

**Application Ref:** 13/00660/FUL

**Proposal:** Demolition of existing office building and erection of 2 blocks of student accommodation incorporating 8 flats and 31 studios

**Site:** 270 Eastfield Road, Eastfield, Peterborough, PE1 4BE

**Applicant:** Mr Simon Kidner  
c/o

**Agent:** Michael Lavender Architects

**Site visit:** 27/6/13

**Case officer:** Ms L Lewis

**Telephone No.** 01733 454412

**E-Mail:** louise.lewis@peterborough.gov.uk

**Recommendation:** REFUSE

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

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

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

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

**Current (revised) proposal**

The current proposal is to demolish the property on the site and construct two blocks of student accommodation. This accommodation would be a combination of shared flats and small studios; a total of 77 bedrooms (reduced from an initial proposal for 90 bedrooms). A reception area, common room and laundry would also be provided. The existing driveway would be re-used and would lead to parking spaces along the north-west, west and south of the site.

Committee will recall that in response to a recent Demolition Prior Notification Application, an emergency Article 4 direction was approved which had the effect of preventing demolition under the Permitted Development Notification. Demolition therefore requires planning permission. The existence of the emergency Article 4 direction does not prevent planning permission being subsequently granted for the demolition.

### **Initial (superseded) proposal**

The original scheme was for two separate blocks incorporating flats and studios totalling 90 bedrooms. The development was further forward on the site, to within about 8m of the site boundary, and proposed the removal of three protected Yew trees.

The design of the buildings was less coherent, with varying eaves heights and a single storey element to the front. The common room and laundry were proposed in a basement.

## **2 Planning History**

07/01413/FUL	Retention of mobile	PER	28.08.2007	07.11.2007
09/00630/FUL	Proposed part change of use from D1 (non residential education use) to part use as offices for family community and support services by Family Care and part retention of D1 use	PER	10.06.2009	28.07.2009
09/01213/FUL	Construction of new entrance gates and front boundary fence and lifting of the crowns of 7 Lime trees by 3m and removal of dead wood	PER	19.10.2009	09.12.2009

## **3 Planning Policy**

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

### **National Planning Policy Framework (2012)**

#### **Section 12 - Conservation of Heritage Assets**

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

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

### **Peterborough Core Strategy DPD (2011)**

#### **CS08 - Meeting Housing Needs**

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

#### **CS10 - Environment Capital**

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

#### **CS12 - Infrastructure**

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

#### **CS13 - Development Contributions to Infrastructure Provision**

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

#### **CS14 - Transport**

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

#### **CS16 - Urban Design and the Public Realm**

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

#### **CS17 - The Historic Environment**

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

#### **CS21 - Biodiversity and Geological Conservation**

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

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

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

#### **PP02 - Design Quality**

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

#### **PP03 - Impacts of New Development**

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

#### **PP04 - Amenity Provision in New Residential Development**

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

#### **PP12 - The Transport Implications of Development**

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

#### **PP13 - Parking Standards**

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

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

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

#### **PP17 - Heritage Assets**

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

## 4 **Consultations/Representations**

**Conservation Officer** – Objects. The house has now been assessed as worthy of inclusion on the Local List and is therefore a non-designated heritage asset. This is a material consideration. There is a presumption in favour of retaining the building (with the exception of the more modern extensions). The applicant has not shown that the building is unsound; the case for demolition appears to be based on maximising the amount of development on the site and reuse and adaptation do not appear to have been fully considered. The revised scheme has tried to introduce a sense of residential scale and form to Eastfield Road however, the overall scale and form is out of keeping with the surroundings. The case for demolition has not been adequately justified. Preference should be given to retention of the building and inclusion in a new build scheme, to include a scaling back of the proposal and a re-assessment of the design. This would deliver public benefits as well as retaining the building.

Putting the issue of demolition to one side and notwithstanding concerns with some of the design elements of the scheme, with regard to the new build proposal, it is not considered to harm the setting of the nearby listed building (278 Eastfield Road: Grade II) or the Park Conservation Area.

**PCC Drainage Team** – No objection. Request that drainage details be conditioned.

**PCC Childcare Market Facilitation Manager (T Laws)** – No comments received

**PCC Landscape Officer** – No objection now that the scheme has been amended to recognise the protected trees as a constraint and the footprint is outside the root protection area. The trees will shade some windows some of the time. The trees can be managed on a cyclical pollard basis. No detail has been provided as to impact on the RPAs but this is likely to be within the acceptable limit. A no-dig surface will have to be used for parts of the path – there appears to be a historic path through the trees, further details can be required by condition. A Tree Protection Plan and an Arboricultural Method Statement will be required by condition. New landscape planting details should be conditioned.

**PCC Senior Recreation Officer** – No comments received.

**PCC Waste Management** – No objection.

**PCC Wildlife Officer** – No objection. Request conditions relating to method of demolition (to avoid harming bats), timing of works (nesting birds), landscaping and provision of bird boxes.

