

Application Ref:	14/01403/FUL
Proposal:	The erection of 2 bed dwelling and associated parking (part retrospective)
Site:	Land to the side of no.30 Vergette Street and land to the rear of 26 to 30 Vergette Street
Applicant:	Mr N Sherwood
Agent:	Mr John Dickie
Referred by:	Cllr John Peach
Reason:	The lack of parking, overcrowding, over intensive use of land/housing and impact upon the street scene.
Site visit:	18.8.2014
Case officer:	Mr M Roberts
Telephone No.	01733 454410
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Recommendation:	GRANT subject to relevant conditions

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

The Site and Surrounding Area

The immediate area is dominated by terraced dwelling houses with only a limited number of them having on plot parking. These dwellings have their front elevations on the rear edges of the pavements. The dwellings are nearly all of the same scale and many have kept original features for example stone cills and lintel and the original off yellow brickwork to the front elevations.

The land to the rear of nos 26 – 30 Vergette Street is predominantly gravelled over. This area would have been the rear garden of no.30 Vergette Street. Only up until quite recently there were 2/3 substantially sized trees in the rear garden. These were taken down and the land is at present used as a car park for the occupiers of nos.24 and 24A, 26, 26A and no.30 Vergette Street and no.55A Bedford Street. Nos 24 to 26A comprise of 4 flats.

Other than the aforementioned properties the car park shares a boundary with the rear/flank curtilages of no.32 Vergette Street and no.55 Bedford Street. The rear shared boundary with no.32 Vergette Street comprises fencing to a height of 1.3m to 1.4m beyond which the garden area of no.32 is in a somewhat unkempt garden. The shared boundary with no.55 Bedford Street comprises a 1.8m sturdy vertically boarded fence beyond which is a maintained rear garden.

Prior to the removal of the trees there was a length of hard surfacing between nos.24/24A Vergette Street and 55A Bedford Street that accommodated 3 cars.

The dwelling at no.55 Bedford Street has only a very small amenity space to the side of its south elevation defined by a close boarded fencing to a height of 1.8m. This property was formally a slaughter house.

No.30 Vergette Street is a two storey end of terrace dwelling. It comprises of a yellow stock brick that is common in many areas of the city, including the immediate area and has a tiled roof. It has three lengths of red brick banding across its front elevation with feature stone cills and lintels. To the east side of the dwelling, still within its curtilage, was a garage and driveway. However it has been demolished and the area has been screened with 1.8m high close boarded fencing along the back edge of the pavement The site is becoming overgrown with weeds.

The application site has a width of 5.2m and the overall width of the curtilage of no.30 is 10.6m The gable end of no.26 Vergette Street does not have any windows.

Proposal

There are two aspects to the proposed development. These are:-

- The erection of a single dwelling house
- The retention of the parking area to the rear of nos.26-30 Vergette Street and no.55a Bedford Street.

The proposed two storey dwelling

The dwelling is to comprise of a lounge, kitchen and toilet on the ground floor with two bedrooms and a bathroom on the first floor. The front elevation of the dwelling would abut up against the back edge of the pavement for the most part with a slightly recessed area to the front door. The dwelling has been designed to reflect the vernacular detail of many of the residential properties within Vergette Street. For example the ridge height of the dwelling, the angle of the roof slopes, the materials, a banding feature in red brick across the front elevation with matching cills and lintels.

The rear parking areas

The proposal is seeking to retain a parking area to the rear of nos.26-30 Vergette Street and 55A Bedford Street. The parking court area is rectangular in shape with a depth of 16m and a width of 10.7m. It can accommodate up to 9 cars, two of which are in a tandem arrangement with enough space within the car park to enable vehicles to be able to park clear of the highway and to enter and exit it in a forward gear. The car park is wholly of gravel construction and were the proposal to be approved the surface of the car park is to comprise of block paving. The access to the car park is directly off Bedford Street between nos. 24/24a/26/26a Vergette Street and 55A Bedford Street. The access will have a width of 5.0m for the first 10m of its length from Bedford Street.

