off/ pick up area located in the southern part of the site. This provision has been increased and amended plans submitted. Cycle and scooter parking is provided at other locations within the site.

The site will utilise one access point for vehicles off Aqua Drive and three pedestrian access points from both Aqua Drive and Hartland Ave. There will be a one-way system through the car park, comprising an 'in' access point and 'out' egress point.

The proposals have already been subject to a formal screening for Environmental Impact Assessment (EIA), under planning reference 21/0002/SCREEN. It was determined that the development would not have significant environmental effects and as such an EIA was not required.

The Principal Development Management Officer introduced the item and highlighted key information from the report and the update report.

Kayleigh Dixon and Andrew McGarill, on behalf of the agents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants and agents were aware of a number of concerns raised by local residents especially on highways grounds. Members were reminded that the principle behind this site being allocated for a school had already been established.
- In terms of highways impacts and the number of trips that would likely occur had been assessed and were deemed acceptable. There had been concerns raised over the data contained within the transport impact assessment, however it was important to note that this was provided by the applicant for information purposes only to assist the highways with a separate study. It was not a validation requirement for the reserved matters part of the application. It was important to note that even though not a requirement, the report still deemed the traffic flow reasonable and adequate.
- The school was well designed and met technical specifications for school buildings. It provided adequate parking provision and was laid out to include sporting facilities and play areas.
- The applicants had worked proactively with the local authority throughout the planning process and other consultees as well as listening to local residents.

- The application was supported by the sustainable traffic plan which promoted sustainable travel initiatives. This was to be regularly monitored and reviewed by the school.
- In terms of having electrical vehicles to pick up pupils who lived outside the catchment area, this had not at this point been considered. The school was expecting there to be a small number of pupils from the wider catchment area but the majority would be within the catchment area. It was possible that the sustainable transport plan could include this further down the road.
- The purpose of the drop off was to prevent unnecessary parking on site. It was anticipated that 10 to 20% were going to be pupils from outside of the catchment area. It was noted that the drop off area was a high turnover of cars and this was deemed sufficient by the planning officers.

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

- Officers had discussed in detail with the applicant the number of car park spaces in the drop off area. The initial number suggested was eight, however following conversations this was increased to 30 with a one way system.
- The overall Hampton development was given planning permission in 2016, this contained provision for a number of houses including three schools. Any traffic relating to this proposal was packaged in the original traffic modelling. There were potentially four access points to Hampton East that was taken into planning consideration at the original planning stage.
- It was more secondary schools that held community events, this was due to them being larger in scale. The applicant for this application was not minded at the current time to open the school for community use. Officers had included a condition that the applicants would need to look at the possibility in the future of opening for community use.
- School drop off systems were quite complex and involved a high turnover of vehicles. With this application it was reasonable to expect three sets of 30 cars dropping off children within a 15-30 minutes timeframe.
- A lot of work on the construction of the school was done off site and then moved onto site when nearing completion phase. This also allowed the build programme to be shorter than normal.
- There were reservations over the car parking situation. Previous experience suggested that it took more than five minutes for people to drop off and leave the site again. There were circumstances where it was likely that parents would turn up before the gates opened in the afternoon.
- When the application was originally submitted this was proposed as a normal primary school. Officers approached the education authority regarding the possibility of a faith school and how this impacted on local residents. Two examples were used, one the Sacred Heart in Bretton and Thomas Moore in Eastfield. At both examples there were around 90% of pupils who lived within two miles of the school. This showed that officers were along the right lines with their analysis of the catchment area of the school position.
- The provision for 30 parking spaces in the drop off area was far greater than what was available at other schools. The fabrication proposed was appealing and would be a welcome asset to the Hampton area. In addition the construction being done off site would reduce the disruption to local residents.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (8 for, 1 against and 2 abstentions) to **GRANT** the planning permission subject to relevant conditions delegated to officers particularly in relation to the treatment of the tree.

REASON FOR THE DECISION:

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

- The principle of locating a school on this site was established by the granting of outline planning permission. The development will help meet the existing demand for school places arising from the development of Hampton and in the neighbouring areas. The proposal accords with the National Planning Policy Framework (Paragraph 94) and Policy LP05 of the Peterborough Local Plan (2019) and approved masterplan.
- The traffic impacts of the development were assessed at the outline planning stage and found to be acceptable. The development will provide for a satisfactory level of parking and gives some opportunities for travel by bus, walking and cycling. The development will also be subject to a detailed Travel Plan and Parking Management Plan. As such the proposal is considered to accord with Policy LP13 of the Peterborough Local Plan (2019).
- The design of the new building is considered to be acceptable for the location. It is also not considered that there would be any unacceptable adverse impact upon neighbouring residents. The development is therefore considered to comply with Policies LP16 and LP17 of the Peterborough Local Plan (2019).
- New landscaping and biodiversity enhancement measures are proposed. The development will not have any unacceptable ecological impacts. The development therefore accords with Policies LP28 and LP29 of the Peterborough Local Plan (2019).
- Subject to a condition the site can be adequately drained in accordance with Policy LP32 of the Peterborough Local Plan (2019).

5.3

21/00150/HHFUL - Pond House, The Park, Wisbech Road, Thorney

The Committee received a report, which sought planning permission for the construction of ground and first floor extensions to the front, rear and both sides of the property. The overall effect would be to completely remodel the entire appearance of the property. To the front (north) elevation, the proposal would extend at two storeys forwards by some 2.9 metres, with two small gable projections in addition (to 3.7 metres). The existing attached garage would also be extended upwards, to one and a half storeys in height. The rear elevation would be extended outwards at two storeys by some 3 metres, with two larger gable projections beyond this. Whilst the western side elevation would be extended by approximately 3.5 metres at two storeys.

The proposal also includes converting the existing garage into a habitable space.

It should be noted that the proposal has been amended from that which was originally submitted. The original application sought the construction a detached 4 berth garage, however this has now been removed from the proposal.

The Development Management Team Leader introduced the item and highlighted key information from the report and the update report.

Dr Asad Qayyum (applicant) and Sajjad Panjwani (agent), addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The extension to the front and rear of the property was no more than three metres. To the side of the property the extension was only nominal.
 - With regards to the total length in elevation this was only to be increased by 4.4%. The total existing elevation was 21.46m. The proposed length came to around 22.6m. The height of the property was not to change with the extension.
 - The side elevation was to increase by around 27%, this included the 3m to the front and rear extension. The property sat on land totalling 3342 square metres. The total area of the property with the extension was to 294 square metres.
 - The proposed extension did not form a part of the conservation area, this was reserved for the bottom portion of the land on which the property sat.
 - The current property was out of character for the area, it was an old building and was in need of refurbishment. The applicant was keen for the proposal to be in keeping with the local area.
 - The family was growing and needed more space. The family enjoyed the location of the property and had adapted to the village's way of life. The current property was not in keeping with the culture and character of Thorney village.
 - The application being presented was mindful of the need to keep in character with other local properties.
 - At all times neighbours had been consulted and through this process the proposal to erect a garage was removed from the application following conversations with the neighbours.
 - In order to reduce the carbon footprint a conditional offer of planting 14 trees on site had been made.
 - The property was set behind a number of trees off Wisbech road and was set back 41m from the property. The property had its own garden space with a number of mature trees around it. People travelling by car would not have time to look at the property when driving.
 - The applicant was trying to improve the look of the property and attempt to create a property that was in keeping with the character of Thorney.
 - When the previous application was submitted it was purely to extend the property. This application took into account the culture and character of Thorney in terms of design. Every effort had been made to relate to the conservation area. The windows of the proposal had been set to give the property a more dated feel so as to keep in tune with the character of the area.
 - The property at No.1 The Park was 25m away from the garage and extension and would not impinge on their privacy. In terms of No. 53A Wisbech road the boundary was 21m away from the garage extension.
 - At the current time the windows at the front of the property already overlook neighbouring properties. In terms of the application the proposal was not going to be extended out too much further than what was already in place. The property was being extended outwards in order to meet the requirements of keeping the property within the character of Thorney.

- There was no window facing No. 51A Wisbech road, it was difficult to see how there would be any loss of privacy to that property. The height of the building was not being increased and therefore would not impact No. 53A Wisbech road.
- The applicant followed comments and suggestions made when the previous application was refused to try and bring the property into keeping with the character of Thorney.

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

- There was an error in the second reason for refusal which needed to state No.51 Wisbech road and not No.53A Wisbech road.
- The Council had an adopted supplementary planning document, the Peterborough Design and Development in selected villages, which was adopted in 2011. Officers had noted that the application had failed to comply with section 4.7 of that document.
- There was no mention of windows overlooking the property or no substantial harm on privacy and amenity. The application site was a fair distance from No.53A Wisbech road. There was also no issues with plants or trees and the applicant had promised to plant more trees. The proposal was an improvement on what was currently there.
- When looking at the plans it was important to look at whether it was keeping within the character of the area or being overdeveloped. There was nothing stated that would seem to suggest these issues could be overcome.
- It was difficult to go against the officer's decision for refusal taking into account the conservation officers comments.
- The applicant and agent had given sound explanations as to why the proposal had been set out in such a way. The application was an improvement on the current site. The applicant had taken the conservation area into account when drawing up the plans. The applicant had also shown why he wished to increase the size of the property. The design was good and was in keeping with the local area. It was not conceivable people would be looking at the property when driving past on Wisbech road as people should be keeping their eyes on the road.
- The applicant needed to liaise further with planning officers to overcome any concerns with the proposal.
- The property needed to be looked at with regards to the property as it needed updating, however more could be done to keep the property in within the character of Thorney.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (8 for, 2 against and 1 abstentions) to **REFUSE** the planning permission.

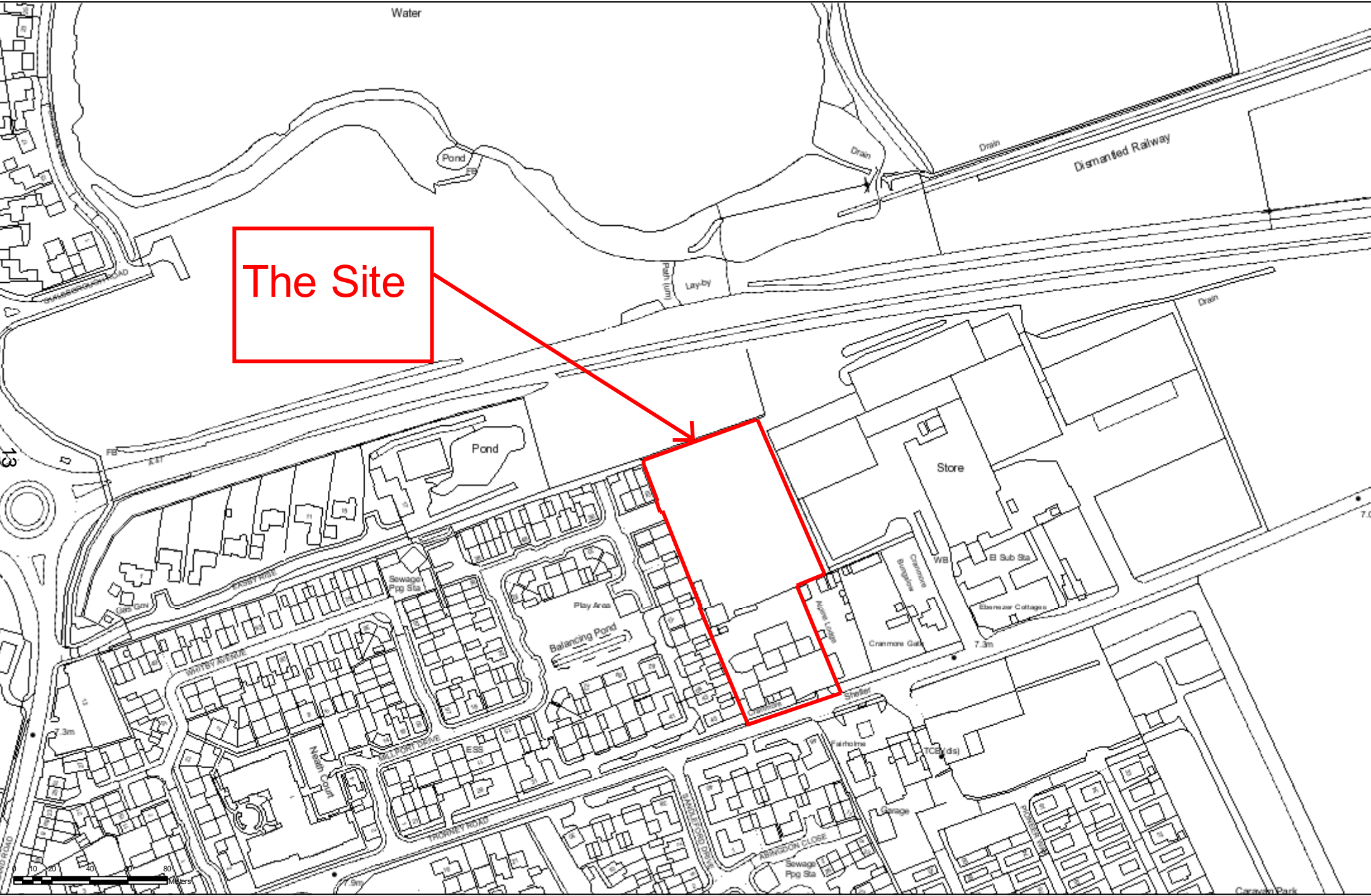
REASON FOR THE DECISION:

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

R1: The proposal by virtue of its design, size, scale and mass, fails to respect, reflect or be subservient to the host dwelling. Furthermore, the proposal is considered to represent poor design through the creation of a dwelling which appears contrived, unduly dominant and obtrusive. Given the prominent siting of the application site, the proposal would be readily visible from the public realm and this would therefore heighten the harm arising from the design. The proposal would therefore fail to preserve the character or appearance of the Thorney Conservation Area, such that less than substantial harm would result. It is not considered that the public benefits of the proposal would outweigh this harm, and therefore the proposal is contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019), paragraphs 193 and 196 of the NPPF, and the Thorney-specific policies of the Peterborough Design and Development in Selected Villages SPD (2011).