**PCC Archaeological Officer** – No objection. No known remains in the area.

**PCC Building Control Surveyor** – No comments received

**PCC Education & Children's Dept - Planning & Development** – No comments received

**PCC Pollution Team** – No objection. There are no complaints of noise on record in relation to 170A Lincoln Road (Taverner's Hall, the existing student accommodation). With respect to potential for nuisance from the proposed student accommodation should not result in unreasonable disturbance. Individuals are accountable in their own right for public order and nuisance offences.

**PCC Transport & Engineering Services** – No objection. Parking would be key-controlled, and extra spaces could be provided if required at a later time. The Transport Statement now includes more evidence to support a lower level of car parking, and comparing this to the student accommodation at Taverners Hall. Traffic movements would decrease from the office levels although not as much as suggested in the report. The Travel Plan is supported. Some adjustments are required to the layout of one parking space, and the cycle parking.

**PCC Section 106 Major Group – No comments received**

**Police Architectural Liaison Officer – No objection.** The proposals appear to provide a facility which has high levels of natural surveillance to ensure resident and visitor safety. The Design and Access Statement, clearly indicates that Safety and Security will be considered in the final detailed design stage. Parking appears to be appropriately located and reasonably well overlooked. Further details concerning lighting and cycle security would be helpful, perhaps this could be conditioned.

**PCC Travel Choice – No comments received**

**PCC Strategic Housing – No comments received**

**PCC Strategic Property Resources – No comments received**

**Local Residents/Interested Parties**

Initial consultations: 21

Total number of responses: 50 (as at 3/9/13)

Total number of objections: 48

Total number in support: 2

Two representations have been received in support of the proposal. One of these was from University Centre Peterborough (UCP, and their comments/information are incorporated into the main report below. The other letter of support makes the following comments:

- Questions whether objections are representative of the community as a whole
- Arguments put forward seem to be about influencing type of development rather than protection of the building
- Building could be converted to hostel use if not demolished
- Many other similar buildings and sites have been sold off and developed in recent years so it is hard to understand why this site should merit special interest
- Councillors seem to be hypocritical by saying they have no aversion to students but up-market housing would be more suitable
- Claiming historic value for the house at the same time as proposing up-market housing is a contradiction
- Opposition not interested in saving the building for historical value but as an attempt to influence the type of development and therefore the kinds of residents living on the site
- The building had major building work carried out only a few years ago, and so why has it not previously been subject to any preservation orders?
- Councillors seem to be attempting to protect the more affluent areas of the ward but have not raised any objections to similar developments in less affluent areas
- Presumably support for this development came from both University Centre Peterborough (UCP) and Peterborough City Council (PCC)?
- This is a golden opportunity to attract top quality talent to the city [university] to help education and commerce and industry
- NIMBYism is selfish and short sighted and possibly detrimental to the health and development of the city
- Suggestions that development would create traffic problems is a blatant and weak attempt on the part of the opposition. Previous businesses [including at Riley's Snooker Club opposite] would generate more traffic than this proposal

- Students are less likely to own cars and more likely to walk and be ecological in their use of transport than any large family [in an] up market house
- Site is perfect for such a development as it is [close to] the campus town centre and bus route
- This is the perfect development for this site and for the benefit of the city as a whole.

**The following comments were received in response to consultation on the initial proposal for 90 bedrooms:**

#### **Principle of Development**

- One of my neighbours met with the Principal of UCP and it seems there is no immediate need for accommodation and they are not sure when this will arise
- No evidence of need has been provided
- Student accommodation should be concentrated in one central location
- Site would be ideal for executive and professional housing
- Development could set an unwelcome precedent for further unsustainable student developments
- If the development goes ahead many of the long term residents could move out, making way for short term transient high density populations
- Proposal in conflict with City Council Policies regarding future location of University and associated accommodation
- The University is planning to move to a permanent City Centre site
- University appears to be developing in an ad-hoc fashion with no real plan
- There are university premises in different locations therefore this is not close to all of them

#### **Over-development**

- Over-intensive development likely to result in noise, disturbance, littering
- Very high density – 225 people per hectare, 90 dwellings per hectare
- Overlooking to neighbours

#### **Noise and Impact on Neighbours**

- No decent outside or communal space for students, who would gather at the front of the site
- No social amenities on the site
- This is a family area – students are noisy/boisterous and enjoy late nights which is not compatible with family housing
- Likelihood of noise at weekends, especially a problem in summer when people want to have windows open
- Noise from slamming doors, car stereos
- On site manager would not be able to control this
- Having to call the police would be a waste of resources and cost
- CCTV would not control noise
- Developer has no experience of student accommodation and may not be in a position to manage the site effectively
- Previous (office) use was restricted to office hours and no weekend working, so no disturbance to neighbours
- Parking close to boundaries will disturb neighbours
- Parking should be at the front away from College Park
- Building is higher than surrounding and closer to boundaries, would block daylight and sunlight to neighbours
- Location of waste bin area would cause smell/vermin/noise disturbance to neighbours
- Lighting would spill to neighbouring properties

