

Application Ref: 13/01343/FUL

Proposal: Construction of two-bed dwelling

Site: 78 Crowland Road, Eye, Peterborough, PE6 7TR

Applicant: Mr S Deegan

Agent: N/A

Referred by: Director of Growth and Regeneration

Reason: Conflicting planning advice given in respect of application

Site visit: 02.10.2013

Case officer: Mrs J MacLennan

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Recommendation: REFUSE

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

The application site is located on the eastern side of Crowland Road and is part of the side garden to number 78 which is owned by the applicant. The site is approximately 7m in width and extends rearwards for approximately 19m where the width increases to 13m and extends a further 28m to the rear. The site is enclosed by 1.8m fencing to the north and south and there are mature trees further to the rear of the site. The character of Crowland Road comprises ribbon development with development fronting the road. Within the immediate vicinity the properties to the west of Crowland Road are predominantly two storey semi detached dwellings and on the east side there is a more varied character. Directly to the north is a chalet bungalow which is set back from the road by 12m. Directly to the south is a pair of modest sized semi detached dwellings fronting the road.

Proposal

The application seeks permission for the erection of a two storey detached two bedroom dwelling. The property would be positioned in line with the neighbouring property to the north (no. 80) and set back from the highway by 12m. The dwelling would be 5m in width and the two storey element would be 8.4m in length. To the rear would be a single storey element which would be 6.8m in width and 6m in length. Parking would be provided to the front of the proposed property for two vehicles and one parking space would be provided for the existing property at no. 78.

2 Planning History

Reference	Proposal	Decision	Date
12/01807/FUL	Construction of 3 bedroom detached dwelling on land adj 78 Crowland Road	Application Withdrawn	16/05/2013

3 Planning Policy

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

Peterborough Core Strategy DPD (2011)

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS13 - Development Contributions to Infrastructure Provision

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

CS17 - The Historic Environment

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

PP17 - Heritage Assets

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

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Archaeological Officer - No objections to the proposed development provided that a programme of archaeological fieldwork is secured by condition. **Building Control Surveyor** - Building regulations approval required.

Transport & Engineering Services - No highway objections subject to conditions regarding parking provision and visibility splays.

S106 Planning Obligations Officer - A POIS contribution of £4,000 is sought plus a 2% monitoring fee.

Eye Parish Council – Eye Parish Council wish for any S106 monies from this development to be spent on improving the traffic calming on Crowland Road.

North Level Drainage Board – No objection

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No neighbouring letters were received.

5 Assessment of the planning issues

a) Background

The application is a resubmission of a previous application for a detached dwelling (ref. 12/01807/FUL) The applicant was advised by the case officer that the dwelling then proposed could not be supported due to its scale, design and lack of parking. The applicant was advised that the design should be more akin to the host dwelling at number 78. The applicant was advised that he could either withdraw the scheme and consider a redesign or the application would be refused and the applicant would have the right to appeal.

Following the withdrawal of the initial scheme the applicant had submitted informally, a redesign which was commented on by the case officer having discussed the proposal with her Team Leader. The application was resubmitted and was generally in accordance with the advice provided by the case officer to the applicant.

The application was considered at the internal 'Planning Surgery' which is attended by the Group Manager. The decision of the panel was that the dwelling would have an adverse impact upon the amenity of the occupiers of the property at no. 78 and the recommendation was to refuse. This was contrary to the advice given to the applicant by the case officer.

b) Design

The site is part of the side garden to no. 78 and having looked at aerial photographs there was formerly a building located on the site; possibly a garage which has now been demolished. As such the appearance of the site gives an impression that the site is of sufficient size to accommodate a dwelling. However, the site is of limited width – 7m which is a constraint as to the spacing which would be available either side of the dwelling and to avoid the dwelling appearing visually cramped in the street scene. The character and appearance of the dwelling is similar to the neighbouring semi's at 76/78 Crowland Road and it is considered that the dwelling can be occupied within the site without detriment to the street scene. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP2 of the Adopted Peterborough Planning Policies DPD. However, the position of the dwelling and its height and design does impact on the outlook from the rear of number 78 (see para. c) below).

c) Neighbouring Amenity

Due to the limited width of the site the dwelling would have a fairly significant depth – 8m at two storey height (8.8m) and a further 6m at single storey. As the dwelling would be positioned 3m from the neighbouring property at number 78 the main bulk and mass of the dwelling would result in the loss of outlook and an overbearing impact on the occupiers of this property. The proposal is therefore contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

d) Highway implications

The submitted plans indicate the provision of 2 parking spaces serving the new dwelling and 1 space would serve the host dwelling at no. 78. The Local Highways Authority have not raised objection to the proposal as the layout would enable 4 parking spaces to be provided; 2 tandem spaces for each dwelling which would accord with the parking standards within the Peterborough Planning Policies DPD. A condition would be appended to ensure adequate parking provision would be available within the site. The proposal therefore would accord with policy PP13 of the Adopted Peterborough Planning Policies DPD.

e) Residential Amenity

It is considered that the layout would provide a satisfactory level of accommodation for the future occupiers of the proposed dwelling. The dwelling would provide adequate levels of natural light and there is a large enclosed rear garden. On plot parking is also provided. The proposal therefore would accord with policy PP4 of the Adopted Peterborough Planning Policies DPD.

f) Archaeology

The Archaeological Officer has advised that while the site contains no archaeological remains, there have been archaeological finds 200m to the south where an Anglo-Saxon inhumation cemetery was discovered at the beginning of the 20th century. Roman artefacts have been recovered in the general area. Therefore the site has the potential to contain prehistoric, Roman and Early Medieval remains. The existence of later remains should not be discounted. The Archaeological Officer raises no objections to the proposal subject to a condition requiring a programme of archaeological works.

g) S106

The application would give rise to an additional burden on the services of the City Council and in accordance with the Planning Obligation Implementation Scheme (POIS) and policy CS13 of the Adopted Peterborough Core Strategy DPD a contribution of £4,000 would be sought. The S106 agreement has not been progressed due to the application being recommended for refusal.

6 Conclusions

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

7 Recommendation

The Director for Growth and Regeneration recommends that planning permission is **REFUSED**

- R 1 The proposed dwelling by virtue of its positioning, height and length, close to the shared boundary, would have an overbearing impact on the occupiers of number 78 Crowland Road. The outlook for the occupiers of this dwelling would be the bulk and mass of the two storey dwelling extending 8m rearwards and two storey in height which would be harmful. The proposal is therefore contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

Copies to Cllrs D Harrington, D McKean, D Sanders

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