As a result of the size of the car park the rear garden to no.30.Vergette Street has been reduced in the size. From the reference to older drawings and aerial images the garden of no.30 had a depth of 18m to 24m. The garden area of the dwelling that is to be retained is to have depths between 2.0m at its shortage and 7.6m at its maximum with an overall area of approximately 20sq.m. The proposed rear area for the new dwelling would have a maximum depth of 7.6m and a depth of 3.4m at its shortage with an overall area of approximately 27sq.m.

Areas have been shown for the location of refuse bins and for cycle parking both for the proposed dwelling and also the existing adjoining dwellings.

2 Planning History

Reference	Proposal	Decision	Date
14/00129/FUL	The construction of 2 flats to the side of	REFUSED	31.3.2014

3 Planning Policy

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

The Peterborough Core Strategy DPD (2011)

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.

The Peterborough Planning Policies DPD

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 would which result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

PP03 – 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.

PP10 – 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.

PP11 – Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport in accordance with the standard set in Appendix A is made.

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

Archaeology

There are no known heritage assets within the proposed development site and surrounding area (200m radius). Given the absence of archaeological evidence together with the small scale of the proposed development, there is no need to secure a programme of archaeological investigations by condition (no condition).

Highways Officer

The access width is to be 5.5m for the first 10m of the vehicular entrance into the site, then 5m in width thereafter to enable two vehicles to pass and to provide pedestrian access. Vehicle to pedestrian splays of 2m by 2m are required on both sides of the access, measured from and along the back edge of the pavement with no obstruction over 600mm above ground level. Vehicle to vehicle visibility splays measuring 2.4m by 43m are required (unless a speed survey is submitted to demonstrate that these requirements can be reduced). No obstruction above 600mm above ground level shall occur within the splay. The splay to the south west of the access would be required to stretch to the junction of Bedford Street and Vergette Street.

Turning Area – A turning area/manoeuvring aisle measuring 6m shall be required between the car parking spaces to enable vehicles to reverse, turn and leave safely in a forward gear. To achieve this the width of the car park needs to at least 16m.

Environmental Health – No comments.

Planning Obligations Team – The dwelling would generate an infrastructure payment under the Planning Obligation Implementation Strategy.

Stewart Jackson MP

I am in receipt of a number of representations from constituents in Bedford Street and Vergette Street.

I write to **OPPOSE** the above application again.

I believe if agreed that it would represent an over intensive use in an established residential area; would impact on the residential amenity of local residents, is an incursion of an HMO in a densely populated area; would cause unnecessary disruption in terms of car parking/traffic, noise and anti-social behaviour.

This is an example of a poor quality, urban infill proposal which lacks aesthetic value and is based on speculative greed, irrespective of the impact of existing householders.

For these reasons, I suggest that the application should be sent to the planning and environment protection committee and subsequently **REJECTED** by City Councillors.

Local Residents

Initial consultations: 25

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Two objections have been received, one of which from a local resident and the other from a

resident outside the immediate area, on the following grounds:-

- The area is already over populated for the size of the street
- The area is already saturated with such development that are to the detriment of the character of the area which is becoming in decline and crowding
- There are too many Houses in Multiple Occupation in this area and the general state of them is poor.
- More parking congestion is likely
- The applicant has other properties in the area that tend to be for bed-sit accommodation but not the whole property for a family. This tends to result in at least 2 vehicles per dwelling
- The land next to no.30 Vergette was deemed by the applicant to be waste land. However up until this year it had a perfectly good garage for the vehicles of the dwelling
- There does not seem that much attention has been given to the amenities of the neighbouring residents during the construction period should planning be granted.
- On a positive note the design of the proposed dwelling would be in keeping with the houses in the area

5 Assessment of the planning issues

The main considerations:-

- **The principle of the proposed dwelling**
- **The impact of the development upon the character and appearance of the immediate locality**
- **Highway safety implications**
- **The impact of the proposals upon the amenities of the occupiers of the adjacent dwellings**

The principle of the development

The application site is located within an area of the city that is dominated by residential development as such the principle of the proposed new dwelling is considered to be acceptable. Parking areas in backland locations are not common within the immediate area. Therefore there are no comparisons with which to elsewhere compare the proposed car park.