#### **Parking and Highways**

- Most students are at Guild House which is not convenient for this location

- Main University premises in Oundle Road are not within walking distance
- Impact on parking – in particular that students will park on surrounding roads because there is not enough parking in the site
- Should be one parking space per person
- Restrictions on people bringing cars would be unenforceable
- Increased parking restrictions on roads would affect residents – we used to have students parking all along College Park but it is now restricted Monday-Friday 9-5. If these restrictions had to be increased it would cause problems for residents in College Park
- What about parking for visitors at weekends?
- Impact on road safety for people using Eastfield Road
- Poor visibility at access/exit – people leaving the site would have to turn right towards Oundle Road
- Local area becomes grid-locked during peak hours adding more vehicles would be unwise
- Large numbers of students block the footways and bus stops

### **Character of the Area**

- Existing litter problem is associated with students as it diminishes during holidays
- Development could lower the standard of the area which has a lot of prestigious homes
- Security – having 90 people coming and going at all times is likely to result in an increase in crime as there is no way of monitoring visitors

### **Wildlife and Landscaping**

- Removal of protected trees – no justification provided
- Loss of wildlife – previous residents made a wildlife area, which would be destroyed
- Loss of green and open space

### **Loss of existing building**

- Design of the building – out of character with the area – utilitarian and not in scale from surrounding family houses
- Proposal would replace a delightful building with a monolithic eyesore
- Existing building should be retained
- Existing building recently had a lot of money spent on it

### **Services**

- Overdevelopment would result in increased water run-off in a part of Eastfield Road that is already subject to flooding
- Strain on local services – electricity and drains

### **Other comments**

- Plans incorrect – site location plan shows a second access that is not there
- Discrepancies in Design and Access Statement
- No floor levels given so cannot assess relative height of building
- City Council has refused applications in the area on the grounds of incongruous development that is not in keeping, and buildings create unacceptable perception of overlooking and overbearing impact on neighbouring properties
- Development would diminish Peterborough's claim to be an Environment Capital
- Lack of communication/consultation from the developer and City Council
- Noise and disturbance during construction
- Section 106 contributions should not be a factor in granting permission.
- Demolition should not be allowed in advance of planning permission being granted
- Inadequate local facilities for students
- Main entrance should be at the opposite end directly onto the campus

The **Civic Society** has objected on the following grounds:

- Overdevelopment and fails to respect the character of the area

- A reasonable amount of development could be accommodated on the site while retaining the front part of the existing building
- Proposal would bring vehicular circulation and parking closer to the site boundaries causing disturbance to neighbouring residents

**Mr Stewart Jackson MP** has objected on the following grounds:

- Detrimental to the character of the residential area, which abuts the Conservation Area
- Current commercial use should be maintained
- Contrary to Policy – specifically OB7 in the Core Strategy [note: OB7 refers to meeting varied housing need] and the presumption in favour of student accommodation within the [City Centre] and OB9 [Housing Quality and Density]
- Demolition would not be appropriate.
- Bulk and massing of the blocks would be detrimental to residential amenity. A care home or low density housing would be less obtrusive
- Existing building has a pleasant aesthetic quality, replacement blocks are ugly and brutalist [note: this refers to the initial submission]

**The following additional comments were received in response to consultation on the revised proposal for 77 bedrooms (comments received at first consultation have not been repeated):**

- When questioned by residents [about growth of UCP], the leaders [of Peterborough Regional College and UCP] conceded that there is aspiration but no clear plan
- There is no funding identified to accelerate growth of UCP
- Who is responsible for the accommodation?
- Do not know the plans for a caretaker/manager
- Potentially 77 vehicles accessing the site on a complicated road which is always busy
- Entrance should be placed at the opposite end, directly onto the campus
- Terrible want only to destroy anything with any age that has not already been destroyed
- Plan for refuse lorry to have to open the courtyard gates is an indication of how overdeveloped the site it
- A plan should be developed to use the building rather than demolish it – the developer has shown outline plans that this is possible
- Proposed replacement building is out of character with the surrounding area and has no architectural merit
- Cannot believe that a 2m acoustic fence will suppress the noise
- Cannot tell whether SLF Associates or Mr Kidner have a track record of undertaking and completing such projects
- Why should residents have to live with this just so the developer can make a profit
- Concerned that they might start and not be able to complete it
- New building seems to be much closer to my [windows]
- Building still close to boundaries and [2 College Park] would be overlooked
- Hedge on [2 College Park] boundary is incorrectly shown

## **5 Assessment of the planning issues**

Please note that, for convenience, University Centre Peterborough will be referred to as UCP. UCP shares a site with Peterborough Regional College which will be abbreviated to PRC.

### **Principle of development**

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

The last occupant on the site was an organisation called Family Care. The site was used partly as offices and partly as an education/resource centre. Use on Saturdays is understood to have been



only occasional, and a planning condition prohibited use on Sundays and bank holidays. That consent was granted in 2009; previously the building was used by the College. The existing use is therefore a mixed B1 and D1 use, which could recommence subject to the restrictions imposed in 2009.

Industrial uses would not be supported on the site, as they would not be consistent with the residential character, and the site access could not accommodate significant numbers of larger vehicle movements. Leisure or retail uses also would not be supported on the site, due to the residential surroundings and restricted parking.

