

**Application Ref:** 13/01604/FUL

**Proposal:** Demolition of public house and erection 12 two bedroom and 5 one bedroom apartments

**Site:** Heron Public House, Southfields Drive, Stanground, Peterborough  
**Applicant:** Mr Woods of Baxter & King Limited

**Agent:** Mr Sharman of Sharman Architecture

**Referred by:** Councillor Brian Rush  
**Reason:** The application is over development and too big for the site. It will dominate the area and the street scene and will be out of character with the area.

**Site visit:** 27 November 2013

**Case officer:** Mr A Cundy  
**Telephone No.** 01733 453470  
**E-Mail:** andrew.cundy@peterborough.gov.uk

**Recommendation:** **REFUSE**

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

**Site and Surroundings**

The Heron pub is on a prominent corner site at the junction of Southfields Drive and Lawson Avenue. The site forms a rectangular shape, is flat and covers an area of 1792 m<sup>2</sup>. The pub is set back from the highway, with parking set between the footway and the building. The site is separated from the footway by a low post and chain fence.

To the north and east of the site are single storey elderly person bungalows. There is a local centre on the opposite corner including a hairdressers, florist, newsagent and two small supermarkets. Part of the local centre contains a 3 storey element encompassing retail units on the ground floor and two storeys of residential above. However the development will look towards a single storey retail store and associated car parking and service yard. The majority of dwellings within the immediate vicinity are 3 bedroom semi-detached dating from the mid-20<sup>th</sup> century and traditionally built with walls of facing brick and concrete roof tiles.

There is an existing vehicular access to the site from Southfields Drive. There are double yellow lines along this part of Southfields Drive and along part of Lawson Avenue frontage.

The site is surrounded to the north and east with existing close boarded fencing. There are a number of trees within the site all of which are proposed for removal.

**Proposal**

Planning permission is sought for erection of 12 two bedroom and 5 one bedroom apartments with ancillary parking area (22 car parking spaces), two underground bins and communal landscaped amenity areas. The applicant is proposing 5 additional parking spaces within a new on street parking bay on Southfields Drive.

The building is a mix of two, two and half and three storeys with ridge heights varying from 8.95 metres, 9.85 metres and 10.2 metres.

The existing close boarded fencing to the north and east is to be retained with landscape/planting

to be added to. To the east and south of the site the boundary (which currently fronts onto the public roads) will be finished with vertical steel railings. The development will be constructed using traditional materials, including buff facing bricks, white render, orange pantile roofs at high level and plain tile roofs at low level.

The applicant has confirmed that the development will be in accordance with code 3 for sustainable homes.

## **2 Planning History**

Planning application ref: 09/00107/FUL for change of use of garage to hardware store granted 13<sup>th</sup> May 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 4 – Assessment of Transport Implications**

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

#### **Section 6 – Presumption in Favour of Sustainable Development**

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

#### **Section 7 - Good Design**

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

#### **Section 11 - Biodiversity**

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

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

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

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

#### **CS02 – Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in

strategic areas/allocations.

### **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.

### **CS11 – Renewable Energy**

Opportunities to deliver on site or decentralised renewable or low carbon energy systems will be supported on appropriate sites where there are no unacceptable impacts.

### **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.

### **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.

### **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.

#### **PP14 – Open Space Standards**

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

#### **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. would have detrimental impact will be refused unless there are overriding public benefits.

#### **PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

### **4 Consultations/Representations**

**PCC Local Highway Authority** – Object and recommend refusal – The Local Highway Authority (LHA) have concerns that there is a shortfall of 10 parking spaces. The LHA are of the view that any additional vehicles parked on the nearby highway would exacerbate an already unsafe situation still further and increase the likelihood of vehicle to vehicle and vehicle to pedestrian conflict.

**PCC Pollution** – No objection

**PCC Landscape Officer** – No objection subject to landscaping conditions

**PCC Wildlife Officer** – No objection subject to the use of appropriate conditions

**PCC Drainage Team** – No objection – Recommend a condition requiring detail of a scheme for the provision and implementation of surface water drainage

**PCC Archaeological Officer** – No objection – The archaeological officer advises that a programme of archaeological work may be secured by condition.

**PCC Strategic Housing – No objection** - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed. Accordingly I would anticipate 5 affordable homes on this site, subject to viability.

