

**Application Ref:** 14/02024/FUL

**Proposal:** Proposed demolition of farm buildings and construction of 5 dwellings with associated works

**Site:** Land To The East Of Manor Farm, Nene Way, Sutton, Peterborough

**Applicant:** Mr Andrew Sharpley, J.P and M.Sharpley and Son  
**Agent:** Richard Dunnett, Marrons Planning

**Referred by:** **Councillors Lamb and Holdich**  
**Reason:** Departure from the Local Plan, out of keeping and overbearing

**Site visit:** 22 January 2015

**Case officer:** Mr L Collins  
**Telephone No.** 01733 454421  
**E-Mail:** lee.collins@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

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

**Site and Surroundings**

The site is at the north-east corner of Sutton. The area was developed as a farm yard associated with Manor Farm, although Manor Farm (the house and stables) was separated off from the farmland and the farm yard in question some time ago. There are various 20<sup>th</sup>-century agricultural buildings across the site, in various states of repair. These buildings are a mixture of steel and timber portal buildings with corrugated roofs of varying ridge heights from 5.8m to 9m. This tallest is a former grain dryer.

The buildings are dilapidated to various extents. There is also a large area of hardstanding. The application states that the farmyard is no longer used, although neighbours have commented that the access and associated track are in use.

The site is partly within, and partly outside, the Village Envelope. The village envelope runs north-south along the ends of the gardens to houses on Manor Road, these plots are typically about 75m deep, and so the village envelope is 75m deep to the east of Manor Road. Manor Road meets Nene Way at its northern end, and the corner plot is Manor Farm. Manor Farm is formed of the core buildings of the farm, including the house, stables and other outbuildings, a lawn, kitchen garden and so on. This plot is about 80m north-south and 50-55m deep from Manor Road.

The application site is to the east of Manor Farm. The village envelope continues north on its alignment behind the Manor Road dwelling plots, and the entirety of Manor Farm is within the village envelope. The former farm yard to the east, most of which is within the application site, is not all within the village envelope. The eastern access across the yard is outside the village envelope, as are some of the buildings and hardstanding.

Between Manor Farm and the first of the row of dwelling plots to the south on Manor Road is a vacant piece of land. It appears to fit the pattern of plot layouts on Manor Road, although is about half the width of the typical plots. Part of the largest agricultural building just projects into the east end of this plot, but otherwise there are views out of the village across this land.

## **Proposal**

The proposal is to demolish the former farm buildings and to use the site for five detached dwellings, a shared access driveway, and a landscaping strip. Two of the dwellings, linked by a garage, would face Nene Way at the north end of the site. One of these units would use the link-garage, the other would have a garage to the rear, accessed off the shared driveway.

The shared driveway would run almost the length of the application site. The driveway would be about 75m long, 5m wide, and have a turning head at the southern end.

Three of the dwellings would face east, to the private driveway and directly out to the open countryside.

## **2 Planning History**

No relevant planning history.

## **3 Planning Policy**

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

### **Planning (Listed Building and Conservation Areas) Act 1990**

#### **Section 66 - General duty as respects listed buildings in exercise of planning functions**

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

#### **Section 72 - General duty as respects conservation areas in exercise of planning functions.**

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

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

#### **Section 6 - Residential Development in the Open Countryside**

Housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the open countryside should be resisted unless there are special circumstances.

#### **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)**

#### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

### **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.

### **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.

### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

### **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 Site Allocations DPD (2012)**

#### **SA04 - Village Envelopes**

These are identified on the proposals map. Land outside of the village envelop is defined as open countryside.

### **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

#### **CS26 – Mineral Safeguarding Areas**

Development within these areas will only be permitted where it has been demonstrated to the Planning Authority that: the mineral concerned is no longer of any value; or it can be extracted prior to development taking place; or that the development will not inhibit future extraction of the mineral; or that there is overriding need for the development and that prior extraction cannot reasonably take place; or that the development is not incompatible with safeguarding/extraction.