As this is a residential area, residential use of the site would be supported. There are good facilities within easy reach, including the city centre which is slightly less than one mile away. Student accommodation is a residential use, although it falls into the sui generis use class rather than the general C3 Dwellings use class, and in principle would be acceptable.

As several comments have been made specifically about the University Centre, these will be examined separately.

### **University Centre Peterborough**

It is an acknowledged ambition of the Council to develop further education in Peterborough. Establishment of a University, to improve the local skill base and support the economy, is one of 29 detailed Objectives set out in the Core Strategy. UCP was set up four years ago, with Anglia Ruskin University, and currently offers about 30 courses to (approx.) 600 students. It is anticipated that the student numbers will increase in upcoming years.

The main UCP building is on the Park Crescent/Eastfield Road campus shared with PRC. The Eastfield Road entrance to the campus is about one minute's walk from 270 Eastfield Road, and a walk through the campus of about 5 minutes takes one to the UCP building. That building is adjacent to the Park Crescent site entrance, which is immediately opposite Central Park which would provide outdoor recreation facilities for students.

Supporting information from UCP, relating directly to this proposal, sets out that:

- There is a need for dedicated accommodation
- UCP will be remaining on their current site for the foreseeable future
- They are committed to growth
- During the academic year 2012-2013 about 90-100 students required accommodation
- It is anticipated that this figure will increase to about 140 in 2014-15 and 170 by 2015-16
- Rooms let through private landlords do not always take account of the student loan/finance timings
- A lack of suitable accommodation is a barrier to recruiting students
- UCP would work with management of accommodation to manage any problems
- There have been no complaints about residents of Taverner's Hall

Several comments have been made regarding Council policy on the location of student accommodation, and objectors have stated that this should be located in the city centre. These comments appear to be based on readings of the emerging City Centre Area Action Plan (para 3.5.5) which states that "...the council will support...student accommodation in the city centre...as city centre sites are sustainable locations providing easy access to the campus buildings...".

This sentence is supporting text within a draft document. Although the text might change before the document becomes adopted policy, it is likely that overall support for student accommodation will remain. While student accommodation would be supported within the city centre, this does not prohibit student accommodation in other locations. A site one minute's walk from the main campus, convenient for day-to-day facilities, cannot be considered unsustainable in terms of location. Consent has been granted recently for student accommodation on sites that are considerably further away from UCP.

Other student accommodation has been allowed in various locations; as well as the 54 bedrooms in use at Taverner's Hall, 28 rooms have been approved at Marcus House (on the corner of English St in Millfield) which do not appear to be in use yet, and 24 rooms at 749 Lincoln Road, which are opening to students this month. There is a current application (which has been pending for some time) to convert Hereward House into student accommodation; approx. 240 bedrooms are proposed.

There are university buildings in other areas, but there is also accommodation in other areas. Guild House, on Oundle Road, is the medical training building. This is about two miles from the application site, and requires two buses to be reached (or a 40 minute walk), but Taverner's Hall is only one bus-ride away from Guild House and common sense would suggest that students would be accommodated in the most convenient site for their place of study. As yet (as at 2 September) UCP have not confirmed how they would or could allocate accommodation.

If the UCP projections are correct, and if Hereward House is discounted (because there is currently no certainty that consent will be granted; any change of use allowed under Permitted Development would be to the C3 use class, not sui generis student accommodation) then the accommodation so far allowed (if it all comes forward), and including the current proposal, would be sufficient to meet needs until September 2016 at the earliest. If the applicant could not let all of the rooms at 270 Eastfield Road to students, there might be pressure to allow the site to be let to non-students. A condition could be used to restrict occupation to students; this is the approach that has been taken at other student accommodation sites. It is understood that UCP will not be entering into any contractual or financial arrangements relating to this accommodation, and therefore the risk will all sit with the developer.

Although a planning condition restricting occupation to students should be sufficient, if any of the premises were occupied in breach of this condition this would have to be dealt with on a room-by-room basis, and it could take up to six months from identification of breach of condition to the date when the non-student occupier has to move out. Use of the development as unrestricted bedsits or shared flats would not be acceptable, partly because the site cannot accommodate parking at usual residential levels, and also because residential amenity levels are below that normally required for permanent residences. Some relaxation of normal residential amenity standards is acceptable for student halls, because occupation is temporary.

Some neighbours have commented that staff at UCP have said that there is not a demand for student housing, and that growth of the University Centre is an aspiration but that there is no clear plan. No details of meetings (eg dates, minutes) have been provided. It is clear from letters provided as part of the planning process that UCP have identified a need for additional student accommodation, however nothing has been provided to support the figures set out above. A letter provided by PRC in 2012 to support the application for 24 rooms at 749 Lincoln Road states that the development should meet needs "for the next three years" (that is, until 2015). It could be that circumstances have changed over the last year, and the applicant has been asked if there is an explanation for the apparent variation in figures.

At present, while supporting the principle of student accommodation on this site, Officers are not convinced that there will be sufficient demand over the next few years to fill this proposed accommodation as well as that already approved. This is not necessarily a bar to granting consent, as it is up to the developer to accept the risk, but the lack of evidenced need weighs against allowing demolition of the existing house.