The impact of the development upon the character and appearance of the immediate locality

The dwelling

As previously stated the design and scale of the proposed dwelling has fully taken into account the local vernacular. Its location between two dwellings would provide for a positive addition to the streetscene and it would fill in a gap within the row of dwellings. At present this gap upsets the rhythm of the street scene. It is therefore considered that the dwelling would not harm the character and appearance of the immediate area.

The car park

Whilst there is no comparison between what was previously on the site and the car park there now its retention has to be determined based on its merits.

The car park area, due to its size, location, and surface materials does stand out from within the street scene but only from a brief glimpse as one would walk along Bedford Street. However it is to be resurfaced with grey coloured permeable blocks which would soften the visual impact of the car park surface compared with that of the gravel. The car park is completely screened from Vergette Street and most of the length of Bedford Street.

Therefore it is not considered to have a significant adverse impact upon the character and appearance of the area.

Highway safety implications

On road parking is in short supply in the immediate area resulting in congestion which leads residents having to find a parking space in other nearby streets. The car park will provide space for the occupiers of 7 residential properties which will result in less pressure for on road parking. This is a material consideration that carries weight. The parking provision satisfies the standards of the Peterborough Planning Policies DPD.

The car park has been designed to enable 9 cars to enter the site, park and leave in a forward gear. The entrance road is to have a width of 5m for the first 10m into the site. The Local Highways Authority require a width of 5.5m to provide a shared surface for the residents to walk to and from their vehicles and at the same time in a safer manner. To address the slight shortfall in the width of the access the proposal includes a pathway that will reduce the length the access road that the residents of the four flats at numbers 24 - 26A Vergette Street would have to walk along both to and from their vehicles.

The pedestrian to vehicle visibility splays can be achieved. However the vehicle to vehicle visibility splay to the north cannot satisfy the required distances of the Local Highways Authority. The splay to the north has a maximum length of 13m which is substandard but the visibility splay to the south is acceptable. The required visibility splays are 2.4m by 43m. Within the older parts of towns there can be vehicular accesses that do not satisfy the access requirements of the current standards. Whilst there is as a shortfall in the visibility splays this can make drivers pay a greater attention to passing traffic and move at slower speeds both on entering and leaving the car park. Further the new access and parking area significantly improve the previous situation where just 3 vehicles could be accommodated along the site frontage to Bedford Street and they would either had to reverse onto the public highway or reverse into the spaces. Either of these options was detrimental to highway safety. The proposed car park arrangement will enable vehicles to park clear of the public highway, to enter and leave the car park in a forward gear.

Therefore whilst the visibility splays do not meet the current standard it is considered that this proposal is an improvement to what was there previously.

The impact of the proposal upon the amenities of the occupiers of the adjacent dwellings

The proposed dwelling would have little impact upon the amenities of the two properties on either side. The rear elevation of the proposed dwelling is to align to the rear elevations of the dwellings on either side.

The use of block work for the surfacing of the car park will be considerably less noisy than that of the gravel which is there at present. The shared boundary of no.32 Vergette Street offers little screening of the car park at present. A new boundary fence is proposed to a height of 1.8m. This will provide no.32 with a significant increase in privacy as well as screening it from the car park. There have been no objections from the householder. The shared boundary of the car park with no.55 Bedford Street is a sturdy fence that screens the car park from views within the rear garden of the dwelling.

No.55a has a restricted side garden area and vehicles entering and leaving the car park will have to pass close to its boundary. However the expected slow movement of the cars and the proposed surfacing will keep noise to an acceptable level. No objections have been raised to the development from the occupiers.