## **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.

### **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.

### **PP07 - Occupational Dwellings in the Countryside**

Permission for a permanent dwelling will only be granted to enable an agricultural/forestry worker to live at or in the immediate vicinity of their place of work. Permission will not be granted for a new permanent dwelling in association with a proposed or newly established enterprise in the countryside.

### **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.

### **PP15 - Nene Valley**

Development which safeguards and enhances recreation or which would bring landscape, nature conservation, heritage, cultural or amenity benefits will be supported. Development which would increase flood risk or compromise flood defences will not be permitted.

### **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.

### **PP20 - Development on Land affected by Contamination**

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

## **4 Consultations/Representations**

### **PCC Conservation Officer - Object**

In 2013 the owner sought pre-application advice on the residential redevelopment of the site. The comments were as follows:

The Manor house occupies a very prominent position as one approaches the village. Even now the well chimned roofscape (at least four) can be seen over the existing collection of portal framed buildings. It would appear that that the modern farm buildings proposed for demolition are genuinely redundant and in the main are a bit of an eyesore. Their removal subject to a modest scheme for redevelopment in appropriate materials might actually improve the setting of the listed Manor house and the wider conservation area.

The grain dryer can be seen across the front garden of the Manor and the larger portal frame buildings can be seen across the parking area to the rear of the house and also at the back of the outbuildings on Manor Drive.

There are some significant trees on site (mainly on the frontage) which would need to be plotted and considered if the applicant wishes to proceed with a more detailed application. Of great significance is a dry stone wall which is a continuation (albeit at a lower level) of the boundary wall to Manor farm. It is almost completely hidden from view by nettles and adjacent shrubbery. It would appear to be in good condition and should therefore be retained and /or extended as part of any subsequent scheme.

The grain dryer has a large amount of pigeon droppings inside and therefore should not be entered without breathing apparatus and protective clothing.

There is evidence of various wildlife activities including roosting within the open-sided buildings. There are numerous cracks in masonry which may be suitable for hibernation roosts and bird nesting. A protected species survey will therefore be essential.

Adjacent to Plot 5 is an open-sided cart shed which is curtilage listed. The removal of the adjacent portal frame building would improve the setting of this enormously. However, the footprint of Plot 5 and the nearby garaging are not offset very far from the open side of this building.

Car parking should be located to the rear of the properties particularly on the Nene Way frontage. Consideration should be given to a single linear structure to provide garaging located on the concrete hard standing just outside the village envelope.

A second vehicular access to the site might be feasible along the southern side of the outbuildings from Manor Road.

Recommendation: encourage further dialogue and design development.

The owner subsequently submitted the planning application and a different Conservation Officer has commented as follows (the original Conservation Officer left the authority in summer of 2014):

The proposed buildings would harm the setting of the Listed Manor House.

The proposal would be out of keeping with the built form of Sutton, and would be visually intrusive in views to and from the Conservation Area. The applicant has not assessed the impact on Heritage Assets.

**PCC Tree Officer (17.12.14) – No objection**

No objection – There are no arboricultural objections to the proposal so long as the retained trees are adequately protected (above and below ground).

**PCC Pollution Team (05.01.15) – no objection but comment as follows:**

No objection – The granting of planning permission will alter the character of the locality and there may be potential for disturbance to the new dwelling residents from sources at Manor Farm. Should those sources result in nuisance the local authority would have a duty to require the abatement of the nuisance.

**PCC Minerals and Waste Officer (10.12.14)**

Object – The eastern part of the site is within a Minerals Safeguarding Area. All 5 proposed dwellings, though sited within the existing village envelope, have principal elevations towards Mineral Safeguarding Areas and it is considered that development of this nature is not compatible; on this basis the proposal fails to accord with policy CS26 (Mineral Safeguarding Areas) of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

**PCC Waste Management**

No comments received.

**PCC Archaeological Officer (09.12.14)**

No objection – There is insufficient evidence to justify a programme of archaeological work. The developer should be advised to report to the Local Planning Authority any remains/finds exposed during groundwork operations. This can be secured by condition.