The applicant has been asked to provide any further supporting information that is available; should anything more be provided this will be detailed in the Update Report.

### **Impact of Development on Neighbours**

The proposed development would be of two linked blocks each two storeys tall, with a height to eaves of 5m and to ridge of 8.5m. This is similar to the height of older two-storey houses, and the applicant has provided a streetscene drawing showing that the ridge height would be slightly below

that of 266, and slightly above that of 272. There are immediate neighbours on each side of the site except the street frontage, where the nearest neighbouring dwellings are 25m away from the front boundary, across the road.

Overlooking was considered early on in the design process and it is proposed, on most of the building, to use angled windows which give oblique views across the site instead of views towards the boundary. People inside the building would therefore have restricted views out, avoiding most overlooking.

At pre-application stage it was agreed that the separation distance between the proposed blocks and neighbouring dwellings should be 21 metres regardless of the fenestration. Normal minimum separation distances are 21m between facing walls with windows, and 13m between facing walls without main windows. It was agreed that using the more generous distance would ensure minimal impact.

#### *266 Eastfield Road*

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

It is proposed to place parking spaces just over 2m from the boundary. The applicant proposes to address noise impact by installing acoustic fencing at the boundary. This is described as "blinker" acoustic fencing, which is shown placed at right angles to the boundary, however it is not clear how this will work.

It would be possible for the applicant to install 2m fencing along the boundary to 266 as Permitted Development, but it is not best practice to allow a layout that requires a 2m fence so close to a habitable room window. Comments from the Pollution Team are awaited as to the likely impact of the proposed blinker fencing.

The occupant of this dwelling has not objected to the proposal (as at 2 September).

#### *Dwellings in College Park*

College Park is the cul de sac which runs behind the site. It was built in the mid-1980s on land which formerly belonged to the college. There are five dwellings on College Park which have back gardens sharing a boundary with the site. Some residents have commented that the proposed building would block sunlight to their houses and gardens. Assessments have been carried out to establish the loss of day/sunlight to these dwellings. An assessment has been carried out for 6 College Park, which is the dwelling potentially most significantly affected to the west of the site. Impact on direct sunlight varies from some slight shading to gardens early in the morning at midsummer, to an increase in shading which would extend to the house wall on midwinter mornings. The shading would be intermittent, as the roof of the proposed building is gabled.

The assessment has also been carried out for No 2 College Park, which is the dwelling potentially most affected to the north of the site. There would be some shading to the back of the house in the middle of the day, which would occur for about three months around midwinter. For most of the year the sun will be high enough in the sky that shading will not affect this property. Given that the 21m separation distance is partly intended to avoid unacceptable overshadowing, and that the shading is variable over the course of the year and minimal at worst, this impact is considered acceptable.

#### *272-276 Eastfield Road*

272 is detached, and 274-276 are a pair. These are two-storey houses from about the 1930s. These dwellings have rear gardens about 25m long. 272 has the application site driveway along the south boundary, and the wider rear part of the site bounds all three gardens at their far ends.

Occupants of 274 have commented that the refuse bin store, which is shown immediately adjacent to the end of their garden, would give rise to noise and smells. The applicant was asked to consider this and has provided a plan showing a store of brickwork with a flat roof, enclosing 10 Taylor bins. It is understood, although this has not been confirmed in writing, that the site cleaner/caretaker would be responsible for taking refuse to the bin store while cleaning, so it would

be unlikely that the store would be used at night. The refuse collection truck would visit the site once a week to collect refuse; this might give rise to brief noise and awareness of smells, but this is quite normal when refuse bins are being emptied.

Given that suitable management can ensure responsible storage of refuse, and a brick-built store should contain smells, it is not considered that this aspect of the development would have an unacceptable impact on neighbours.

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

#### *Dwellings across the road*

Immediately opposite the application site are 285 and 301 Eastfield Road. The front elevation of 285 is about 35m from the front of the proposed student building, and 301 is about 45m away. Given this distance, and taking into account that Eastfield Road is a main route through the city, used by vehicles and pedestrians, it is not considered that there would be any significant impact on occupiers of dwellings across the road in terms of overlooking, overshadowing, or overbearing impact.

The occupant of No 301 has objected on the grounds of overlooking however the front of this dwelling is clearly visible from the street and, from the street, it is not possible to see into the house because of the heavy net curtains. It is doubtful whether students standing a further 10m away on the far side of the trees would be able to see any better than a person standing on the footway.

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

#### **Noise**

Many comments have been received regarding the noise likely to be generated by the use. This could result from vehicle use, music played by residents, and general comings and goings.

#### *Vehicle noise*

The number of car parking spaces is restricted, as it has been established that students will not have a high car ownership ratio. This kind of accommodation is likely to appeal to young students; mature students, who are more likely to have a car, might live locally or prefer more private accommodation. Use of cars by any resident, student or not, gives rise to some noise, but there is no reason to suppose that students would be any more likely to slam doors or drive noisily than other local residents.