R 2: The proposal, by virtue of its siting, layout and design, would result in an unacceptable level of harm to the amenities of neighbouring occupants. The proposal would result in an unacceptable degree of direct overlooking to the garden and primary habitable rooms of No.1 The Park, and would result in undue overbearing and dominance to the garden and primary habitable rooms of No.51 Wisbech Road. The proposal is therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

CHAIRMAN
1:30 – 4.30PM



The Site

Planning Committee Location Plan-21/00708/FUL-Cranmore House, Thorney Road, Eye, PE6 7UB

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Application Ref: 21/00708/FUL

Proposal: Erection of 25 dwellings and garages, new access and public open space

Site: Cranmore House, Thorney Road, Eye, Peterborough
Applicant: Cranmore Developments Ltd

Agent: Mr Andrew Hodgson, Pegasus Group

Referred by: Head of Development and Construction
Reason: Previous call-in by Ward Councillors

Case officer: Mr Jack Gandy
Telephone No. 01733 452595
E-Mail: jack.gandy@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site is approximately 0.9ha in size and is located on the northern side of Thorney Road. The site contains a small holding and a large Victorian house which has been extended, and associated outbuildings/farm buildings and a paddock area to the rear of the site. The buildings appear to be in a poor state of repair and are vacant.

To the east of the site, in part, is a residential dwelling in the form of a prefabricated bungalow and associated outbuildings (Alpine Lodge), and there are two mobile homes on the shared boundary, windows of which sit above the fence line. Beyond Alpine Lodge and along the western boundary is Dalmark Seeds. Dalmark Seeds is an agricultural seed drying business; the drying operations typically commences from 05:00 7-days a weeks, including a large number of HGV movements in and out of the site.

To the north there is vacant land which was historically allocated within the Local Plan for residential development, however further to the adoption of the 2019 Local Plan, this land is no longer allocated and forms residential garden serving No.17 Easby Rise.

Planning permission has been granted for residential development comprising 52 dwellings on land to the west of the site (13/00649/FUL) which is largely completed and occupied. Directly opposite the site on the southern side of Thorney Road planning permission has also been granted for residential development comprising 50 dwellings (14/00076/FUL); this is also an allocated housing site ref. SA5.7 and is largely completed and occupied.

To the south of the application site on the opposite side of Thorney Road is the Pioneer Caravan Site.

The site is allocated within the current Local Plan, under Policy LP39, specifically LP39.1: Cranmore House, Thorney Road, Eye.

Pre-Amble

In 2014 outline planning permission was granted under App Ref: 14/01122/OUT for the 'Erection of up to 14 dwellings including the demolition of existing house and outbuildings'. This was a resubmission following withdrawal of App Ref: 14/00141/OUT for the 'Erection of up to 14 dwellings including the demolition of existing house and outbuildings'. This application was

withdrawn further to Officer concerns, which primarily related to noise generated by Dalmark Seeds and the A47.

In October 2017 planning permission was submitted under App Ref: 17/02048/FUL for the 'erection of 35 dwellings and garages, new access to highway and public open space, following demolition of all existing buildings', however this application was withdrawn again due to concerns of noise generated by the adjacent Dalmark Seeds site and A47. Lengthy discussions took place between the Council and the Applicant to secure an acceptable layout which addressed these noise concerns, where an amended layout was agreed, which introduced two storey residential development along the eastern boundary and would have brought noise levels to within acceptable levels, albeit still high levels of noise.

In 2018, an application was submitted under App Ref: 18/01178/FUL for 'Demolition of dwelling and outbuildings and construction of 22 dwellings with associated access and parking', however the layout did not reflect the discussions which took place between the Applicant and Officers, and the application was subsequently refused and dismissed at appeal (APP/J0540/W/18/3215519).

Finally, in 2020, planning application 20/01089/FUL was submitted and considered for the 'Erection of 25 dwellings and garages, new access and public open space'. However, this application was refused on the basis that no robust ecological assessment accompanied the submission and therefore, the proposal failed to demonstrate that it would not adversely impact upon protected species or make provision for satisfactory improvement towards biodiversity net gain.

Proposal

The Applicant seeks planning permission for the, 'Erection of 25 dwellings and garages, new access and public open space'.

The proposal would comprise a number of detached and semi-detached two storey dwellings, as well as a two storey terrace of dwellings along the eastern boundary to Dalmark Seeds, and a bungalow.

Vehicle access to the site would be from Thorney Road to the south, where each dwelling would be provided with two off-street parking spaces, some of which would be provided with garaging or car ports. The scheme also proposes an area of Public Open Space (POS) of 740sqm.

The scheme has been subject to amended plans, which are discussed in further detail below.

2 Planning History

Reference	Proposal	Decision	Date
20/01089/FUL	Erection of 25 dwellings and garages, new access and public open space	Refused	05/05/2021
18/01178/FUL	Demolition of dwelling and outbuilding and construction of 22 dwellings with associated access and parking	Refused	15/10/2018
17/02048/FUL	Erection of 35 dwellings and garages, new access to highway and public open spaces, following demolition of all existing buildings.	Withdrawn by Applicant	02/04/2018
14/01122/OUT	Erection of up to 14 dwellings including the demolition of existing house and outbuildings – Resubmission	Permitted	02/04/2015
14/00141/OUT	Erection of up to 14 dwellings including the demolition of existing house and outbuildings	Withdrawn by Applicant	25/03/2014
9/00926/FUL	First floor bathroom above kitchen (retrospective)	Permitted	28/09/1999
P1499/88	Erection of bungalow (outline)	Permitted	16/03/1989
P1014/79	Use of existing workshop for dismantling, plus erection of fencing around sorting/loading/unloading yard and improvements of the vehicular access	Permitted	23/11/1979
P0386/76	Retention of use of site for scrap dealers business, formation of screened yard and associated planting	Refused	22/07/1976

3 Planning Policy

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

Peterborough Local Plan 2016 to 2036 (2019)

LP02 - The Settle Hierarchy and the Countryside
LP03 - Spatial Strategy for the Location of Residential Development
LP08 - Meeting Housing Needs
LP13 - Transport
LP16 - Urban Design and the Public Realm
LP17 - Amenity Provision
LP19 - The Historic Environment
LP21 - New Open Space, Sport and Recreation Facilities
LP28 - Biodiversity and Geological Conservation
LP29 - Trees and Woodland
LP32 - Flood and Water Management
LP33 - Development on Land Affected by Contamination
LP39 - Large Village Allocations

4 Consultations/Representations

PCC Wildlife Officer (22.06.21)

No objections: The Ecological Impact Assessment, Biodiversity Net Gain Report and Landscape Ecological Management Plan all demonstrate the detailed care that has gone into establishing that the development described in the application will have a net gain for biodiversity.

All that remains is the translation of the advisements within the Ecological Impact Assessment into methodology that may be implemented during construction and securing the fee for the ongoing management of off-site biodiversity.

This leads to a final fee of £2587.57.

Recommended planning conditions

- Submission of a Construction Environmental Management Plan (CEMP) to the Local Planning Authority, to ensure the recommended mitigation and compensation measures suggested in the Ecological Impact Assessment are followed correctly.
- Submission of a lighting design strategy to the Local Planning Authority, to ensure the recommended mitigation and compensation measures suggested in the Ecological Impact Assessment are followed correctly.

PCC S106 Planning Obligations Officer (02.07.21)

No objection: The application has been accompanied by a Viability Assessment, where it has been demonstrated that the development could not provide affordable housing, and achieve a reasonable profit margin of 17.5%. Based on the information provided, it is accepted that this scheme does not provide affordable housing in this instance.

PCC Tree Officer (01.06.21)

No objection: The application is acceptable in arboricultural terms, subject to conditions. The site is not within a Conservation Area and there are no Tree Preservation Orders (TPO's) on or adjacent to the site.

Please condition the submitted arboricultural impact assessment and arboricultural method statement, together with the tree protection plan and a full and detailed landscaping scheme to include suitable and appropriate tree/shrub/hedge planting throughout the entire site, including in all garden areas, given the nature of the site, in order to offer both screening and enhancement to the proposed development. The indicative landscaping shown on the submitted plans are not considered detailed or comprehensive enough to satisfy the landscaping requirements of the site and comply with the Council's policies.

PCC Archaeological Officer (02.06.21)

No objections: The proposed development site is located within an area of archaeological interest. The proposed development site may contain pre-medieval remains of regional/national importance, with particular reference to the Iron Age and Saxon periods. The existence of significant later remains should not be excluded.

On the basis of the available evidence recommend that a programme of archaeological work is secured by condition, comprising:

- A desk-based assessment (DBA) of the site and general area will be carried out in advance of all recommended archaeological fieldwork. There is no need to submit a separately bind DBA, although relevant information should be incorporated within subsequent field reports; and
- A Non-intrusive geophysical survey (magnetometer survey) will be carried out in those areas of the proposed development site which were not covered by previous surveys. The results of the survey will inform the programme of subsequent intrusive techniques of investigations, including evaluation by trial trenching and possible area excavation, if applicable.

PCC Pollution Team (05.07.21)

No objection: This is a challenging site. It suffers from road noise, although this is comparable to other nearby residential properties. The difference with this site is the proximity to the adjacent industrial site and the resulting impact from processes carried out during the day and night, with the early morning (04:00hrs) processes being of particular significance.

The rating level of +18dB resulting from noise from industrial sources particularly at night is concerning. BS 4142 states that a rating level of +10dB or more is likely to be an indication of significant adverse impact. During previous consultations this section has indicated that the maximum 'plus' rating level it is willing to consider is a rating level of +10 to +12dB, which is considerably higher than the usual maximum of 'rating level equal to background', in recognition of the challenges faced at this site.

The noise report has indicated that the worst affected property is plot 8, and whilst this maybe the case Figure 7 of Acoustic Associates Noise report SEM/J3453/17677 May 2020, indicates that plots 1-9 will be impacted to a similar level.

The proposed glazing and mechanical ventilation as detailed in Section 3.2 of the report (SEM/J3453/17677 May 2020) would achieve suitable internal noise levels however this is reliant on the windows being kept closed for the majority of the time when the industrial processes are occurring. Should Officers be minded to permit this development the glazing and mechanical ventilation mitigation measures must be secured by condition; any diversion from these measures would require further application, consideration and approval.

The Pollution Control Officer has sought a 2.4m high barrier along plots 14-18, which is also sought to be secured by condition.

With respect to plots 4 to 11, these units would have the main bedrooms to the front of the property. The LPA have advised previously that the main bedroom should be to the rear of the property with the box room and bathroom at the front as this is the main facade to be affected by noise. However it is noted that the developer has placed two bedrooms at the rear of the properties. In considering this change the new layouts for these plots are accepted as the majority of bedrooms are on the least noisy aspect. The internal layout should be conditioned.

Plots 18 to 24 have been amended so that garage would be used as a bedroom; this has resulted in non-habitable room (kitchen) being placed next to a noise sensitive habitable room, a bedroom, which could give rise to noise complaints.