**PCC Waste** – No objection - We are happy with the position of the underground bins, the size of the bins need to be 1 X 5 cubic metre general waste & 1 X 5 cubic metre recycling.

**Police Architectural Liaison Officer** – No objection. The Police Architectural Liaison Officer (PALO) does however have concerns in relation to the under provision of allocated parking places within the development site and that parking should be provided within a safe parking court or in curtilage (within defensible space) of homes. Should permission be granted would recommend suitably worded conditions covering the style and height of boundary treatments, the design of the secure cycle store and detailed lighting provision for the rear parking court.

**Environment Agency** – No response

**CIlr Rush** – Objects for the following reasons:

- Policy PP2 – the proposal would have a detrimental effect on the character of the immediate adjoining properties and the surrounding area

- Policy PP3 – the proposal would result in a loss of privacy, loss of light to and overshadowing of nearby properties. The proposal would also have an overbearing impact on nearby properties
- Policy PP12 – the proposal would have an unacceptable impact on highway safety at the busy crossroads.
- The application is overdevelopment, too big for the site and that the proposal will dominate the area, the street scene and be out of character with the area as the surrounding properties are mainly older people's bungalows
- The nearby schools are already oversubscribed.

### **Local Residents/Interested Parties**

Initial consultations: 21

Total number of responses: 37

Total number of objections: 37

Total number in support: 0

Thirty seven neighbour letters received raising the following issues:

- The proposal would not be in keeping with the character of the area
- The proposed building project is too big
- The development is totally out of character with all existing housing in the immediate vicinity, in height of the buildings and density of occupation.
- The apartments will be an eyesore like the flats developed in Coneygree Road
- There are bungalows surrounding the site, anything above two storeys would not be appropriate and would intrude on the privacy and light to nearby properties
- The impact on all nearby residents due to the obvious increase in noise caused by cars and a massive increase in the number of people will have a detrimental effect on the quality of life for all of the long term residents young and old.
- The parking will be a problem as there does not look like enough spaces for parking for 17 apartments which means there will be parking on the road
- The parking is accessible to all and therefore will be used by people other than residents i.e. those using the local shops
- The car parking area is secluded and therefore give opportunity for crime
- The proposed development is right adjacent to a notorious accident black spot namely the cross roads of Southfields Drive and Lawson Avenue. Any significant increase in the volume and movement of traffic in and out of this development will only exacerbate an already bad situation
- A smaller project of perhaps 10 or 12 properties may be more appropriate - particularly if it were only two storeys and thus would reduce potential problems relating to traffic at the Southfields Avenue/Lawson Road crossroads
- I understand that rubbish will be collected once a week by a crane situated on a lorry and this will cause congestion along Lawson Avenue/Southfields Drive
- I am concerned about the increase in crime from/to the homes and cars and the negative impact that this will have on my home and the quality of my life.
- There are well developed trees on the site which make a significant contribution to the landscape and should not be cut down/back
- The schools in the area are oversubscribed which will make matters worse with increased housing
- Loss of a good architectural designed building of good strong structure
- this is a well loved and very popular local amenity and provides a focal point for socialising and entertainment - the loss of this public house to be replaced by more drab flats would be a travesty!!
- Most of the residences have not been made aware of the application and its potential implications.

Officers have also received a petition with 33 signatories objecting to the application. The signatories are against the proposal to demolish the Heron Public House, for the development of 17 apartments

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

The main considerations are:

- Principle of development
- Layout and impact on character of area
- Access and Parking
- Landscape and Ecology
- Affordable Housing and Life Time Homes
- Residential amenity – future occupiers of the site
- Open Space
- Impact on existing neighbours
- Drainage
- Archaeology
- S106

### **a) Principle of development**

It is considered that the principle of residential development on this site is acceptable. In addition residential development on this brown field site adjacent to an existing residential area is an example of development which is encouraged in the NPPF. In addition it is felt that a residential development of this kind would be compatible with neighbouring land uses, and would not materially affect the amenity of adjoining dwellinghouses.

The loss of the pub has been objected to by several local householders, as they say it is a well loved pub and a very popular local amenity that provides a focal point for socialising and entertainment. While this may be a useful local facility, there are several other pubs nearby, and the proposal would not result in an absolute shortage of facilities in the area.