Other matters

- The gardens of nos.24, the new dwelling, 26 and no.30 are to be provided with a bicycle stand each to encourage a sustainable mode of transport
- A benefit of the proposal is that it would enable the occupiers of the flats is to have a designated bin store area that will be accessible both to the residents and the collectors of the waste. The bin store area is to be enclosed by close boarded fencing to a height that will screen the bins from view. At present the wheelie bins of the flats provide a cluttered appearance.

Stewart Jackson MP has submitted an objection to the proposal. It is considered the matters raised have been addressed. Specifically the following:-

- The proposed dwelling is not to be used a HMO
- The car park would not have an adverse impact upon the occupiers of the adjacent residential properties due to the low vehicle speeds and the new block work surface.
- The car park will provide off road parking for residents of 7 dwellings
- The proposed dwelling is of a design that is wholly in keeping with the local vernacular.

6 Conclusions

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

- The design of the dwelling has taken into account the local vernacular and would have a positive impact upon the character and appearance of the immediate residential area in accordance with policy PP2 of the Peterborough Planning Policies DPD
- The car park would result in less cars having to park within the public highway to the benefit of the residents of the locality in accordance with policy PP12 of the Peterborough Planning Policies DPD.
- The access to Bedford Street is considered to be acceptable due to the expected low vehicle speeds 2of vehicles exiting the car park and the pedestrian to vehicle splays that can be met in full, in accordance with policy PP12 of the Peterborough Planning Policies DPD. It is also considered to be an improvement on the previous parking arrangement.
- The outdoor amenities to be provided for the occupiers of nos.24 - 26A Vergette Street are an improvement to the very small provisions at present in accordance with policy PP4 of the Peterborough Planning Policies DPD
- The rear garden proposed for the new dwelling and that to be retained for the existing dwelling at no.30 Vergette Street are adequate in accordance with policy PP4 of the Peterborough Planning Policies DPD

7 Recommendation

The Director of Growth and Regeneration recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

- C 2 Notwithstanding the submitted information the surfacing of the car park is be of a permeable Pennant Grey blockwork. The surfacing of the car park shall be fully implemented prior to the occupation of the dwelling hereby approved.**

Reason: In the interest of the appearance of the car park and the amenities of the occupiers of the adjoining residential properties in accordance with policy PP2 of the Peterborough Planning Policies DPD.

- C 3 The external materials for the dwelling hereby approved shall match those as set out on drawing no. JDA/2014/290/PL.010G**

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 4 Notwithstanding the provisions of Schedule 2, Part 2, Class A the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby approved shall be constructed unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to protect the amenity of the occupiers of the dwellings hereby approved in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 5 All fenestration and external doors shall be located at least 50mm behind of the face of the masonry.**

Reason: To ensure a satisfactory external appearance of the dwelling in accordance with policy PP2 of the Peterborough Planning Policies DPD.

- C 6 Prior to the occupation of the dwelling hereby approved all 9 of the car parking spaces shall be clearly numbered in accordance with drawing no. JDA/2014/290/PL.010G. Thereafter the numbering of the car parking spaces shall be retained.**

Reason: To ensure that the car parking spaces are clearly marked out to ensure that the car park is used efficiently at all times in accordance with policies PP12 and PP13 of the Peterborough Planning Policies DPD

- C7 The close boarded fences as set out in drawing no. JDA/2014/290/PL.010G shall have a height of 1.8m other than the fencing to surround the bin store to the rear of no.24 Vergette Street which is to have a height of 1.5m. The fencing shall thereafter be retained. The fences shall be implemented prior to the occupation of the dwelling hereby approved.**

Reason: In the interests of residential amenity in accordance with policy PP3 of the Peterborough Planning Policies DPD.

- C8 Prior the first occupation of the dwelling hereby approved pedestrian visibility splays shall be provided on both sides of the access to Bedford Street shown on the drawing number JDA/2014/290/PL.010G. The splays shall measure 2.0m x 2.0m measured up the side of the access and along the back edge of the highway from where the access joins the public highway. The visibility splays shall thereafter be retained and kept permanently clear of all obstacles above 600mm in height.**

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

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