PCC Peterborough Highways Services (11.06.21)

Objection: Further information is required prior to determination of the application. Highway boundary information should be obtained by the Applicant and the proposals adjusted to remove the highway areas from the site; all visibility splays should be shown; the full extent of the highway required 2m footway (including the existing areas to be widened) including the retained areas of verge to the front of the application site should be shown; and clarification of the cycle stands proposed within the stores should be sought.

Off-site highway works would be required as a result of this development. These would need to be undertaken under a S278 Agreement. The works include: construction (or widening of any existing sections) of a 2m wide footway along Thorney Road; removal of redundant vehicular access, reinstatement of full height kerbs and construction of footway; construction of new bellmouth access; and relocation of any affected street furniture, and any required amendments to existing service installations (these works would be carried out at the full cost of the applicant/developer).

Police Architectural Liaison Officer (PALO) (02.06.21)

No objections: The Officer has viewed the documents in relation to crime, disorder and the fear of crime and completed a search of the Constabulary crime and incident systems for Eye covering the last 2 years. The area is considered to be of medium vulnerability to crime.

There is mention within the Design and Access statement of Local Policy LP16 (H) which states that Secured by Design principles should be followed. It is clear from the documents that some consideration has obviously been given to crime prevention. This does appear to be an acceptable layout in relation to crime and the fear of crime providing good levels of natural surveillance from neighbour's properties with many of the homes facing each other. Pedestrian and vehicle routes are aligned together within the cul-de-sac and well overlooked which should provide some level of territoriality amongst residents. Vehicle parking is in-curtilage between and to the sides of properties or in garages. Most homes have protected gardens and have been provided with some defensible space to their front.

An external lighting plan is requested. The recommendation is that all adopted and unadopted roads, private roads and parking areas should be lit by columns to BS5489:1 2020. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. This office would be happy to consult with the applicant to discuss Secured by Design and measures to reduce the vulnerability to crime.

Anglian Water (02.07.21)

No objections: The foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows. The foul flows for the proposed development is being proposed to be connected via gravity regime to private sewers, therefore this is outside of our jurisdiction to comment. The applicant will need to seek permission from the sewers owner. Please do not hesitate to re-consult us if any changes are submitted with the planning.

From the details submitted to support the planning application, the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Cambridgeshire Fire & Rescue Service (26.05.21)

No objections: Should the Local Planning Authority be minded to grant approval, the Fire Authority request that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

Lead Local Drainage Authority (11.06.21)

No objections subject to the following condition:

The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, but are not limited to:

- Construction details of all drainage and SuDS assets, which include but is not limited to, details of the proposed permeable paving, storage crates and filter drain, which shows how they will interact.*
- Confirmation of the parties responsible for the maintenance of the drainage assets.*

The site is located within the North Level Internal Drainage Board district, as such we recommend contacting them as soon as possible to discuss the proposals of this application.

Waste Management (26.05.21)

No objections.

Eye Parish Council (24.05.21)

No objections: Eye Parish Council would like to request that funding from this community development be used to assist with the future development for Eye Primary school which serves the children of Eye.

Senior Landscape Technical Officer (09.06.21)

Objection: Working to PCC's current Open Space Strategy, combined with PCC's provision standards and off-site calculations, the exact on-site allocations or off-site commuted sums PCC would expect for this development would be:

Neighbourhood Parks (POS): PCC expect to see 0.11ha of on-site POS provision. The current provision is 0.074ha and hence there is a shortfall of 0.036ha)

Children's Play: PCC expect an off-site contribution of £5,603.48 + 5 years maintenance costs for play facilities in Eye.

Allotments: PCC expect an off-site contribution of £1,218.46 + + 5 years maintenance costs for Eye allotment sites.

Natural Greenspace: PCC expect an off-site contribution of £2,7550.05 + 5 years maintenance costs for Eye Nature Reserves.

POS is not adequate in terms of provision and needs to be rectified. Furthermore, the layout of the POS is inadequate and boundary walls must be improved upon.

North Level IDB (07.06.2021)

No objections: The Board has no objection in principle to the proposal, but advises the following:

- The receiving water course for the surface water is in riparian ownership and while a 3 metre easement is shown on the south side of the watercourse, it is essential that all potential purchasers of Plots 14, 15, 16, 17 and 18 are made fully aware of their responsibilities for the ongoing maintenance of the watercourse.

- In addition to the above, the following condition is suggested: 'Post planning, the site owner will engage with the downstream landowner and, subject to their approval (which we are advised would not be unreasonably withheld) and agreement with the IDB, undertake works to improve conveyance of flows along the boundary ditch from the site down to the culvert beneath the A47 through targeted and proportional improvements. It is envisaged that this will take the form of a level survey of the channel to ensure the free flow of surface water to the existing culvert under the A47'.

- A development levy in accordance with the enclosed comments will also be payable to the Board for dealing with the increase in run-off from the site.

- Peterborough City Council will comment regarding the viability of the SUDs system as proposed.

Local Residents/Interested Parties

Initial consultations: 35

Total number of responses: 3

Total number of objections: 2

Total number in support: 0

Two letters of representation have been received from local residents, both whom object to the proposed development. The following matters are raised:

No. 45 Thorney Road, Eye

- Being right next door to this project is going to cause a lot of noise, pollution and major disruption.
- The village struggles to cope with the amount of traffic and cars as it is, there just isn't the infrastructure to deal with even more. It will encourage more traffic and drivers doing well over the normal speed limit.
- Anything built on these premises is going to cause to my property: i) Loss of light or overshadowing; ii) Overlooking/loss of privacy; iii) Highway safety; and iv) Even more traffic generation and unsafe driving.

No. 17 Easby Rise, Eye

- To clarify from the outset, I wholeheartedly support the residential development of the Cranmore House site. The reason that I have listed my comments here as 'Object' is largely because of the layout of the estate road within these plans, which I have discussed directly with the developer already so he is aware of my thoughts on this matter.

- To explain further; my wife and I have an interest in the planning application and any future development of the land associated with this application, namely Cranmore House, Eye, Peterborough, as we own the land to the North of this site, under title number CB430361. This additional land that we own, of c.1.5 acres in size, is immediately adjacent to the East of our residential home and garden.

- Our site was previously allocated land with SA 5.5 listing, although this allocation was removed when the current local plan was completed which we are in ongoing discussions with the relevant department within the local authority regarding as it transpires that this may have occurred as an error. We are taking further advice on this matter also.

- In principle, we support this application made by the owner of the land within this planning application and would be in favour of seeing the site within this application developed for residential dwelling purposes and assuming the layout is deemed to be acceptable to the local planning office then 25 properties would seem appropriate to the local infrastructure and site.

- However, our objection is because of the estate road that can be seen on the plans, and as above the developer is aware of my thoughts and has confirmed that he is prepared to make amendments following our discussions which is greatly appreciated and well received.

- The estate road shown on these plans includes entry from Thorney Road, Eye, to the South and then runs to the Northern most point of the proposed development where it then reaches a 'dead end', so to speak blocked by what appear to be allocated parking spaces. By installing an estate road that leads to a 'dead end', our allocated land could become 'land locked'.

- Other feasible or acceptable access points for future traffic include two other potential routes in addition to the Cranmore House site that we are in ongoing discussions regarding. However, access from the North is restricted by the busy A47 and the East by the Dalmark Seeds factory.

- Access from the South via the Cranmore House site, and this proposed development, represents the most acceptable option without which our land becomes inaccessible and prevents future potential development either by us or future land owners.

- We are aware that our land sits within the village envelope of Eye that has been earmarked for development in order to contribute to the growth of the village and the housing requirements of Peterborough and the surrounding area.

- If we were to develop our land in the future we would only consider residential dwellings in keeping with the local area and taking in to account neighbouring properties and local infrastructure. As any development would be immediately adjacent to our own residential home, we of course need to ensure that any potential future development is completed with close

consideration of that and other existing neighbours.

- Previous planning applications, including the most recent prior to this that was ultimately refused by the local authority and then then Planning Inspectorate (18/01178/FUL), included an estate road that could be extended in the future if required, subject to agreement between the respective land owners at the time of course. However, this latest submission appears to have allocated parking spaces (for Plot 17) at the end of the road thus blocking future extension of the estate road.

- We would be supportive of this application if the estate road provided an appropriately sized pedestrian and vehicular roadway for vehicles of all types to travel upon up to the boundary line of our land to the North of this site with the possibility of extending this in future to allow access on to our land.

- We would also require for any dwelling that is built on the Cranmore House site to not have any encroachment, be it light, sight or territory, on our land, whilst also taking in to account potential future development of residential dwellings should we pursue that in the future.

- We also note that the North Level Drainage Board have advised that the riparian drain that sits within our property boundaries, and to the Northern point of this site, requires improvement to support the surface water drainage of the proposed new development. Such surface water drainage is also referenced in the drainage reports submitted by the developer's representatives.

- We would not seek to restrict any improvements to the drains; however, we would require a full scope of and plan of works that the developer intends to undertake as part of this development to ensure that it is completed without creating significant disruption to our property and its boundaries.

- We would be willing to discuss any required improvement works to the riparian drain as part of the conversations relating to future access whereby, I hope that between us and the developer we can reach an amicable agreement. However, prior to such discussions taking place and concluding accordingly we would not welcome any encroachment on or access to our riparian drain for the purpose of this development.

-Finally, we would object to any commercial development or the development of any industrial or commercial complex or property on this site given the close proximity to our property; both the land that we own and our immediately adjacent home, as well as the proximity to other residential properties to this Cranmore House site. Although I appreciate that this is not relevant to the current submission of course.

- The area has already seen rapid growth and residential development in recent years and I am in favour of necessary development in the village of Eye as long as the number of properties is proportionate with the site in question and does not have a significant impact on the infrastructure or green open space and park areas of this part of the village which this proposal and submission does appear to be.

- In summary, we would be in support of this proposal in its entirety subject to the plans being amended to ensure that the estate road does not have a 'dead end' because of the allocated parking at its Northern most point. We would require that future access to our retained land can be achieved by extending the estate road on to our land with minimal disruption to the existing estate road layout and design.

- I hope that my comments here are deemed to be fair and reasonable and on the basis that the above points are acceptable and agreed to as part of any decision for this application then we as adjoining neighbours are in full support of the proposal and would welcome the development of the land for residential purposes.

- I would be more than happy to clarify any points or to add any extra detail upon request or should you require.

Councillors Simons and Brown raised objection to the previous application on the site (20/01089/FUL), and they referred the application for determination by Committee should Officers recommend approval. Whilst no comments from these Councillors have been received in respect of this current revised application, Officers have followed the call-in request.

5 Assessment of the planning issues

The main considerations are:

- Principle of Development
- Design and Layout
- Access and Parking
- Neighbour Amenity
- Amenity of Future Occupiers
- Meeting housing standards
- Wildlife
- Trees
- Contamination
- Drainage
- Archaeology
- Infrastructure

a) Principle of Development

The application site is situated within the village settlement boundary of Eye village, which is identified as a Large Village by Policy LP2. The site is also allocated for residential development by Policy LP39.1, which sets an indicative number of 14x dwellings. As such, the principle of residential development can be considered. In addition, the previous application on the site which were determined (reference 20/01089/FUL) whilst refused, were not refused on the matter of principle. As such, Officers are of the view that this matter cannot now soundly be revisited.

A letter of representation has been received with respect to a parcel of land situated to the immediate north of the application site. Further to reviewing the planning history, planning permission was granted in 2014 under App Ref: 14/02028/FUL for the erection of 5x dwellings and 4x flats on this parcel of land, and was allocated under the Local Plan.

It is been previously advised, during consideration of planning application reference 20/01089/FUL, that further to the granting of planning permission the site was cleared and ground works had commenced. There were a number of pre-commencement conditions which were required to be discharged before development commenced on site. These conditions included details of the layout and form of construction roads, including drainage, levels and lighting, a construction management plan, details of fire hydrants, a surface water management strategy and a noise mitigation scheme. This application was time limited to be commenced within 3 years of planning permission being granted; the application therefore expired on 27th April 2018. As such, Officers consider that this permission has fallen away.

It is important to note that when the 2018 application was considered by the Local Planning Authority (App Ref: 18/01178/FUL), one of the reasons for refusal related to the provision of vehicle access to this parcel of land. The reason for this is that the parcel of land was allocated within the previous Core Strategy and was at that time a material planning consideration, however this policy document has since been superseded by the current Peterborough Local Plan (2019). The land in question is no longer allocated for residential development. There is therefore no planning policy requirement to consider this neighbouring parcel of land and the proposal to which this case relates is considered on its own merits.