### **b) Layout and impact on character of area**

Policy CS16 requires new development to respond appropriately towards the particular character of the site and its surroundings whilst not unacceptably impacting upon the amenities of occupiers of any nearby properties. The general character of residential properties in the surrounding area is that of single and two storey high properties that are semi-detached.

Notwithstanding the comments in part a) above the proposed development would occupy an uncharacteristically small plot for this scale of development in comparison to the majority of nearby dwellings and flats. The development as proposed would give the impression of a clumsy, cramped, overdevelopment of the site area. This would be particularly apparent from bulk and mass of the development, from the close proximity of the proposed building to the site boundaries, the way in which its footprint would occupy a high proportion of the available site and the lack of car parking. It is considered that the proposed development would therefore bring about an unsuitable change, out of keeping with the prevailing development pattern.

Further the proposed apartment block would project 8 metres and 6.6 metres forward of the established building line set by nos. 43 Southfields Drive and nos. 1 Lawson Avenue respectively. It is considered that the proposal by reason of its siting and scale would introduce an intrusive element that would destroy the uniformity and be at odds with the prevailing and consistent grain of development. Accordingly the proposal would fail to integrate itself successfully into its surroundings and would be harmful to the character and appearance of the area, contrary to policy CS16 of the Peterborough Core Strategy which stresses that new development should respond appropriately to the particular character of the site and its surroundings and should improve the quality of the public realm and contrary to Government advice in the National Policy Framework 2012 which lays great stress upon the importance of good design specifically paragraph 64 which states that poor design should be refused.

### **c) Access and Parking**

The current adopted parking standards requires this development to provide a minimum of 32 car parking spaces. (5 x 1 bed = 5 number spaces + 1 visitor space / 12 x 2 beds = 24 number spaces + 2 visitor spaces). The developer is proposing 22 car parking spaces and 5 additional spaces within a new parking bay on Southfields Drive. The Local Highways Authority have concerns that there are a shortfall of 10 parking spaces. The applicant has submitted a parking survey with the application to demonstrate that cars could park on street. Due to the Council's accident records for this junction the LHA have discounted the information provided within the parking survey. The LHA advise that any additional vehicles parked on the nearby public highway would exacerbate an already unsafe situation still further and increase the likelihood of vehicle to vehicle and vehicle to pedestrian conflict. The highway engineers advise that the proposal is therefore contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD (2012) and should therefore be refused.

#### **d) Landscape and Ecology**

A tree survey has been submitted with the application. There are no trees on site worthy of protection. The Councils landscape officer raises no objections to the proposal subject to a landscape condition requiring details of new landscaping.

The wildlife officer advises that the existing building due to its relatively modern construction and not being located near to woodland or water does not meet the criteria requiring a bat survey. The wildlife officer raises no objection to the granting of planning permission subject to the use of appropriate bird box and landscaping conditions.

#### **e) Affordable Housing and Lifetime Homes**

The application proposes 30% affordable housing. The proposal therefore affords with policy CS8 of the adopted Core Strategy.

#### **f) Residential amenity – future occupiers of the site**

The applicant states that the internal layout and plan size of the proposal are designed to meet the requirements of the current government housing standards with respect to living accommodation. The applicant adds that the 2 bedroom 3 person apartments are 57-67 sq metres and the 1 bedroom 2 person apartments are 45 – 50 sq. metres. The applicant states that their construction and sustainability will be in accordance with code 3 for sustainable homes.

It is accepted that each dwelling would provide an adequate level of internal amenity for the future occupiers with the development taking advantage of natural sun/daylight provision.

The amenity area of the proposed apartments at approx. 164 sq. metres would not be adequate in terms of size; and siting. Specifically the siting of the amenity area to the rear of 1, 3 and 6 would be quite limited in terms of use and privacy. Whilst not grounds to refuse the application it does add to the sense that this would be a contrived and rather cramped development.

A secure underground bin store and secure cycle store are located along the eastern boundary of the site.

On balance it is considered that future occupiers of the dwellings would be afforded a satisfactory level of amenity in accordance with policy PP4 of the Adopted Planning Policies DPD.

#### **g) Public Open space**

As the development is for only 17 units, it is not practicable to have on site provision of public open space and so the developments Public Open Space needs can be met via a S106 contribution as per the POIS mechanism.

