

BRIEFING UPDATE

P & EP Committee 7 February 2012

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	11/01572/FUL	Land At Former Bretton Woods Community School, Flaxland, Bretton, Peterborough. Construction of permanent rugby clubhouse with car parking and tennis courts to replace temporary facilities.

1. Amended Recommendation

Whilst not required to consult the Forestry Commission or the Woodland Trust under law, it is a requirement under the Planning Service protocols. This consultation was not undertaken. The recommendation is therefore as follows:

That the Head of Planning Transport & Engineering Services be authorised to grant permission subject to:

- there being no objection from either the Woodland Trust or the Forestry Commission
- the conditions as per the printed committee report

2. Comments have been received from Cllr Sandford, these comments are as follows:

I would like to lodge an objection to the application from Peterborough Lions Rugby Club and would like my comments reported to Planning Committee.

In making the comments, I would declare that I am an employee of the Woodland Trust but the comments are made in my capacity as a councillor and a resident who lives in Ravensthorpe, near to the proposed application site.

My main concern is the impact of the development on Highlees Spinney, which is an area of semi-natural ancient woodland. It is not shown on the inventory of ancient woodland because it is less than 2 hectares in size but it contains a wide range of ancient woodland indicator plants and is near to Grimshaw Wood, which is an ancient woodland and so it is likely the two woods were once linked.

The report from officers is deficient in that it makes no reference to Policy LNE11 of the Peterborough Local Plan which states categorically that ancient woodland shall be protected from the impact of development.

I find it incredible that officers say that putting a foul drain through the woodland can be done with no significant impact on it. Even if no trees have to be felled, there will be considerable damage to the ground flora. The wood contains fabulous displays of bluebells in the summer and these will almost certainly be damaged or destroyed. Ancient woodland plants once destroyed cannot be recreated and the ecology of the woodland may take many hundreds of years to recover from any significant damage.

There is also the impact of the development on the woodland by proximity to it. When planning permission was given for the Bretton Woods School car park some years ago (at the south end of the development now proposed), a buffering strip of 10 metres on the south and east sides of the car park was required by way of planning condition. This area has since become partially colonised by the woodland, thus offering it some protection from damage such as air pollution and compaction of tree roots.

The current application proposes to use the line of the current temporary fence which is only around one or two metres from the edge of the woodland. This is far too close and a much bigger buffering strip should be required. Having established the precedent of 10 metres in a previous application, this should also be required in this application. Good conservation practice is that buffering strips should be areas of land which are left to grow naturally and will in time become colonised by the woodland: new woodland is the best possible means of protection for ancient or long established woodland. A buffering strip could also include a much wider footpath, which I understand is one of the concerns of Bretton Parish Council.

Finally, Government guidance suggests that any planning application affecting ancient woodland should be referred to the Forestry Commission for comment. It is also good practice to refer the application to a woodland conservation organisation, such as the Woodland Trust. The requirement is set out in the DETR letter to Chief Planning Officers dated 15 March 1999:

The letter advises that the Forestry Commission wishes to be consulted on:.....

ii) proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings or extending the footprint of existing buildings.

I do not object in principle to having a rugby club at this location but there are still major concerns to be addressed about impact on the ancient woodland. I would urge the committee to defer this application to allow relevant bodies such as FC to be consulted and for the impact on the ancient woodland to be further mitigated through a requirement for an adequate width of buffering strip.

3. Officer response is as follows:

1. Policy LNE11

This Policy is contained within the 2005 Local Plan, and the Policy has been superseded by Policy CS21 of the Core Strategy. Policy CS21 is referenced in the report.

2. Impact of foul drain

The drain will require a trench about 50m long by 0.6m wide through the spinney. The applicant has submitted an Arboricultural Method Statement and Tree Protection Plan.

3. Proximity to woodland

The existing and proposed plans show that the main areas of hard surfacing will not be taken any closer to the woodland than the existing areas. The area of car park will be increased, but this area will not be any closer to the woodland than the existing surfacing.

4. Fence line

Officers in the Strategic Property team have confirmed that the indicated fence line is shown around the edge of the area to be leased to the Rugby Club.

2 .	11/01676/FUL	Garages To The Rear Of 287 Welland Road, Dogsthorpe, Peterborough. Construction of three affordable dwellings for rent including associated external works, parking and access improvements.
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Drawings

On Monday 30th January an amended drawing (CK-538-P01 D) was submitted to reduce the windows to Bed 2; these are non-material changes therefore there further re consultation was not necessary.

Consultee Responses

John Middlemas (Police Architectural Liaison Officer) orally confirmed that the levels of crime in the area were low; however the replacement of the garage courts would be, in the eyes of crime, a long term sustainable solution.

Additional Representation

a) Mr C Brammall (287 Welland Road) (30/1/12)

... to loose all the Garage sites in the area would be a great loss; I have ... rented a garage behind the house, I have seen people rent on a short term to repair and restore cars ... people have used them at additional storage.