In accordance with Paragraph 47 of the NPPF (2019), 'planning law requires that applications for planning permission be determined in accordance with the development plan, unless material

considerations indicate otherwise'. Officers are conscious that the land to the north of the site has previously had planning permission for residential development, however this permission does not appear to have been implemented, and therefore has fallen away. Further, the site is not allocated in the current, adopted Local Plan, therefore is not a material planning consideration, and there is no planning requirements for the proposed access road forming part of this application to link to the area of land to the north.

Accordingly, the principle of development is considered to be acceptable, subject to the following material planning considerations.

b) Design and Layout

The scheme would result in the loss of the existing dwelling and associated agricultural buildings. These are of no historic or architectural merit and their loss is accepted.

The scheme as submitted would comprise atypical two storey detached and semi-detached new build properties along the western and northern boundary. These properties have been set back from the central access road, with car parking positioned to the side, some of the dwellings of which would be provided with dedicated garaging.

To the east of the application site would be a bespoke terrace of two storey dwellings, with gardens, pergola's and car parking to front. These dwellings have been designed in such a way so that they would attenuate noise from the adjacent Dalmark Seed site, which would benefit the wider site, and possibly neighbouring residential properties beyond. A bungalow is also proposed (Plot 25), adjacent to Alpine Lodge, with an area of Public Open Space at the front of the site.

Through amendments applied under planning application reference 20/01089/FUL, including fenestration improvements to Plot 1 to improve the appearance from Thorney Road and the proposed access road.

The pattern of development is considered to be consistent with the character of the immediate area, which is predominantly characterised by the Dalmark Seeds site to the east and new build residential development to the immediate west and south. Whilst the line of dwellings along the eastern boundary of the site is unusual and with nothing of known comparison within the City Council's authority area, it is not considered to be unacceptable.

The development has addressed the first and second reasons for refusal, as set out under the 2018 application, which originally sought to introduce a 3.6m high acoustic barrier along the eastern boundary, and 2.5 storey house types, which were not considered to be in keeping with the properties along Thorney Road.

The Police and Architectural Liaison Officer (PALO) has raised no objections to the proposal, however has sought details of lighting. The Fire Officer has also raised no objections to the proposal, however has sought details of fire hydrants to be secured by planning condition. Subject to securing details of materials, levels, lighting and fire hydrants. These matters could readily be secured by condition to achieve an acceptable final layout.

Officers consider that the proposed development would not harm the character or appearance of the immediate area, and would respect the context and pattern of development of the area. Whilst the dwellings to the eastern boundary would be unusual, they would not result in a harmful layout or appearance of development. Further, it should be noted that design/layout impacts did not form a reason for refusal of the previous application (20/01089/FUL) and therefore Officers do not consider that this application could reasonably be resisted on this basis.

On the basis of the above, the proposal is considered to be in accordance with Policy LP16 of the Peterborough Local Plan (2019).

c) Access and parking

The Local Highway Authority (LHA) have objected to the proposal on a number of grounds that relate to technical matters. The content of the comments are identical to those received under 20/01089/FUL, given that the layout and design proposed is the same as previously submitted under 20/01089/FUL but the comments are framed differently, with a clear objection stance. LHA Officers have advised that although their comments did not specifically state 'objection' during consideration of the previous planning application (20/01089/FUL), no opportunity came forward to provide 'final' comments on the previous scheme. It is considered however that the matters raised can predominantly be addressed either through planning conditions or separately through the provisions of the Highway Act 1980.

It is considered that an acceptable access to the development site could be secured, alongside satisfactory off-street parking arrangements to serve each dwelling and internal access roads/footways. The vehicular access to the site would be 5.5 metres in width, allowing for safe passing of 2no. vehicles and refuse vehicles. In addition, 2 metre wide footways would be provided to both sides, connecting to the existing public highway network.

The LHA have sought further details of visitor parking and pedestrian crossing points. Three on-street spaces have been identified as being capable of used by visitors, as well as pedestrian crossing point (narrowing of the road) some 50 metres into the application site. The LHA has advised that the proposed vehicular access includes highway boundary and this should be revisited. However they have not advised that this is a highway safety matter, and the proposed access accords with the design that was considered to be acceptable previously. This therefore is a matter to be resolved through the Highway Act and is acceptable for planning purposes. It is not considered that the access design need alter to accommodate this, however if for any reason this were to be the case, the Applicant would need to formally apply to revise the access drawing.

The proposed garages are considered to meet the dimensions required by the Local Planning Authority and it is considered satisfactory cycle provision for each dwelling could be secured, either as illustrated or through planning conditions.

The Local Highway Authority have sought to control the height of boundary fencing and the location of structures adjacent to the boundary. These matters can be secured by way of a planning condition.

With regards to visibility splays serving the accesses to individual dwellings, the LHA has requested that these be shown on the submitted drawings. Whilst these are not shown, Officers consider that there is adequate space from the back edge of the proposed highway to the front of every dwelling to achieve 1.5m x 1.5m pedestrian visibility splays. This is sufficient for all individual accesses and would ensure that users would have adequate sight of oncoming pedestrians.

Finally, with regards to cycle parking, it is considered that each Plot can adequately secure cycle storage, either through designated cycle stores as proposed or within the garages, which have an internal depth of approximately 7 metres.

Subject to conditions with respect to the provision of on-site parking, details of the proposed access, provision of visibility splays, garaging and cycle parking, as well as a construction management plan, it is not considered that the proposed development would constitute an adverse highway safety hazard and satisfactory parking would be provided for future occupiers, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

The LHA have also raised the need for S278 works, specifically the position of footways, splays and turning heads; an informative will be attached for the avoidance of doubt. The LHA have also queried what would happen with the drainage easement, however the Council's Drainage Engineer has raised no objections to the proposal, as discussed in further detail below and therefore it is not

considered that this needs to be addressed.

d) Neighbour Amenity

As part of the 2018 application, two reasons for refusal raised concerns of the juxtaposition of the 3.6m high acoustic barrier along the eastern boundary and the associated impact on Alpine Lodge, as well as the relationship to properties along Millport Drive and Thorney Road due to a poor separation and overbearing impact, in particular to No. 63 Millport drive to the north-west of the site.

Compared to previous planning applications, the proposed scheme no longer proposes a 3.6m high acoustic barrier along the eastern boundary, and the layout has been amended so that an area of Public Open Space and a bungalow would be situated adjacent to Alpine Lodge. As such, this relationship is considered to be acceptable; the amenity of these neighbour occupiers would not be adversely impacted upon.

The layout as submitted would ensure a satisfactory back-to-back distance between the rear elevation of Plots 1-13 and properties along Millport Drive and Thorney Road, and Plot 14 has been amended so that it would sit in line with No. 62 Millport Drive. As such, the development would have a satisfactory relationship with these neighbouring properties, and is accepted in this instance.

Further to repositioning Plot 14, Officers must consider the relationship to 64 Millport Drive. Plot 14 would introduce two first floor windows serving a bathroom and bedroom. The bathroom window is a non-habitable room and would otherwise be obscurely glazed. When implementing the 45 degree horizontal and vertical rule from this first floor window to this neighbour's rear windows and primary amenity space, the garden area immediate behind the dwelling, given the angles and distances involved, and the level change between the application site and properties along Millport Drive, it is not considered this plot would result in an unacceptably adverse loss of privacy, and the relationship is accepted in this instance.

The development would not result in an unacceptably adverse overbearing impact on the amenity of neighbouring occupiers, nor would it result in an adverse loss of light, outlook or privacy. As such, the proposal accords with Policy LP17 of the Peterborough Local Plan (2019).

e) Amenity of Future Occupiers

A key, fundamental constraint on this allocated housing site is noise and disturbance generated by the well-established Dalmark Seeds business to the immediate east, as well as noise generated by the A47. As such, to address this key concern, the physical layout of the site has been designed to attenuate noise from this neighbouring business, hence the introduction of Plots 18-24 along the eastern boundary, as well as the internal layout of a number of plots.

The application has been accompanied by a detailed noise assessment (Acoustic Associates, SEM/J3453/17677, May 2020), and the Council's Pollution Control Officer has previously raised no objections to the proposal under application reference 20/01089/FUL. Whilst no comments have been submitted by the Pollution Control Officer at the time of writing this report, despite requests for such, Officers consider that there are no fundamental changes from this previous application such that the previous recommendation would be altered.

As noted within the previous Pollution Control comments, this is a challenging site. It suffers from road noise, although this is comparable to other nearby residential properties. The difference with this site is the proximity to the adjacent industrial site and the resulting impact from processes carried out during the day and night, with the early morning (05:00hrs) processes being of particular significance.

The rating level of +18dB resulting from noise from industrial sources particularly at night is

concerning. BS 4142 states that a rating level of +10dB or more is likely to be an indication of significant adverse impact. During previous consultations, the Pollution Control Officer indicated that the maximum 'plus' rating level they are willing to accept would be a rating level of +10 to +12dB, which is considerably higher than the usual maximum of 'rating level equal to background', in recognition of the challenges faced at this site.

The noise report has indicated that the worst affected property would be Plot 8, and whilst this maybe the case, Figure 7 of Acoustic Associates Noise report SEM/J3453/17677 May 2020 indicates that Plots 1-9 would be impacted to a similar level.

The proposed glazing and mechanical ventilation as detailed in Section 3.2 of the report (SEM/J3453/17677 May 2020) would achieve suitable internal noise levels however this is reliant on windows being kept closed for the majority of the time when the industrial processes are occurring. Should Officers be minded to permit this development, the glazing and mechanical ventilation mitigation measures must be secured by condition; any diversion from these measures would require further application, consideration and approval.

The Pollution Control Officer has sought a 2.4m high barrier along Plots 14-18, which is also sought to be secured by condition.

With respect to Plots 4 to 11, these units would have the main bedrooms to the front of the property. Officers have advised previously that the main bedroom should be to the rear of the property with the box room and bathroom at the front of the property, as this is the main facade to be affected by noise. However, it is noted that the developer has placed two bedrooms at the rear of the properties. In considering this change, the new layouts for these plots are accepted as the majority of bedrooms are on the least noisy aspect. It is therefore considered necessary to secure the internal layout through a planning condition.

Plots 18 to 24 have been amended so that garage would be used as a bedroom; this has resulted in non-habitable room (kitchen) being placed next to a noise sensitive habitable room, a bedroom, which could give rise to noise complaints. Should planning permission be granted, details of additional noise attenuation would be sought to mitigate the transfer of noise between these plots.

A condition would also be attached ensuring that no new openings are created on the rear (east) elevation.

Each dwelling would be provided with satisfactory levels of light to primary habitable rooms, and would be served by gardens commensurate in size to the dwelling it would serve. Officers are conscious that the garden serving Plot 13 would be overlooked by Plots 14-16, however this would be a case of buyer beware.

Subject to conditions being appended with respect to glazing and mechanical ventilation, the provision of suitable barriers to Plots 14-18, the internal layout being secured by planning condition, internal mitigation for Plots 18-24 and permitted development restrictions with respect to the creation of rear openings to Plots 18-24, the proposal would ensure satisfactory amenity and living conditions for future occupiers.

On the basis of the above, the proposal is considered to be in accordance with Policy LP17 of the Peterborough Local Plan (2019).

f) Meeting housing standards

Policy LP8 of the Peterborough Local Plan (2019) requires all new dwellings to conform to Part M4(2) of the Buildings Regulations unless there are exceptional reasons to justify against meeting this requirements (for example, listed building or topography constraints). Further to review of the proposed plans, it is considered that this requirement can be adequately met. A compliance condition shall be appended to ensure this standard is met and maintained.

In light of the above, the proposal is considered to be in accordance with Policy LP8 of the Peterborough Local Plan (2019).

g) Wildlife

Under the previous planning application reference 20/01049/FUL, both the City Council's Wildlife Officer and the Wildlife Trust objected to the proposed development. This was on the grounds that no bat activity surveys and accompanying ecological assessments were submitted to determine the proposal's impact upon bats. Additionally, there was little evidence to demonstrate that the proposal would contribute to obtaining 'Biodiversity Net Gain'.

The revised planning submission now comprises: an Ecological Impact Assessment (EclA); Biodiversity Net Gain (BNG) Report; and Landscape Ecological Management Plan (LEMP). Upon assessment, the City Council's Wildlife Officer considers the proposal now demonstrates that a net gain in biodiversity would result with no undue impact to bats.