The closeness of some of the car parking to neighbour's boundaries could result in some disturbance. The proposal includes 6 parking spaces close to the north boundary, and an acoustic fence is shown a couple of metres into the site. Six spaces are shown along the west boundary, which would not be laid out immediately but could be provided if needed. There is an acoustic fence shown along part of this run of parking spaces, about 2m inside the site.

The impact of noise from use of parking spaces has been discussed throughout the application process. The applicant has proposed to control this with acoustic fencing which may be acceptable along most of the boundary, but is of more concern adjacent to 266 Eastfield Road (as set out above). The comments of the Environmental Health Officer are awaited.

The most noise from vehicles is likely to occur when students arrive and depart, in July and September. This is likely to be restricted to a few days each year and could be controlled in terms of timing by site management. This aspect is considered acceptable.

Refuse collection vehicles would probably call once a week, however refuse collection forms a normal part of everyday life for everybody and the impact is not considered likely to be unacceptable.

#### *Noise from music/outside recreation*

The issue of music played by students has been considered. A common room is proposed on the ground floor, with an enclosed courtyard, which should contain noise in the student's social area. The site will be managed, probably in a similar manner to existing housing at Taverner's Hall, and local residents who are affected by noise will be able to complain either directly to management or via UCP. UCP report that experience of the accommodation at Taverner's Hall on Lincoln Road has not given rise to any complaints, and the Council's Pollution Team has also not reported any complaints.

There are various areas within the UCP/PRC site where students might choose to socialise, including an outside area with picnic tables, common areas, cafes etc. Central Park is very close to the UCP building, and likely to be used by students for outdoor recreation. These facilities are likely to reduce the incidence of potentially noisy socialising within the site.

#### *General activity*

General comings and goings are unlikely to generate significant disturbance. The pedestrian access gate to the site from Eastfield Road will be fob-controlled, and separate to the vehicle entrance. Residents would enter the building via one of several fob-controlled entrance doors, each serving a section of the building.

Students may well choose to sit out in good weather, and there may be some noise from this. However any residents, and any other manner of residential use on this site, might occasionally generate this manner of noise. The design of the buildings, with an enclosed courtyard, provides a dedicated space for sitting out adjacent to the common room and careful landscaping would ensure that there were no large areas for residents to congregate. It is not reasonable for neighbours to expect a completely silent development of this site.

The applicant has provided a detailed management document. Although it would not be appropriate to treat this document as a formal part of any planning approval, it does indicate that management has been considered, and states that persistent nuisance could ultimately lead to termination of a tenancy. CCTV and fob access will help to deter nuisance behaviour and deal with culprits.

Overall, it is not considered that noise from the proposed use is likely to be significantly greater than that generated by any other residential development.

#### **Parking, Highways and Access**

The applicant has provided a Transport Statement and a Travel Plan.

The Local Highway Authority (LHA) has assessed the information provided and, although the figures in the Transport Statement for vehicle movements associated with office use are considered to be overstated, the LHA agrees that the student accommodation would result in a slight reduction in traffic to and from the site. The 2009 consent for B1/D1 use required 32 parking spaces, which is above the number proposed under the current application.

UCP has explained, in relation to vehicle use at Taverner's Hall, that there are 11 parking spaces of which 4 were used during the recent academic year. There are 54 bedrooms at Taverner's Hall; applying the same ratios to the current proposal would lead to a requirement for 16 parking spaces, with 6 of them being used.

Fourteen parking spaces are provided as part of this proposal of which three would be designed to accessible standards. The site is very close to the main UCP site, and is within walking distance of the city centre. There is a small convenience store at the petrol station about 350m away, a local

centre on Oxney Road about 900m away, and a supermarket on Oxney Road about 1300m (20 minutes walk) away. There is a regular bus service along Eastfield Road which connects to the City Centre and Queensgate (the No 5, between Stanground/Yaxley and Dogsthorpe/Parnwell). The site is therefore well-connected for future residents, and there would be no need for any able-bodied resident to have a car.

The applicant has suggested that the 14 spaces are provided on commencement of occupation, and that provision is made within the site layout for a further 9 spaces to be provided at a later date if required. Residents requiring a parking space would have to register their vehicle and would be provided with a fob access for the vehicle gates. The LHA considers that this, along with a restriction on occupation to ensure UCP student use rather than general occupation, will be adequate.

The applicant has shown ample cycle parking, at one space per bedroom. Details of the shelters have not been provided but this could be agreed by condition.

The access driveway is 5m wide. Because there will be a separate footpath access for pedestrians and cyclists, this is considered to be acceptable. The vehicle gates are set back from the edge of the footway, so vehicles can pull clear while the gates are opening, and visibility is adequate.

If this proposal was to be approved, conditions would be recommended to secure a Travel Plan, and to formalise review of parking arrangements.

### **Design**

The initial submission was considered to be unacceptable, and the applicant was invited to revise the design (notwithstanding concerns re the loss of the existing building). The revisions show a street elevation with two gables, and fenestration which emphasises the similarity of the front to a pair of houses. The front block would be slightly wider than the existing house, and would come further forward on the site. Oblique views of the sides of the building would include the angled windows, which are considered to have been well incorporated into the design.