1. Officer reply - The proposal is for a residential development in a residential area therefore is a compatible land use; the proposal would add to the affordable housing stock for the

area and would accord with Policy CS1 and CS2 of the Peterborough Core Strategy DPD (2011).

... the information in both the tree and [parking] usage surveys was incorrect and or incomplete, they only checked three times and at obscure times of the day and my trees and new fence had not been considered within the reports.

2. Officer reply - The tree survey and its recommendations have been deemed acceptable by the Landscape Officer. Parking surveys are typically requested to be undertaken to establish levels of use; the time and dates of visit Tue 18:00, Wed 18:30 and Thurs 14:00 is considered sufficient to establish the intensity of use of the garage court other than its expected use, which is the parking of vehicles. With respect to trees and fences this would be a separate matter to the planning application process; this would be covered by the Party Wall Act between the Developer/Contractor and any interested parties.

The proposed development has not taken in consideration my access to the rear garden or the access issues for the garbage collection truck. Also having seen the proposed postal address for the new homes I feel pending confusion re deliveries etc. (287a, 287b, 287c) with mine remaining 287.

3. Officer reply - A bin collection point has been indicated on the submitted plans within 25 metres of the highway, which is the maximum distance a collection point can be from the highway; the logistics would be the responsibility of the refuse team. With respect to Postal addresses, this is separate to the planning application process.

Although the development has been proposed I do not feel that this has been fully considered to address all the issues from both the construction phase or the ongoing issues that will arise. (parking for current residents, walk ways for pedestrians current and new). daily or weekly services to the new homes (Postal, deliveries, garbage, emergency services, visitors).

4. Officer reply - The construction phase is outside the planning application process; however a standard condition has been attached with respect to hours of construction. Highways have responded with no objections as there is sufficient on-street parking in the area. Personal deliveries are outside the planning application process.

For the small cost to improve the site, cheaper than three new homes, lighting and a resurface maybe restricted access gates. and with a number of other garages already or proposed redevelopment to retain some functioning garages in the area would be positive.

5. Officer reply - Further to Pt 1 the scheme would add to the affordable housing stock for the city; John Middlemas (Police Architectural Liaison Officer) has confirmed that whilst crime is not high in this area, garage sites are at risk, and its redevelopment would be a long term sustainable solution.

In terms of the construction phase I have several issues around Health and Safety and as previously stated would like to have visibility of the proposed work schedule and the site file along with risk assessments and method statements for the public consideration.

1. How will construction equipment and materials be delivered to site with the narrow access to the site.
 2. How will the site be secured during construction, and how will my property be protected as well, I have two small dogs that run in my back garden, currently they have no means of escape, once the rear wall is removed the back garden will not be secure. Also the issue of retaining the raised garden that adjoins the rear wall.
 3. Damage to my property while the service trench is dug, pipes installed, etc. this is planned to be right beside the foundations to my current property and if no precautions are taken could result in subsidence to this area, also the backfill to prevent future problems would need to be fully completed and an insurance be issued to guarantee future problems would be resolved at the developers cost.
6. Officer reply - These are not planning matters and would need to be raised with the developer/contractor.

b) Cllr Miners (31/1/12)

As a local Ward Councillor there have been a number of CK Homes housing developments of garage sites, with very few objections within Dogsthorpe Ward.

Overall, I have been supportive of these developments, as many of the garage areas have been a source of anti-social behaviour.

Perhaps this development proposal is the one attracting much more local comment?

Perhaps it is a garage site one too many?

If councillors accept the recommendations for CONSENT then I urge that instructions are given to the developer to mitigate as far as possible the concerns/requests of the objectors and assurances given that all on-site work is undertaken consulting fully with the surrounding residents before commencement of such works.

c) Mr C Brammall (287 Welland Road) (31/1/12)

The drawings are inaccurate as they show the bank of 4 homes on Welland (281 to 287) as having a flat back wall, this is not the case as 283 and 285 extend back further than 287 and 281. Both 287 and 285 have approved extensions to the rear of the property that makes them a lot closer than 14meters as stated on the report and a standard of 20meters is recommended. From the rear of my buildings to the garage wall is only 8.7meters.

1. Officer reply - The submitted drawings do not show single storey rear extensions to No's 283, 285 or 287 Welland Road. Officers were well aware of this following the site inspection and the 'on the ground situation has been factored in to the recommendation put before committee.. The measurement of 14 metres is taken from the original rear wall of these dwellings; a distance of 14 metres between principle windows and side walls is an accepted distance. The outlook from these single storey additions would be limited due to existing boundary treatments; it is not considered the proposed dwellings at their northerly juxtaposition would result in an overbearing loss of light.

The drawings used do not provide the full facts in relation to the site as they do not show all aspects of the current houses and buildings on the site. The access road to the site is only 5.5meters wide not as shown on the drawing of the access road, this is further impacted by the hedge planted opposite my garage wall which reduces the width even further.

2. Officer reply - No highway objections; the access was constructed to accommodate for up to 17 vehicles/garages.

No consideration has been given to foot traffic access to the new homes with safe access not provided for and no disabled or pushchair access consideration to the new homes, they have to use an access road.