To ensure that the recommendations stipulated within the EclA are implemented, the Wildlife Officer has recommended further details comprising a 'Construction Environmental Management Plan' (CEMP) are submitted to the Local Planning Authority for assessment. It is considered that this matter can be secured through a planning condition. Additionally, a lighting strategy is also recommended to ensure that the proposed scheme does not impact upon local wildlife, as recommended within the EclA. This matter shall also be secured through a planning condition.

Finally, a legal agreement is necessary to secure the values from the Biodiversity Net Gain scheme. The Wildlife Officer advises that, using a baseline average figure for neutral grassland meadow establishment of £1,686 per ha, the 0.19 ha of grassland to be established will be £320.34. All Biodiversity Net Gain schemes require ongoing management for a recommended period of 30 years, therefore the average cost of meadow management over the next 30 years plus estimated inflation of 3% is £2,267.23. The Applicant has agreed to this fee, therefore, subject to the legal undertaking being secured, along within the implementation and discharge of the suggested planning conditions, it is considered that the proposal is acceptable in ecological terms.

In light of the above, the proposal is considered to accord with Policy LP28 of the Peterborough Local Plan (2019) and Paragraph 170(d) of the NPPF (2019).

h) Trees

The City Council's Tree Officer has raised no objections to the proposal, advising that the Arboricultural Impact Assessment and Method Statement submitted are acceptable, and seeks that these details be conditioned.

Protective fencing would be used to retain and protect the existing hedging on the northern boundary, which is supported. The submitted landscaping plan does not provide sufficient detail, therefore a detached landscaping plan is sought to be secured by planning condition.

Subject to securing the Arboricultural Impact Assessment, method statement and protection by planning condition, as well as a landscaping scheme, it is considered that the proposal would be in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019).

i) Contamination

The Council's Pollution Control Officer has raised no objections to the proposal with respect to contaminated land, subject to securing a detailed contaminated land assessment of the site, which would include preparing a remediation scheme and reporting in the event that contamination is found, as well as uncovering unsuspected contamination during construction.

Subject to securing these by planning condition, the proposal would make provision for future occupiers, in accordance with Policy LP17 and LP33 of the Peterborough Local Plan (2019).

j) Drainage

i) Surface Water Drainage

The submitted Drainage Strategy notes that the underlying ground conditions are deemed unviable for the disposal of surface water runoff via infiltration based upon local geological records and knowledge of local sites. As such, the scheme has been designed to meet greenfield run off rates (1.6l/second), or less, including a 1 in a 100 year event, and would utilise on-site storage attention beneath the central road. Surface water would discharge to the north into Northholm Drain, which is covered by the North level Internal Drainage Board (NLIDB). It is understood that the proposed development would require some form of level changes across the site, however a proposed levels plan does not form part of this application and would be secured by planning condition.

The North Level Internal Drainage Board (NLIDB) originally objected to the proposal during consideration of planning application reference 20/01089/FUL, advising that a new surface water discharge scheme would require formal land drainage consent, as well as proof that the drain has capacity to take additional flows. The watercourse would also require maintenance and there are concerns to the suitability of the SUDS proposed. A further letter was received from the NLIDB, advising that they would withdraw their objection subject to an agreement between landowners to ensure the drain is fit for purpose. The Applicant would need to apply for land drainage consent and enter into an agreement to undertake off-site improvements, which would be undertaken outside of the planning process.

The Lead Local Flood Authority have responded with no objections, seeking a condition be attached seeking details of the design, implementation, maintenance and management of the sustainable drainage scheme.

As such, subject to securing details of levels, and the design, implementation, maintenance and management of the sustainable drainage scheme, satisfactory measures would be put in place to ensure surface water drainage is satisfactorily mitigated, and would not result in a risk of flooding either within the immediate locality or downstream.

ii) Foul drainage

The submitted Drainage Strategy states that foul effluent would be drained, via gravity, in a north westerly direction beneath the proposed access road to the existing foul sewer beneath Millport Drive and Whitby Avenue, ultimately draining to the existing Anglian Water (AW) sewage pumping station located adjacent to the north western corner of the Whitby Avenue (Larkfleet Homes) development. Adequate provision has been made within the layout to accommodate future sewer easements and to provide a 3m wide maintenance strip along the northern boundary drain. Anglian Water have not commented on this application, but for consistency purposes in relation to the previous planning application and the comments previously made, it is necessary to secure this matter through a planning condition.

iii) Water Efficiency

In addition to flood risk, Policy LP32 places a duty on new developments to secure efficient use of water and meet the Optional Technical Standard of 110 litres of water usage per person per day. It is therefore necessary and appropriate to secure a planning compliance condition to ensure that this requirement is met.

On the basis of the above and subject to the implementation of appropriate conditions, it is considered that the proposed development would make provision for a satisfactory surface water and foul drainage scheme, with water efficiency matters secured, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

k) Archaeology

The Council's Archaeology Officer has raised no objections to the proposal, noting that the development site may contain pre-medieval remains of regional/national importance, with particular reference to the Iron Age and Saxon periods. The existence of important later remains should not be excluded.

On the basis of the available evidence, it is recommended that a programme of archaeological work is secured by condition, which would include a desk-based assessment, non-intrusive geophysical survey, and the results of the survey would inform the programme of subsequent intrusive techniques of investigations, including evaluation by trial trenching and possible area excavation, if applicable.

Subject to securing this investigation by planning condition, the proposal would make provision for uncovering buried archaeology, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

l) Infrastructure

i) Affordable Housing

The application has been accompanied by a Viability Assessment, which has been assessed by the Council's S106 Planning Obligations Officer.

The appraisal is based on development costs minus the gross development value (GDV) to identify the Residual Land Value (RLV). The RLV is measured against a Benchmark Land Value (BLV) to determine viability.

To calculate RLV, all development costs including developer's return are measured against the gross development value (GDV), the result of this calculation identifies either a positive or negative residual land value (RLV). The submitted costs and anticipated revenues are acceptable, including 17.5% profit of GDV:

- An Environmental Noise Assessment identified abnormal costs including enhanced soundproof double glazing, mechanical ventilation with heat recovery (MVHR) to all plots and additional acoustic barriers;
- The proposal includes 7 specialist 'Wall House' types designed to mitigate noise. These do not have any back gardens or windows on the eastern elevations, demand for these dwellings will therefore be lower and this is reflected in their anticipated revenue. The location of the proposal will have an impact on demand, with boundaries to scrubland and commercial property; and
- Based on an initial geo-technical investigation there is potential for contamination and made-up ground at the site. At this stage there has been no additional cost applied to the potential mitigation.

Based on the abnormal costs associated with bringing this site forward, it has been demonstrated that the development could not provide affordable housing, and achieve a reasonable profit margin of 17.5%, and based on the information provided, it is accepted that this scheme does not provide affordable housing in this instance.

ii) Public Open Space

Based on the development proposed, the development should provide an on-site provision 0.11ha of public open space. The scheme as submitted provides 0.074ha of on-site public open space, and as such there would therefore be a shortfall of 0.036ha.

In light of this, the proposed development would place additional demand upon existing open space (POS), where Policy LP21 of the Local Plan requires that an off-site financial contribution be made.

The Council's Open Space Officer has advised that Eye Nature Reserve, Eye Allotments and play

facilities in Eye require investment to its infrastructure, and in line with Policy LP21, an off-site contribution of 9,573.99 (+ 5yrs maintenance costs) is sought towards Children's Play, Allotments and Natural Greenspace.

However, as set out above, the Section 106 Officer has reviewed the submitted viability assessment, and accepted that there is insufficient monies available to provide affordable housing, or public open space. As such, and in this instance, Officers will not be seeking an off-site contribution towards Public Open Space or affordable housing. However, the development would still be captured by the Community Infrastructure Levy, therefore funds would be secured separate to the planning process, which would go towards infrastructure that is needed to support new development, such as transport schemes, flood defences, schools and health care facilities, as well as parks and open spaces.

Whilst the on-site provision does not accord with the Council's adopted policy standards, Officers consider that it is of a size which is commensurate with and appropriate for the proposed development. Furthermore, it should be noted that this did not form a reason for refusal of the previous application and Officers consider that this matter is not one for which the proposal could not be resisted.

6 Conclusions

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

- The principle of development is acceptable
- The character and appearance of the site and the surrounding area would not be adversely harmed by the proposed development, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon the safety of the surrounding highways, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- The proposal would not unacceptably impact upon the amenity of neighbours, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- The amenity of future occupiers of the proposed development would obtain an acceptable level of amenity, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- The proposed dwellings could be constructed to meet the requirements of Part M4(2) of the Buildings Regulations, in accordance with Policy LP8 of the Peterborough Local Plan (2019).
- The proposed development would not result in adverse harm to local wildlife, in accordance with Policy LP28 of the Peterborough Local Plan (2019).
- The proposal would not contribute to unacceptable to the amenity of trees, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- Subject to measures being applied, the proposed scheme would not be at adverse risk to contamination, in accordance with Policy LP33 of the Peterborough Local Plan (2019).
- The proposed development would not be at adverse risk of flooding and appropriate measures are secured for drainage management, in accordance with Policy LP32 of the Peterborough Local Plan (2019).
- Subject to measures being appropriately applied, it is not considered that the proposal would unacceptably impact upon any significant, known buried heritage assets, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

7 Recommendation

The Executive Director of Place and Economy recommends that Planning Permission is **GRANTED** subject to the following conditions and the securing of a Section 106 legal agreement:

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

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

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

- Location Plan 1:1250
- Proposed Site Layout and Boundary Treatments (Drawing number AL0011, Revision P13)
- Proposed Floor Plans - Plot 01 (Drawing number AB0201, Revision P02)
- Proposed Floor Plans - Plots 02, 03 and 12 (Drawing number AB0202, Revision P01)
- Proposed Floor Plans - Plots 04-11 (Drawing number AB0203, Revision P01)
- Proposed Floor Plans - Plots 13 (Drawing number AB0204, Revision P01)
- Proposed Floor Plans - Plots 14 and 15 (Drawing number AB0205, Revision P01)
- Proposed Floor Plans - Plots 16 and 17 (Drawing number AB0206, Revision P01)
- Proposed Floor Plans - Plots 18 to 24 (Drawing number AB0207, Revision P01)
- Proposed Floor Plans - Plot 25 (Drawing number AB0208, Revision P01)
- Proposed Elevations - Plot 01 (Drawing number AB0801, Revision P03)
- Proposed Elevations - Plots 02, 03 and 12 (Drawing number AB0802, Revision P01)
- Proposed Elevations - Plots 04 and 11 (Drawing number AB0803, Revision P01)
- Proposed Elevations - Plot 13 (Drawing number AB0804, Revision P01)
- Proposed Elevations - Plots 14 and 15 (Drawing number AB0805, Revision P01)
- Proposed Elevations - Plots 16 and 17 (Drawing number AB0806, Revision P01)
- Proposed Elevations - Plots 18 to 24 (Drawing number AB0807, Revision P01)
- Proposed Elevations - Plot 25 (Bungalow) (Drawing number AB0808, Revision P01)

- Brick texture details (Drawing number AC0004, Revision P01)
- Garage Elevation and Floor Plans (Drawing number AC0003, Revision P02)
- Cycle Store - Elevations, Floor Plans and Sections (Drawing number AC0001, Revision P02)
- Pergolas and Porches - Elevations, Floor Plans and Sections (Drawing number AC0002, Revision P01)
- Topographic Survey (Drawing number 1)
- Foul and Surface Water Drainage Strategy (Drawing number 407.10763.00001.18.001)
- Arboricultural Impact Assessment (Drawing number 4018.Cranmore.Pegasus.AIP)
- Tree Protection Plan (Drawing number 4018.Cranmore.Pegasus.TPP)

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

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

- Walling (samples);
- Roofing (samples);
- Cills and lintels;
- Windows and doors;
- Roof lights;
- Driveway and access surfacing; and
- Rainwater goods.

The samples/details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details and thereafter retained as such.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policies LP16 and LP19 of the Peterborough Local Plan (2019).

- C 4 No development shall take commence unless and until a programme of archaeological work, including a Written Scheme of Investigation (comprising a desk-based assessment and methodologies comprising non-intrusive geophysical survey (magnetometer survey), which will inform further subsequent intrusive investigations trial trenching methodologies, assessment and analysis), has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To mitigate the impact of the scheme on the historic environment when preservation in situ is not possible, in accordance with paragraph 189 of the National Planning Policy Framework (2019) and Policy LP19 of the Peterborough Local Plan (2019). This is a pre-commencement condition to ensure that no groundworks harm potentially important buried heritage.