The roof would be gabled, with a fairly shallow pitch, which would help to reduce the mass of roof. This would otherwise be considerable due to the depth of the building. Materials are proposed as brick and render, but would be agreed in detail by condition. Details such as the deep bargeboards would help to emphasise the modern interpretation of an older style.

The building would have a contemporary appearance because of the angled windows and materials, but in terms of form and massing the front part would fit in with the streetscene. From the street, the impression will be of a building of domestic scale, with most passers by unlikely to notice the mass of building behind. There is already a variety of building styles in the vicinity, including 19<sup>th</sup> and 20<sup>th</sup> century houses mostly of brick, older listed buildings of stone, and a block of flats, and introducing another variation will add to the character of the area. Residents have commented that the building is out of keeping with the existing street, but it is considered that the revised scheme respects the streetscene without becoming a pastiche.

Of itself, the design is considered to be suitable and acceptable. However, this has to be balanced against the presumption in favour of retaining the locally listed building. This is examined further below.

### **Character of the Area**

The area is generally residential, with a pub, a petrol filling station, a car sales site, the College/UCP site and some small shops between the houses in the immediate locality. Eastfield Road is a main road through the city, but because of the Parkway, which runs parallel to Eastfield Road and will take through traffic, traffic is most noticeable during peak hours.

The houses on this part of Eastfield Road are mostly from the 20<sup>th</sup> century, with some older

buildings. The houses to each side of the application site, between Broadway and College Park, are fairly consistent in size and style, with a building line which is set back from the road by 9–16 m. The proposed accommodation block would almost respect this building line – it would be about 2m in front of a direct line between the two neighbouring dwellings, but given the set back of 10-11m, and the landscaping to the front and the screening trees, it is not considered that this would be particularly noticeable. It would clearly be considerably closer to the street than the existing building, but this of itself is not a reason to resist development.

The predominant character is residential, and of course student accommodation is also residential. The design of the proposed buildings would fit with the streetscene in terms of massing and form, although with a more contemporary style, as is appropriate for a building designed several decades after its neighbours. The bulk of the building would be further back, and as views from the street would be foreshortened, it would not appear over-large.

Several objectors have mentioned over-development of the site. Given the nature of the proposed development and the way it would be accommodated on the site it is not considered that over-development would occur. Separation distances to neighbours would be adequate and the existing trees to the front of the site would be retained. The character of the area is made up of all surrounding development, and the overall impact of this development would be very localised. Longer views along the street would be substantially unchanged, and the area would still have the appearance and character of a spacious, green, urban street.

Some objectors have mentioned the nearby Conservation Area (CA). These comments refer to the Park Conservation Area, which begins at the corner of Eastfield Road and Broadway. There are few viewpoints from which it would be possible to see both any part of the CA and the application site, and the proposed development would have no material impact on the character of the CA.

Litter has been mentioned by objectors. Students living at this site would be no more likely to contribute to this than if they lived anywhere else – possibly less likely, as they would not need to eat on the street if they were so close to their home.

In summary, it is considered that the changes to the character of the area would be localised, part of the normal evolution of the area, and therefore acceptable.

### **Wildlife and Landscaping**

There are protected trees at the front of the site. The scheme initially submitted proposed the removal of three of these; the revised scheme allows for retention and protection of all the protected trees. Very little detail has been provided; conditions would be required to secure a Tree Protection Plan and an Arboricultural Method Statement.

Objectors have commented about wildlife on the site, and some have referred to a wildlife garden. Surveys have shown that there is little evidence of protected species. Suitable demolition and construction methods could be conditioned, to prevent unacceptable harm to protected species.

Conditions would be recommended in the event of an approval, to secure appropriate landscaping and small areas of habitat (such as bird boxes). Establishment of a wildlife area (or retention of the existing planted area) at the front of the site would have the added benefit of discouraging residents from sitting out there.

### **Loss of the existing building**

When this application was submitted, the existing house on the site was not protected. It was not until demolition was proposed that an assessment was carried out, and it has now been determined that the house (the original parts, not the 20<sup>th</sup> century accretions) is worthy of inclusion on the Local List. An immediate Article 4 direction has been served to withdraw Permitted Development rights for demolition.

Policy now requires that the house is regarded as a heritage asset. This does not mean that it must be retained at any cost, but means that significant weight must be given to its heritage value when assessing any proposal affecting it. The house is a “non-designated heritage asset” which means that it has no statutory protection, but there is a presumption in favour of retention. Developers would be expected to retain the building, unless they can demonstrate that development of the site would not then be viable, and that the benefits of development outweigh the heritage value of the house.

As things stand, the applicant has provided a viability assessment to set out the financial case; further information has been requested. Some justification in terms of the need for student accommodation has been provided, but the evidence is not considered to be strong. The applicant has been invited to provide any additional information that is available. Conclusions on these matters will be included in the Update Report.

### **Sustainability**

The applicant has not proposed any site-specific sustainability measures. If the application was to be approved, it would be appropriate to impose a condition requiring either measures to be agreed, or for the development to attain a 10% improvement on the Building Regulations Target Emissions Rate.