3. Officer reply – Given the number of dwellings proposed and the likely traffic levels, a shared surface is considered appropriate and safe

Within the report it states 6 garages (2, 3,4,5,6, and 7) are in use. I rent No 17 and is in use, in the report it state 293 rents a garage and garage 1 is in use by another person, all these garages are owned and rented by Cross Key Homes so they should be able to produce an accurate report as to the actual use. With the numbers in the report and the others known this makes 9 occupied that is over 50% (52.94%) utilisation and these are the ones I know of, the site could have further people renting and using that I am not aware of.

4. Officer reply - Cross Keys Homes have commented stating 'anyone renting these garages will be notified by means of a notice to Quit, allowing them 7 days to bring the keys back, this is stated in the each garage tenancy'.

The crime within the garages over the last 3 years has been none and with improve lighting and blocking off the access to the very rear footpath would help to keep this figure.

- Officer reply - Please see John Middlemas (Police Architectural Liaison Officer) response above.

I can only conclude that no proposal for approval can be given with the supplied inaccurate information relating to the site and propose that a site visit by the officers to see for themselves the actual position and the missing information details relating to this application.

- Officer reply - A visit has been undertaken by both Matt Thomson (Case Officer) and Nick Harding (Development Management Manager).

I am arranging to take further measurements of the site 1st Feb 2012 to compare to the drawings provided in the application as the site has limited and incorrect details and assumptions are being made and not reported, previous planning approvals to the existing houses have not been taken into consideration and this has impacted on the available information to make an educated conclusion as to the validity of the application.

Mr Brammall (2/2/12)

Please find attached a document showing some details missed from the application that will illustrate that a survey of the current houses has not been completed and the fact that the rear of 281 to 287 has been drawn incorrectly that makes distances taken from the drawing invalid.

Houses 283 and 285 extend back to the rear further than 287 (not shown on plan drawing) also the drawings do not show further development (over 20 years old) that has taken place on both 285 and 287 to extend the house to the rear, making the distance to the proposed development shorter than 9 meters in places, as the guidance is 20 meters, within the report acceptable to have 14 meters, we are now down to less than 10 meters so below 50% of the guide line.

- Officer reply - The submitted drawing illustrates a distance of 13.97m from the original rear wall of 287 to the end wall of the existing garage, and is therefore acceptable.

I would request this application be deferred to a later planning meeting in order for the additional relevant information to be gathered for further consideration or a compromise to be found.

3.	11/01740/FUL	Land North Of Cubitt Way, Woodston, Peterborough. Use of car park for car boot market at Railworld Exhibition Centre car park.
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No Further Comments

4.	11/01752/FUL	Garages To The Rear Of 90 Hallfields Lane, Gunthorpe, Peterborough. The demolition of four blocks of concrete sectional garages and the construction of four affordable dwellings for rent including associated external works, parking and access improvements.
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Cllr S Day wished Committee to be aware of the following email she has sent to the applicant:

I am contacting you with regard to the proposed application to build 2 two bed and 2 three bed homes at the rear of 90 Hallfields Lane in Gunthorpe! I as you may know I have with Councillor Simons referred this to the Planning Committee who today went out to view the site. I guess there will be no real reason why this application does not get passed, however I did want to ask the question would it not as an alternative be possible to put in some 1 bedroom bungalows for the elderly on this site for two reasons!

- The current residents in Hallfields Lane and in particular Cleveland Court have always had an open rear aspect to their properties and I would imagine probably chose to live there due to that reason. I visited the property of residents at 6 Cleveland Court and it appears to me that they

and their neighbours will have no privacy and will lose a lot of the light coming into their gardens which they have enjoyed since moving in over 48 years ago. It is easy to move into a property knowing you have neighbouring homes with windows facing into your property but quite another to have it imposed on you against your wishes, I can't imagine what they must be feeling knowing they have no power to stop these properties being built.

2. With our ageing population we have many residents now living alone in the Gunthorpe area in two or three bedroom homes all waiting for a small easily maintainable one bedroom bungalow, Would it be possible to change the planning to maybe 8 one bedroom bungalow therefore freeing up 8 family homes in the area? Also I am very concerned about the access road to the plot as it is barely wide enough for a car let alone heavy vehicles such as Refuse Lorries and if you put in family homes you will have cars coming and going at all times of the day will there be room for a foot path for the safety of pedestrians.

Thank you for taking the time to look at my findings and I look forward to hearing from you in response.

(PS) I understand there may be very good reason why Cross Keys Homes have planned for these family properties to be built in this small area however please could you consider my points of view and let me know your feelings on the matter.

5.	11/02017/OTH	East Northants Resource Management Facility, Kings Cliffe, Northamptonshire. Extension of time for the existing landfill operation for disposal of hazardous and low level radioactive waste, new facility for disposal of such wastes and extension of time and capacity for the existing soil treatment facility and associated development.
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No Further Comments