- C 5 No dwelling hereby permitted shall be occupied unless and until the highway linking that dwelling to the adopted public highway has been constructed to at least base coarse level with a temporary top dressing. The internal access road and footways shall thereafter be completed no later than first occupation of the last dwelling.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C 6 Prior to the first occupation of each dwelling hereby permitted, the areas shown for the purposes of parking and turning on the drawing 'Proposed Site Layout and Boundary Treatments' (Drawing number AL0011, Revision P13) shall be provided. The garages and cycle shelters shall be provided in accordance with the drawings 'Garage Elevation and Floor Plans' (Drawing number AC0003, Revision P02) and 'Cycle Store - Elevations, Floor Plans and Sections' (Drawing number AC0001, Revision P02). Such provision shall thereafter be retained for these purposes associated with the dwellings hereby permitted, and not put to any other use.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C 7 Notwithstanding the provisions of Part 3 Class L of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the residential units hereby permitted shall each be a single residential unit within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) only.

Reason: The site is not served by sufficient parking to accommodate the demands generated by small-scale houses in multiple occupation such that harm would result to

highway safety from such a use, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C 8 The development hereby permitted shall achieve the Optional Technical Housing Standard of 110 litres of water usage per person per day.

Reason: To minimise impact on the water environment, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

- C 9 No dwelling hereby permitted shall be occupied unless and until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Planting plans including species, numbers, size and density of planting;
- Details of replacement tree planting
- Details of all hard and soft boundary treatments, including fences and gates;
- Hard surfaces including driveways and patios.

The approved hard landscaping scheme (boundary treatments and hard surfaces) shall be carried out prior to the occupation of the dwelling to which it relates and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation of any dwelling to which it relates or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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

Reason: In the interests of visual amenity of this area and to preserve the amenities of neighbouring occupants, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

- C10 No development shall take place, excluding works of demolition, unless and until full details of the finished levels, above ordnance datum, of the ground floor of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: In the interests of accessibility for future occupiers as well as in the interests of surrounding neighbour amenity, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the site levels are required prior to any groundworks taking place which may influence them.

- C11 No development shall be begun until details of the design, implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, but are not limited to:

- i) Construction details of all drainage and SuDS assets, which include but is not limited to, details of the proposed permeable paving, storage crates and filter drain, which shows how they will interact; and
- ii) Confirmation of the parties responsible for the maintenance of the drainage assets.

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

Reason: Reason: To ensure appropriate drainage measures are retained for the longevity of the dwellings permitted, in accordance with Policy LP32 of the Peterborough Local Plan (2019). This is a pre-commencement conditions as appropriate and acceptable drainage matters need to be secured to serve the dwellings hereby permitted.

- C12 No development other than groundworks and foundations shall commence unless and until a scheme for the provision of fire hydrants to serve the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of any dwelling hereby permitted.

Reason: In the interests of general amenity and fire safety, in accordance with Policy LP16 of the Peterborough Local Plan (2019)

- C13 Prior to first occupation of any dwelling hereby permitted, details of a scheme comprising details of all external lighting sources shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but not limited to:

a) light spillage diagrams;

b) those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

c) details as to where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and prior to first occupation of the dwelling to which it relates. The lighting shall be maintained thereafter in accordance with the approved details. .

Reason: In the interests of reducing crime risk, in the interests of future occupiers and in order to protect specie of principal importance, in accordance with Policies LP16, LP17 and LP28 of the Peterborough Local Plan (2019).

- C14 No development shall take place (including demolition, ground works, vegetation clearance) unless and until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

a) Risk assessment of potentially damaging construction activities.

b) Identification of "biodiversity protection zones".

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.

d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the recommended mitigation and compensation suggested in section 5 of the Ecological Impact Assessment (agb Environmental Ltd, 2021) are followed correctly in accordance with Policy LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition to ensure that no protected species are harmed by any works.

C15 a) No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems; and
 - archaeological sites and ancient monuments;

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

c) The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of Condition 15 a), and where remediation is necessary a remediation scheme, together with a timetable for

its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition 15 b).

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition 15 c)

Reason: To ensure all contamination within the site is dealt with in accordance with Policy LP33 of the Peterborough Local Plan (2019). This is a pre-commencement condition to ensure that no development takes place which could result in potential harm to human health or controlled waters.

- C16 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 178 of the National Planning Policy Framework (2019)

- C17 Prior to first occupation of any residential unit hereby permitted, the glazing and ventilation measures as specified in Section 3.2 of the document entitled 'Revised Environmental Noise Assessment For The Proposed Residential Development At Cranmore House, Thorney Road, Eye, Peterborough (May 2020)' (reference: SEM/J3453/17677, dated May 2020) shall be installed. Thereafter, the installed measures shall be retained and maintained as such in perpetuity.

Reason: In the interests of the amenity of future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C18 Notwithstanding the information shown on the drawing 'Proposed Site Layout and Boundary Treatments (Drawing number AL0011, Revision P13)', prior to first occupation of the dwellings within Plots 14, 15, 16, 17 and 18 hereby permitted, details of a 2.4 metre high acoustic barrier to be erected along Plots 14 to 17 and Plot 18 shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall comprise a layout plan of where the 2.4 metre barrier would be erected, details of the barrier itself including materials and colour finish. The approved barrier shall be constructed prior to first occupation of Plots 14, 15, 16, 17 and 18 and shall be maintained and retained as such thereafter in perpetuity.

Reason: In the interests of protecting future occupiers from adverse noise impacts, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C19 The dwellings hereby permitted and identified as Plots 4-11 (inclusive) on the drawing 'Proposed Site Layout and Boundary Treatments (Drawing number AL0011, Revision P13)' shall be laid out internally in accordance with the drawing 'Proposed Floor Plans - Plots 04-11 (Drawing number AB0203, Revision P01). The floor layouts to these plots shall be retained and maintained as such thereafter in perpetuity.

Reason: In the interests of protecting future occupiers from adverse noise impacts, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C20 No development other than groundworks shall commence unless and until details of a noise attenuation scheme regarding internal noise mitigation for Plots 18 to 24 has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the details approved and thereafter maintained as such in perpetuity.

Reason: In the interests of protecting future occupiers from adverse noise impacts, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C21 Notwithstanding the requirements of Classes A, B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no window or door openings shall be installed to the east-facing rear elevations of Plots 18-24 (inclusive), unless expressly authorised by the granting of any future planning permission.

Reason: In the interests of protecting future occupiers from adverse noise impacts, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C22 The dwellings hereby permitted shall be constructed to meet the requirements of Part M4(2) of the Buildings Regulations.

Reason: In the interests of providing homes to meeting the changing needs of occupiers overtime, in accordance with Policy LP8 of the Peterborough Local Plan (2019).

- C23 No development shall take place unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- HGV routing from surrounding public highways;
- a scheme of chassis and wheel cleaning for construction vehicles, including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- a scheme for the storage of materials clear of the public highway;
- a scheme for parking of contractors vehicles; and
- a scheme for access and deliveries including hours.

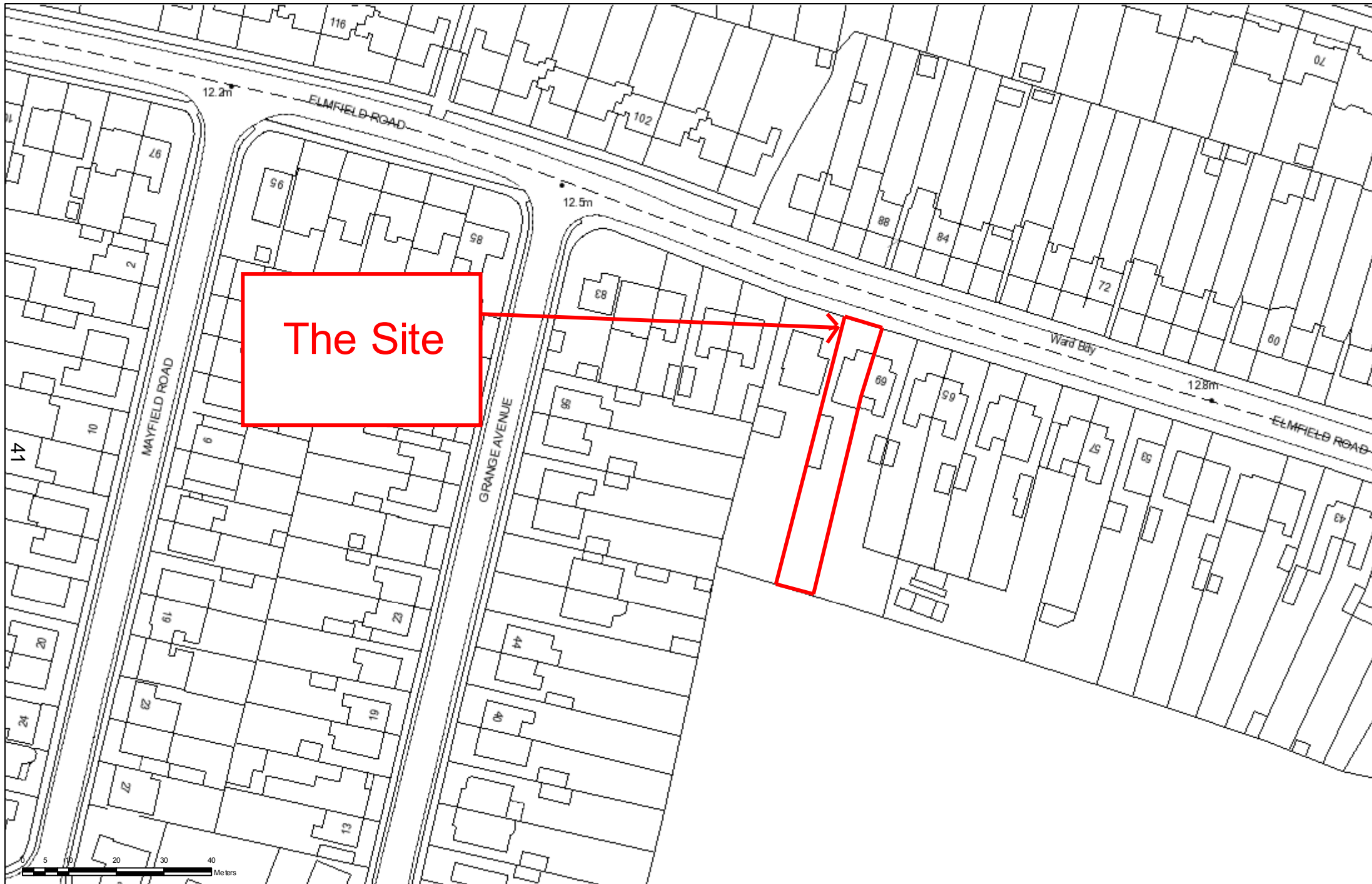
The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interest of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019). This is a pre-commencement condition as these details need to be agreed before development can commence on site.

- C24 Prior to first occupation of any dwelling hereby permitted, vehicle-to-pedestrian visibility splays measuring 1.5 metres x 1.5 metres shall be provided to both sides of each vehicular access as shown on the drawing ' Proposed Site Layout and Boundary Treatments (Drawing number AL0011, Revision P13)'. The visibility splays shall thereafter be retained and kept permanently clear of all obstacles above 600mm in height.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

Copies to Cllrs Allen, Brown and Simons



Planning Committee Location Plan-21/00641/HHFUL-71 Elmfield Road-Dogsthorpe, Peterborough PE1 4HA

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Application Ref: 21/00641/HHFUL

Proposal: Proposed front porch and single storey rear extension

Site: 71 Elmfield Road, Dogsthorpe, Peterborough, PE1 4HA
Applicant: Mr & Mrs R Amin

Agent: Nicola Kerr
 J J & J Hartley

Referred by: **Councillor Ikra Yasin**

Reason: Application does not adversely impact adjacent neighbour.

Site visit: 01.07.2021

Case officer: Mr Asif Ali
Telephone No. 01733 4501733 207123
E-Mail: asif.ali@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site Description

The site is a semi-detached dwelling located on Elmfield Road in a generally residential area with a gravel area to the front which provides off-street parking for the application site. The application dwellinghouse is built in a cream brick with some darker bricks also used, stone quoin corners and double pantiles in a red colour.

The application dwellinghouse has a single storey square bay window on a two storey front facing gable with a two storey stepped back element with a side facing gable end.