**PCC Wildlife Officer (19.03.15)**

No objection – The application has been accompanied by an Ecological Appraisal Report and the assessment contained therein is accepted. There is suitable habitat present within the site to support hedgehogs (a protected species) and therefore, any nesting areas should be hand-searched prior to site clearance. The proposal also involves the removal of vegetation which may support nesting birds and refuse piles (during development) could be suitable habitat for reptiles. Protection measures for all species could be secured by condition. Further, to mitigate against any harm to biodiversity, nesting boxes should be installed and the pond outside the site should be enhanced.

**PCC Building Control Manager**

No comments received.

**PCC Transport & Engineering Services (12.03.2015) - No objections**

Conditions and informatives should be appended to any permission granted covering, inter alia, parking and turning facilities, temporary facilities for construction vehicles, visibility splays and closure of the existing access.

**Sutton Parish Council (21.12.14 and email dated 19.02.15)**

The comments of the Parish Council are set out in full below. The Parish Council objects on the following grounds:

- the development is outside the village envelope. The site owner applied to have the entire farm yard allocated during the Site Allocations process but the existing boundary line was endorsed. Any change made by approving an individual planning application would not only be contrary to Policy CS1 but would undermine public confidence in the planning process
- the proposed development is in-depth, which can only be achieved by a breach of the village envelope. We oppose this. Frontage only development of two dwellings is appropriate
- the roadway appears to be over-sized for the development it serves. It would amount to the creation of road infrastructure for housing outside the village envelope
- Sutton is a typically Anglo-Saxon form, has a diversity of age and form and traditional palette. The scheme proposes an urban cul-de-sac form which is alien to the village. Also introduces a standard house design. This would be harmful to the Conservation Area.
- Area of open space beside the cul-de-sac – question as to ownership and maintenance. There is no need for further incidental open space which would be a burden on the public authorities.
- Overlooking and loss of amenity to the Manor House. Distances are less than those characteristic of distances in Sutton
- Proximity of plots 4 and 5 to the working areas within Manor Farm would give rise to problems of noise and smell in the future and is evidence of overdevelopment
- Note that a relocation of the existing farm access is proposed. Although this would keep farm machinery away from Manor Road, there is concern that without secure gating this would be a major security risk

**Please note:** Sutton Parish Council have, along with local residents, been given a further period of time until the 3 April to submit comments on the application. Any additional comments received will be reported to the committee in the Update Report.

**Nene Valley Nature Improvement Area (NIA)**

No comments received

**GeoPeterborough (Sites of Interest)**

No comments received

**Cambridgeshire Fire & Rescue Service (30.12.14)**

Adequate provision should be made for fire hydrants.

**English Heritage (13.03.15)**

No comment. Application should be determined in accordance with national and local policy guidance, on the basis of PCC's specialist conservation advice.

**Local Residents/Interested Parties**

**Please note:** local residents have been given until the 3 April 2015 to comment on the application. Any comments received will be included in the Update Report if they have not been summarised in this report.

Three periods of public consultation have been undertaken:

1. 28 November 2014 to 24 December 2014 – 15 objections received
2. 17 February 2015 to 3 March 2015 – 3 objections received
3. 11 March to 3 April 2015 – ongoing but 2 objections received at time of writing the report

Round 1 comments

The following points are a summary of the objections received during the first round of public consultation. The list includes a summary of the points raised in a letter of objection from Mr Sibthorp (dated the 5 December 2014), a planning consultant acting on behalf of the owners of the Manor Farm.