#### **h) Impact on existing neighbours**

The building is a mix of two, two and half and three storeys with ridge heights varying from 8.95 metres, 9.85 metres to a maximum of 10.2 metres. Taking into account the proximity of the block it

is considered that the development would not give rise to overshadowing or an overbearing impact in relation to the surrounding existing development. Taking into account the separation distance between and juxtaposition of neighbouring properties it is considered that the relationship with the existing development is acceptable. The proposal would not, therefore, result in any adverse impact on the amenity of the occupiers of existing neighbouring properties, specifically the single storey elderly person bungalows to the north and east of the site. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD 2012.

**i) Drainage**

The Council drainage engineers raise no objection to the proposed development subject to a condition requiring detail of a scheme for the provision and implementation of surface water drainage.

**j) Archaeology**

The proposed development site is located in an area of former arable land which was intensively developed during the 1960s and 1970s. The Council Archaeology officers advise that there are no known scheduled or unscheduled heritage assets within or immediately adjacent to the site, although evidence for Roman activity is known within a 500m radius through antiquarian observations, chance discovery of artefacts and recent excavations carried out to the north of the site. Further the officer adds that remains dating from the Bronze Age have been recorded during excavations in advance of the construction of Stanground bypass at less than 1km to the south. The Archaeology officer notes that the proposed development entails the demolition of the current public house, the footings of which occupy one quarter of the site and concludes that some degree of truncation of potential buried remains is therefore expected. It is recommended that a programme of archaeological work including exploratory trenches should, if permission be granted, be secured by condition

**k) S106**

The Council's Planning Obligation and Implementation Scheme (POIS) SPD (2010) seeks a contribution of £55,000 and a £1,100 monitoring fee. Therefore, subject to the signing of a Section 106 Legal Agreement the proposal would accord with Policy CS13 of the Peterborough Core Strategy DPD (2011). Notwithstanding the S106 has not yet been completed and in case this goes to appeal it needs to be added as a reason to refuse.

**l) Other matters**

In the interests of new development contributing towards the Council's aspiration to become Environment Capital of the UK, should permission be granted, a condition shall be attached with respect to ensuring the development be constructed so that it achieves a Target Emission Ratio of at least 10% better than building regulations at the time of building regulation approval being sought; it will therefore accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

**6 Conclusions**

Taking all matters into consideration officers conclude that the proposal would harm the character and appearance of the area contrary to Core Strategy Policy CS16 and would increase the likelihood of vehicle to vehicle and vehicle to pedestrian conflict contrary to Core Strategy Policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD (2012)

**7 Recommendation**

The Director of Growth and Regeneration recommends that planning permission is **REFUSED** for the following reasons:-:

1 - The proposal for 12 two bedroom and 5 one bedroom apartments would occupy an uncharacteristically small plot for this scale of development in comparison to the majority of the nearby built form. The proposal would give the impression of a clumsy, cramped, overdevelopment



of the site area. This would be particularly apparent from bulk and mass of the development, from the close proximity of the proposed building to the site boundaries, the way in which its footprint would occupy a high proportion of the available site and the lack of car parking. It is considered that the proposed development would therefore bring about an unsuitable change, out of keeping with the prevailing development pattern. The proposal is therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011).

2 - The proposed apartment block would project 8 metres and 6.6 metres forward of the established building line set by nos. 43 Southfields Drive and nos. 1 Lawson Avenue respectively. The proposal by reason of its siting and scale would introduce an intrusive element that would destroy the uniformity and be at odds with the prevailing and consistent grain of development. Accordingly the proposal would fail to integrate itself successfully into its surroundings and would be harmful to the character and appearance of the area, contrary to policy CS16 of the Peterborough Core Strategy which stresses that new development should respond appropriately to the particular character of the site and its surroundings and should improve the quality of the public realm and contrary to Government advice in the National Policy Framework 2012 which lays great stress upon the importance of good design specifically paragraph 64 which states that poor design should be refused.

3 – There is insufficient space within the curtilage to provide parking facilities for the residential development proposed. This will result in vehicles parking on the highway nearby which would be detrimental to highway safety. This is contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 and PP13 of the adopted Peterborough Planning Policies DPD (2012).

4 - The application proposal fails to make provision for additional infrastructure and community facilities which are necessary as a direct consequence of development and is therefore contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and the Planning Obligations Implementation Scheme SPD (2010).

Copies to Councillors B Rush, I Walsh, M Cereste

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