The surrounding area consists of different types of dwellinghouse designs as well as material finishes varying from red multi brick properties to buff brick and rendered properties at first floor level. The surrounding areas includes detached, semi-detached and terraced properties.

Proposal

The proposal seeks permission for a front porch and single storey rear extension. The footprint of the proposed front porch measures 1.79m by 1.79m with an eaves height of approximately 2.45m and a total height of approximately 3.70m. The footprint of the single storey rear extension with a flat roof, measures 8.09m by 4.54m and a total height of approximately 3.1m.

Note

The original proposal for the single storey rear extension had a total depth of 7.2m and a total width of 3.8m, however, Officers advised the Applicant that the proposal at the submitted scale would be unacceptable due to adverse neighbour impact by virtue of its size and scale. Nonetheless, the Applicant advised Officers that they wished to proceed on the slightly larger dimensions of 8.09m by 4.54m on which Officers will make their recommendation on.

2 Planning History

Reference	Proposal	Decision	Date
01/01549/FUL	Single storey side extension	Permitted	06/02/2002
P0639/77	Erection of brick garage/store	Permitted	19/09/1977

3 Planning Policy

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

Peterborough Local Plan (2019)

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

Local Residents/Interested Parties

Initial consultations: 5
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

No comments were received during the original and revised neighbour consultation periods.

5 Assessment of the planning issues

The main considerations are:

- Design and character of the site and surrounding area
- Neighbour amenity
- Other

a) Design and character of the site and surrounding area

The front porch extension is of a size and scale that would not adversely impact the character and design of the existing dwellinghouse. Further, the proposal would be built of matching materials and as such would be in keeping with the design of the application site.

The single storey rear extension would not be readily visible within the street scene. Side on views of the single storey rear extension from the street would be screened by the existing dwellinghouse and garage which is set back from the rear elevation of the dwellinghouse. The materials for the extension would also be matching bar the flat roof element, however, it is considered that the proposal would be sympathetic to the design of the existing dwellinghouse.

The site is large enough to accommodate the proposal.

Given the above it is considered that the proposal is in accordance with Policy LP16 of the Peterborough Local Plan (2019).

b) Neighbour amenity

Neighbour amenity is a material consideration on planning applications and must be considered under Policy LP17 even if no comments have been submitted from surrounding neighbouring properties.

To the east of the application site, 69 Elmfield Road has a lightweight glazed extension at the rear of the property located adjacent to the application site. It is used as conservatory and comprises of primary living accommodation. The immediate rear of 69 Elmfield Road leads out to the main garden amenity area.

The extension would be built with a height of 3.1m and as a result of its flat roof design, it would be higher than the existing boundary treatment by over 1m. At the proposed length of 8m, and combined with the existing 'snug' extension, it would have an overall length of 11m. It would result in a long extent of built development along the shared boundary at a height which would have an overbearing impact on the living conditions and main garden area of No.69.

It is therefore considered that the proposal would result in an adverse level of overbearing impact on the current and future occupiers of No.69 not in accordance with Policy LP17 of the Peterborough Local Plan (2019).

To the west of the application site, 73 Elmfield Road is a detached property which has been extended to the rear at both ground and first floor level. The existing garage at the application site is located on the shared boundary with No.73. The existing garage measures around 11m long with a width of 3m. It is considered that given the existing garage building as well as the separation distance from the proposal and the width of the garden of No.73, there will be no adverse impact on the amenity of No.73.

In light of the above it is considered that the proposal would not be in accordance with Policy LP17 of the Peterborough Local Plan (2019).

c) Other

As a point of clarity the proposal has no fall-back position. The largest extension that could be carried out under the permitted development rights for a semi-detached dwelling would measure 6m in depth from the rear of the original dwellinghouse. As the location of the development would extend a previous extension which measures already 3m, the limit of any further extension under permitted rights would be 3m to result in an overall extension of 6m.

During the course of the application the agent raised a previous permission at 73 Elmfield Road (19/00946/HHFUL). This permission allowed a 4m first floor rear extension and a 4m ground floor extension. The first floor extension bought No.73 level with the rear elevation of the application property. Furthermore, the previous permission for No.73 resulted in a ground floor extension which was less than the current proposal and separated by the existing garage on the current application site.

The Agent also raised a previous permission (20/01130/HHFUL) at 53 Elmfield Road as an example of a similarly large extension that was approved by Officers. The proposed single storey rear extension measured approximately 9.4m from the rear elevation of the dwelling. No.53 is a detached property and the adjacent neighbouring property along whose shared boundary the proposed extension was set had a garage building of a length of around 7.5m. The proposal was to end in line with the existing garage building of the neighbouring property and as such a large part of the proposal would be screened and separated from the neighbouring property by the existing garage. The current application site differs from No.53 in terms of the setting and neighbour relationships and the garage of the application site is set on the other boundary away from the neighbour which is being impacted upon.

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.

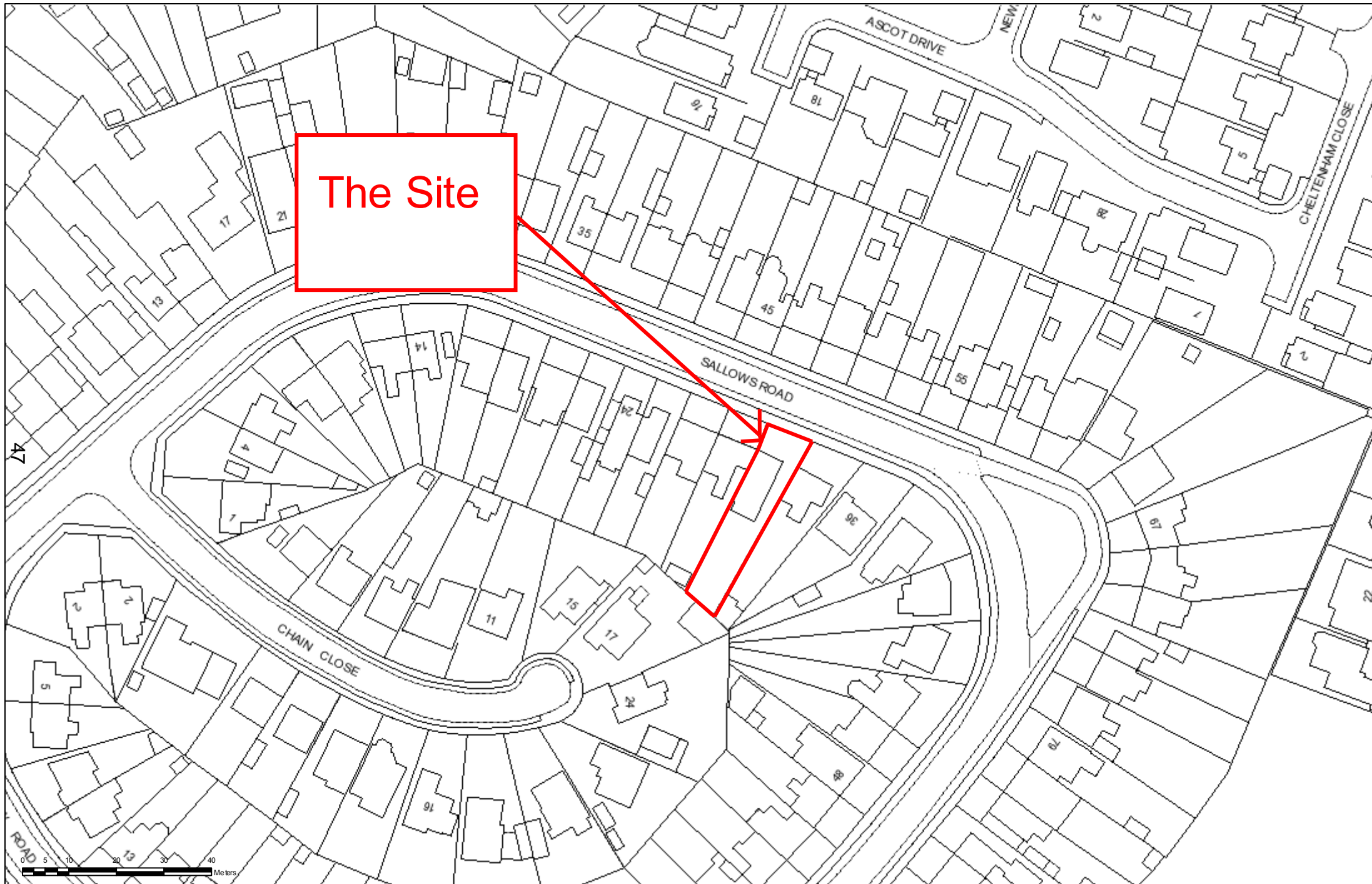
7 Recommendation

The Executive Director of Place and Economy recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed single storey rear extension would by virtue of its siting, height, depth, scale and close relationship to 69 Elmfield Road, result in an unacceptable dominant and overbearing impact on the living conditions of the occupiers of the adjoining dwelling and their main garden area.

The proposed extension would result in unacceptable harm to the residential amenities of neighbouring occupants at 69 Elmfield Road, contrary to Policy LP17 of the Peterborough Local Plan (2019).

Copies to Councillors Aasiyah Joseph, Shaz Nawaz and Ikra Yasin



Planning Committee Location Plan-21/00851/HHFUL -32 Sallows Road, Peterborough PE1 4EU

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Application Ref: 21/00851/HHFUL

Proposal: First floor side extension, construction of rear dormer and addition of 3 velux windows to front roof

Site: 32 Sallows Road, Peterborough, PE1 4EU,
Applicant: Mr Umar Anwar

Referred by: Councillor Yasin
Reason: Applicant's personal needs and scheme not out of keeping with setting and character of surrounding area.

Case officer: Mrs Shaheeda Montgomery
Telephone No. 01733 4501733 453410
E-Mail: Shaheeda.Montgomery@peterborough.gov.uk

Recommendation: REFUSE

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

Site and surrounding area:

The application site comprises of a two-storey detached dwelling finished in facing red brickwork and dual pitch roof. The dwelling is sited set back from the back edge of the public footway with a low brick wall demarcating the front boundary line. There is an existing 2.8m offset between the east flank wall and the boundary with No.34 Sallows Road, with gated access.

The application site has been extended previously and benefits from a 20 metre long rectangular, hard surfaced open space to the rear of the dwelling enclosed with a brick wall.

The verdant streetscene is characterised by a mix of semi-detached and detached dwellings of uniform character sited with set back from the public footway. Most of the properties on Sallows Road make up a distinct uniform pattern with visual gaps between them, with grass verge and/or mature trees lining the highway edge.

Proposal:

The application seeks the benefit of planning permission to erect a two storey side extension to abut the existing dwelling on its east elevation. The extension would be of dimensions 8.3m deep x 2.69m wide, with a 150mm gap between the east flank wall and the shared boundary with No.34 Sallows Road.

In addition, the proposal also seeks the conversion of the existing loft into habitable space with 3no. Velux style windows on the roof slope towards north (street elevation) and a dormer with 3no. windows on the rear, south-facing roof slope. The proposal states this loft space would be for a sensory room.

The proposed side extension would be open on the ground level and would accommodate bedrooms for a disabled child and a carer on the first floor with an extra room on the loft level, the use of which is not specified.

It should be noted that the proposal is identical to a scheme which has been refused planning permission through Officer delegated powers under application reference 21/00250/HHFUL.