### **Section 106**

A contribution would be required under the Planning Obligations Implementation Scheme. Currently no agreement is in place, but the applicant has accepted the principle of a contribution. Some negotiation may be required depending on the outcome of the viability assessment; this will be set out in the Update Report.

### **Archaeology**

The site is not in an area of particular interest, so no investigation is required.

### **Services**

Objectors have commented on flooding, but the site is not in a flood risk area. A suitable drainage scheme would be required by condition. Provision of electricity would be a matter for the utility companies.

### **The following comments have also been received from objectors, and are responded to here:**

Similar buildings have been sold off recently so why does this merit special protection

*Officer response: No details of other sites have been given so a detailed response cannot be provided. This building has been assessed against the criteria for inclusion on the List of Buildings of Local Interest. The Assessment report is available to members of the public.*

Plans incorrect – site location plan shows a second access [on the street frontage] that is not there

*Officer response: There was an access in the indicated location, and there is a path still visible inside the site.*

Discrepancies in Design and Access Statement

*Officer response: This will not affect assessment of the application*

No floor levels given so cannot assess relative height of building

*Officer response: site sections have been provided which show the neighbouring dwellings and the proposed buildings*

City Council has refused applications in the area on the grounds of incongruous development that is not in keeping, and buildings create unacceptable perception of overlooking and overbearing impact on neighbouring properties

*Officer response: this appears to refer to a refusal of planning consent for flats at 220 Broadway 8 years ago. That was a different proposal on a different site under a different policy regime, so*



cannot be used as a direct comparison. Mention has also been made of a refusal of an extension at 273 Eastfield Road in 2009. That application was also materially different to the current proposal.

Development could set an unwelcome precedent for further unsustainable student developments  
*Officer response: student accommodation is not likely to be needed at a level that would lead to significant further development*

Development would diminish Peterborough's claim to be an Environment Capital  
*Officer response: there is no evidence to support this claim*

Lack of communication/consultation from the developer and City Council  
*Officer response: in regard of the developer, this is not a planning matter. The consultations from the Local Planning Authority (LPA) have been in accordance with normal protocols; additional time has been allowed for responses.*

Noise and disturbance during construction  
*Officer response: this would be addressed through the construction management process*

Section 106 contributions should not be a factor in granting permission  
*Officer response: there is adopted Policy relating to Section 106 contributions, which will be taken into account as appropriate*

Demolition should not be allowed in advance of planning permission being granted  
*Officer response: this would have been quite legitimate before the Article 4 direction was imposed.*

Inadequate local facilities for students  
*Officer response: there are adequate facilities for students, or any other residents, within the area and the city centre is within easy reach*

Main entrance should be at the opposite end directly onto the campus  
*Officer response: there is a path from the north-west corner of the site into College Park, and thence into the campus. This path does not appear to be in current use, and almost certainly connected High Trees with the College site before College Park was built, at a time when High Trees was used by the College. Access for students along Eastfield Road is considered to be acceptable.*

Cannot tell whether SLF Associates or Mr Kidner have a track record of undertaking and completing such projects  
*Officer response: this is not a planning matter.*

Concerned that they might start and not be able to complete it  
*Officer response: this is not a planning matter*

Hedge on [2 College Park] boundary is incorrectly shown  
*Officer response: the hedge is not a determining factor in assessment of the application.*

## **6 Conclusions**

Use of the site for residential accommodation (including students) is acceptable in principle. The design of the site and buildings are of an appropriate appearance and will not be detrimental to Listed Buildings nearby. The design will not result in an overbearing relationship with surrounding existing development and fenestration has been arranged to avoid overlooking.

The development will not result in unacceptable levels of noise and disturbance (including from any lighting scheme) to adjacent occupiers (subject to awaited comments from the PCC pollution team).

Protected trees on the site would remain, and development would be carried out without any harm being caused to them.

Safe access to the site can be provided and the car and cycle parking provision are satisfactory, based on experience at other student halls, and taking into account the location of the site.

Notwithstanding the above, the applicant has failed to demonstrate that the site cannot be acceptably developed without demolishing the existing house on the site, or that the need for student accommodation is so pressing as to outweigh the presumption in favour of retention.

## **7 Recommendation**

That planning permission is **refused** for the following reason:

The existing house on the site has been assessed against the Local List criteria, and is considered to be worthy of inclusion on the list of Buildings of Local Interest. As a non-designated Heritage Asset, the building is subject to consideration against paragraph 135 of the National Planning Policy Framework. The Local Planning Authority is required to give weight to the harm caused to the heritage asset by the development. The proposed demolition would remove the heritage asset entirely. Demolition of a heritage asset can only be justified if the public benefits of the proposed development outweigh the loss of the heritage asset, and the design of the proposed development is of equal quality. In this case, the developer has failed to demonstrate that there is a pressing need for this level of student accommodation. Although the University Centre and the Regional College have expressed support, no further evidence such as a business plan or growth strategy has been provided. The proposal is therefore contrary to Policy CS17 of the adopted Peterborough Core Strategy DPD, Policy PP17 of the adopted Peterborough Planning Policies DPD, and the relevant provisions of the National Planning Policy Framework, in particular paragraph 135.

Copied to: P M Kreling, J Shearman, J P Pearch