2 Planning History

Reference	Proposal	Decision	Date
21/00250/HHFUL	Side extension with loft conversion	Refused	27/05/2021
11/00877/FUL	Single storey rear extension	Refused	18/07/2011
10/01631/FUL	Construction of single storey rear extension	Permitted	19/01/2011
10/01278/FUL	Demolition of existing garage and re-siting; demolition of existing lean-to outhouse and construction of full width single storey rear extension	Refused	12/11/2010
10/00825/FUL	Construction of a single storey extension and partial demolition of existing garage and re-siting	Refused	27/08/2010

3 Planning Policy

Peterborough Local Plan 2016 to 2036 (2019)

LP13 - Transport

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

Local Residents/Interested Parties

Initial consultations: 20
Total number of responses: 12
Total number of objections: 12
Total number in support: 0

At the time of writing this report, 12no. letters of objection have been received from adjacent neighbours as well as local residents, raising the following concerns:

- There is hardly any difference between these proposed plans and 21/00250/HHFUL which was refused on 27th May 2021.
- Front of the house would still create a terraced effect, being out of character as previously mentioned and which will have a detrimental effect to the area.
- The rear of the property with the three large dormer windows would still be overlooking neighbouring properties which will impact greatly on our privacy.
- The proposed development of the site would impact the residential area and neighbours in a

- negative manner.
- The proposed plans would cause there to be overdevelopment of the site and it would be out of character with the neighbourhood.
 - The proposed side development would cause a 'terracing effect' on the street and will infill the visual gap which forms an important aspect of the distinctive historical development pattern. This will likely set a precedent and many other houses will look to develop in this manner which will be detrimental to the overall character and visual amenity of the neighbourhood.
 - In addition the quality of the drawings that have been submitted is not adequate and if accepted could cause confusion as to whether the development is as per the proposed plan.
 - Overlooking: Currently there is one bedroom window and a frosted glass bathroom window that overlook my garden. The proposed plans show 4 additional windows on the rear of the property that directly overlook my garden.
 - Loss of privacy: The proposal of adding dormer windows in the loft will directly impact my privacy, currently areas of my garden are totally private. However the addition of the dormer with large windows in the loft will cause me loss of privacy due to the change in aspect gained by the elevation of the windows.
 - The applicant has erected a wall on my property and has shown no indication that he will remove/reposition this.
 - The attic rooms of the new plans could automatically be changed if permission to extend is granted returning the house to 7 bedrooms which the applicant previously wanted in plans 00250.
 - The size of the property has not changed at all and is not in character due to its size.
 - The parking must be considered as this would mean extra vehicles to find a place to park in the street.

N.B. The Applicant has chosen to submit revised drawings to address some of the objections raised above. The development proposed remains the same, but the drawings have now been produced by an Architect. A revised public consultation, whilst not strictly necessary, has been undertaken and will close on Sunday 18 July (ahead of the Committee meeting). Any revised/additional comments submitted will be provided to Members within the Briefing Update Report.

5 Assessment of the planning issues

The main concerns are:

- Design and impact on the character and appearance of the site and surrounding area
- Neighbour amenity
- Parking provision
- Personal circumstances
- Other matters

a) Background

Officers note that the proposed scheme is largely the same scheme proposed under planning application number 21/00250/HHFUL which was refused under delegated powers in May 2021, albeit internal changes to the floor layout are now sought. However the two main elements of the current scheme, namely the two storey side extension and the loft conversion, follows on from the previous application whereby the application scheme proposes to completely infill the existing visual gap between the host dwelling and the eastern shared boundary with No.34 Sallows Road.

This application was refused for the following reason:

- R 1 The proposal, by virtue of its scale and siting, would unacceptably impact upon the character and appearance of the site and surrounding area. The proposal would lead to the infilling of the visual gap which forms an important aspect of the distinctive historical development pattern found within the street character and result in a terracing effect which would erode the overall character of the site and surrounding area. This would result in

unacceptable irreversible harm to the character, appearance and visual amenity of the locality and is therefore contrary to Policy LP16 of the Peterborough Local Plan (2019).

b) Design and impact on the character and appearance of the site and surrounding area

The application site lies on a verdant residential area with dwellings sited setback from the footway and with existing green verge and benefitting from an open outlook. The predominant pattern of development that has existed along Sallows Road is that of semi-detached or detached dwellings with visual gaps between them and this is largely retained forming its prevailing and relatively uniform character.

The proposed two storey side extension would almost completely infill (save for a 150mm gap which would not be noticeable within the wider streetscene) the existing gap between the application property and No.34 Sallows Road to the east. This would erode the existing character of the surrounding area, resulting in a dominant and awkward bulk which would effectively span the full width of the application site. The resulting mass would result in a terraced appearance which would appear visually dominant and obtrusive resulting in unacceptable level of harm to the character, appearance and visual amenity of the streetscene.

Officers acknowledge that there are a number of historical two storey side developments constructed over the past years within the wider locality. However it is long-established and held that every application has to be assessed on its own merit. In the main, these other examples within the locality are not considered to be comparable as largely, they maintain some degree of visual gap between properties. Officers are of the view that any examples where the gap has been lost result in substantial harm.

Furthermore, weight is given to the decision of appeal reference APP/J0540/D/18/3218194 (at 15 Sallows Road which sought a similar development to that which is the subject of this application). In dismissing the appeal, the Inspector makes reference to *"the intervening spaces between them (the dwellings)...forms part of the established character of the area."* The report acknowledges *"that several properties nearby..., have been extended in a similar or rather less than sympathetic fashion. However, it was apparent to me at my visit that these serve only to demonstrate that the erosion of the spacing between the dwellings has in places resulted in a continuous frontage of built form, which is uncharacteristic of the estate."*

A copy of this appeal decision can be found at Appendix A of this report and Officers are of the view that this is a significant material consideration in the determination of this application. It is deemed that the application site would not be suitable for a side extension for similar reasons.

It should also be noted that none of the two storey side extensions within the immediate locality to the application site that completely infill this gap (notably the site opposite to the application site, No.43 Sallows Road, application no.18/00126/HHFUL) were granted permission after this appeal decision.

Notwithstanding the concerns set out above, Officers consider the loft conversion to be acceptable in design and character terms. With regards to the rear dormer window, a large dormer spanning the width of the original dwelling could be achieved through exercising permitted development rights and the additional width proposed, across the two storey side extension, is not considered to materially alter the appearance. The proposed 3no. roof lights to the front elevation are not considered to be substantial and would not appear incongruous or alien within the locality.

However, the application cannot be granted part permission and therefore, assessed with the proposed side extension the overall design is considered to result in an unacceptably adverse level of harm on the character and appearance of the site and surrounding area and altering the view from the public realm to the detriment of the existing streetscene. Given the above, it is considered that the proposal would not be in compliance with Policy LP16 of the Peterborough Local Plan (2019).

c) Neighbour amenity

A number of objections have been received towards the application from residents living on Sallows Road, Grimshaw Road and Chain Close to the south, raising concerns over loss of privacy and overlooking impact. Concerns raised over the proposed scheme and impact on the character of the area have been discussed in the section above.

No.30 Sallows Road:

No.30 Sallows Road is the adjacent neighbouring property due west and it is noted that the two properties are separated by an existing single storey side garage (serving No.30) which abuts the application site.

The proposed dormer window to the rear would include 3no. windows which would serve a sensory room and another which has not been annotated on the submitted drawings. For assessment purposes, these have been taken to be primary habitable rooms. The proposed second floor windows would be marginally larger in size to the existing first-floor level windows on the host dwelling which already result in overlooking potential to adjacent neighbours. It is acknowledged that this neighbour has raised concerns over the proposed loft conversion which they believe would have an increased level of overlooking impact to their property. However, a large dormer window (up to 50 cubic metres in volume) could be achieved under permitted development rights across the rear roof slope of the existing dwelling and this would result in an identical degree of impact to that of the proposal. Furthermore, the proposed windows would not result in a significant degree of increased overlooking impact compared to that which already occurs from the existing 2no. first-floor level windows serving the application property. Whilst Officers accept that there would be an increased perception of overlooking which would result from the proposal, this is not considered to be sufficiently harmful to warrant a reason for refusal.

No.34 Sallows Road:

Looking due east, No.34 Sallows Road is the adjacent neighbour located closest to the proposed side extension such that the resulting mass would only be separated from the flank wall of the neighbouring property by a gap of 150mm. Whilst the proposal would bring the built form of the site, at two storeys high, closer to this neighbour's boundary line, the proposed siting is such that Officers consider that no undue overbearing or overshadowing impact would result because of the siting of the proposal against the flank wall of No.30 Sallows Road and would not project beyond the existing front and rear elevations of the neighbour.

With regards to overlooking impact and loss of privacy, the side extension would result in a first floor bedroom window being introduced closer to the neighbouring boundary than on the host dwelling. This is not however considered likely to result in substantial additional overlooking compared to the existing situation such that unacceptable level of harm would result. It is noted that a degree of overlooking would be experienced already from the existing first floor level window of the host dwelling and whilst this is set away from this neighbour (as the closest facing window serves a bathroom which is a secondary habitable room), some degree of overlooking already results.

With regards to the proposed dormer window, a similar degree of impact would result as has been set out above in regards to No.30 Sallows Road. Given that a dormer window could be constructed across the existing rear roof slope of the property through exercising permitted development rights which would result in a degree of loss of privacy, whilst the proposal would also bring the dormer window across the proposed side extension and therefore closer to this neighbour, the overall impact of overlooking is not considered to be substantially worse than this fall-back position.

No.17 Chain Close:

No.17 Chain Close is located due south of the application site. It is deemed that the proposed dormer window would not result in substantial additional overlooking over the rear garden area of this southward neighbour. First floor windows already overlook towards this property, and the proposal would not bring windows any closer. A separation distance of 27 metres would be

maintained to the shared rear boundary which is considered adequate to prevent undue loss of privacy. Furthermore, due to the fall-back position that the applicant would be able to achieve a loft conversion with similar window arrangement under permitted development rights, Officers do not find grounds for refusal on the basis of impact on neighbour amenity grounds.

Given the above, it is deemed that on balance the proposal would accord with Policy LP17 of the Peterborough Local Plan (2019). Members should also note that neighbour amenity impacts did not form a reason for refusal of the previous, identical development under application reference 21/00250/HHFUL.

c) Parking provision

The proposal would fill in an existing 2.9m wide gated space to the side of the application site whilst creating additional primary habitable space which is not shown as bedroom accommodation but could be used as such in the future. Under the Council's adopted parking standards, any new residential development with six or more bedrooms is required to demonstrate availability for two on-site car parking spaces.

Whilst there is adequate set back to the site frontage for vehicular parking, the applicant has not demonstrated that this area would be adequate for two on-site car parking spaces and indeed, the low brick wall demarcating the front site boundary with the public footway would restrict this.

Notwithstanding this, the existing layout with the open side at ground level is deemed to provide adequate width for vehicular access and parking. Whilst the proposed development would reduce the width available from 2.8m to 2.6m, this would still enable a vehicle to park within this area. On this basis, the proposal is considered to be in accordance with Policy LP13 of the Peterborough Local Plan (2019).

d) Personal circumstances

Under Paragraph 28 of the National Planning Practice Guidance, this refers to children's best interests, which states, 'Local authorities need to consider whether children's best interests are relevant to any planning issue under consideration. In doing so, they will want to ensure their approach is proportionate. They need to consider the case before them, and need to be mindful that the best interests of a particular child will not always outweigh other considerations including those that impact negatively on the environment or the wider community. This will include considering the scope to mitigate any potential harm through non-planning measures, for example through intervention or extra support for the family through social, health and education services'.

The applicant has advised Officers that the proposed development would provide additional space for his children and specifically, for a disabled child. However, the proposal does not include supporting documents to outline the specific requirements for this purpose.

Personal circumstances usually do not form part of the planning assessment criteria unless there is a valid and justifiable reason presented. It is the view of the Officers that given the loft conversion element is deemed acceptable, the applicant would be able to add approximately 39 sq.m of floor space to the host dwelling without developing outside of the existing footprint of the property. Furthermore, Officers must weigh this private need against the public harm arising which is considered to be substantial.

The human rights impact has been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention. The recommendation is considered appropriate in upholding the council's adopted policies and is not outweighed by any engaged rights, including the Public Sector Equality Duty.

e) Other matters

In response to neighbour objections raised and not addressed in the sections above:

- *Property price devaluation*

- *If this application is passed what is in place to prevent the application returning to the original plans of three bedrooms making the house into a seven bedroom property.*

The Local Planning Authority is not be able to address property devaluation resulting from the proposed development as part of the assessment of a planning application. Similarly, internal changes to the layout of a property would not be part of the remit of a planning application and therefore the LPA would not be able to address any potential changes made to a proposed scheme after planning permission has been granted. Notwithstanding this, the Council's parking standard does not increase as a result of a 7-bed residential property and adequate parking is considered to be retained on site.

- *Poor quality of drawings*

The Applicant has submitted revised drawings, now produced by an Architect which are subject to further public consultation. The overall scheme however is identical and the outcome of this consultation would not materially alter Officer's assessment as above.

- *Wall erected on boundary*

Boundary walls are a civil matter. As such Officers would not be able to consider this matter within the remit of this planning application.

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 case officer recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposal, by virtue of its scale and siting, would unacceptably impact upon the character and appearance of the site and surrounding area. The proposal would lead to the infilling of the visual gap which forms an important aspect of the distinctive historical development pattern found within the street character and result in a terracing effect which would erode the overall character of the site and surrounding area. This would result in unacceptable irreversible harm to the character, appearance and visual amenity of the locality and is therefore contrary to Policy LP16 of the Peterborough Local Plan (2019).

Copy to Councillors: Yasin, Nawaz, Joseph

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