- Development is partly outside the Village Envelope and is contrary to Policy CS1
- The Village Envelope was confirmed in the recent Core Strategy Document
- The yard owner had previously (unsuccessfully) sought approval for extending the village boundary
- The [2005 Local Plan] amended the village envelope to include land adjacent to Nene Way, this created the average single plot facing onto Nene Way. This plot is approx. half the proposed site, the remainder of the site is in open countryside and permission was refused to include this within the envelope
- Sutton is not considered to be a sustainable settlement in functional or transport terms
- The applicant has failed to demonstrate how, in accordance with Policy CS14, the development will reduce the need to travel
- Three of the houses would be rear development behind Manor Farm which is a listed building
- The number of houses is at a higher density than the rest of the village
- The proposed development is a small housing estate with far too many properties on small plots with very limited parking
- It would be the first part of the village seen on the approach, would have a dramatic and detrimental effect on the character of the Conservation Area and Manor Farm House
- No Heritage Impact Assessment was provided with the application. No assessment has been made of the impact on the Conservation Area, or Manor Farm and its associated buildings
- The maintained view from Manor Road will include visible elements of the plot 5 dwelling and

the perceived value of the view created is thus overstated

- Development would not preserve or enhance conservation area
- Development proposed is out of keeping with the current buildings and layout
- It is a modern cul-de-sac and “overstuffed”
- Critical part of the character of the village is the spacing between the detached properties, the proposal does not take this into consideration
- Development will add nothing to the pleasing aspect of Sutton
- Sutton is a traditional and compact village with no pub, school or shops
- [Proposed development] would not conform to the architectural character of Sutton and would have a disastrous impact on the integrity of Manor Farm’s situation
- Form and layout of development is inappropriate in a settlement that is almost exclusively comprised of frontage forms of development
- Buildings are not in keeping with the ethos of the Conservation Area – in respect of frontage, construction, design, proximity
- Style of the properties is not in keeping with the village which consists of individual style properties with large gardens and adequate parking spaces
- The proposed housing estate will consist of properties of similar design, totally out of character with the rest of the village
- Proposed dwellings are of relatively plain, uniform designs. Dwellings are essentially modern with a standardised presentation of buildings onto a private driveway
- Visual impact of the row of houses when approaching the village will be adversely affected
- The development will create a new streetscene which would unacceptably harm the important view of the main approach to the village
- The proposed development of these grounds will seriously detract from the architectural and historic character of this listed building and/or its curtilage.
- Layout and proximity of the properties demonstrates a concentration that is not in keeping and is not consistent with the other properties in the area
- Normal plot size to maintain the nature of the village would suggest no more than 2 dwellings
- All the properties within the village are accessed and face onto the loop of roads, the logical access would be from the front of the plot within the envelope on Nene Way
- The Anglo-Saxon road pattern of four roads still exists
- Village falls within an area of best landscape
- Land to the east, south west and north-west is designated as County Wildlife Site
- There is wildlife inhabiting the derelict structures. Birds and bats can be seen feeding on the insects on summer evenings
- Existing farm buildings are used on an irregular basis
- Where would the existing farm materials/machinery be rehoused – currently they are hidden from view – will the use of the field on the other side of Nene Way be changed in any way?
- Existing farm buildings are an eyesore, I do not object in principle to a suitable frontage only development of 1 or 2 houses
- Not in favour of backland development as in plots 3, 4 and 5
- A mixture of dwelling sizes should be provided to enable local people to downsize
- This will set a precedent for backland development in Sutton
- Site is not pretty but it is honest and reflects its historical use
- The site does not constitute previously developed land, it is agricultural
- Site is currently a farm yard, development should be kept at low level, single storey buildings in keeping with dimensions of traditional farm and outbuildings
- There [is] a number of single storey residential buildings in the village
- Developer should be asked to contribute to community infrastructure repairs in the village such as dilapidated stone walls or community hall
- There is no need for the proposed open space which would attract travellers and the dumping of rubbish
- Road would give access to the rear of properties on Manor Road, not desirable given the recent high volume of criminal activity within the village
- The location and construction of the proposed new road in open countryside to access the length of the site is not justified
- The layout has an incomplete feel to it. The access road far exceeds the standard of road

design necessary to serve only 5 dwellings and is of a standard that could accommodate up to 25 dwellings.

- New road and location of new farm yard access will introduce additional traffic, the proximity of the access is too close to a 90 degree blind corner, the road is not treated in poor conditions by the Local Authority and is prone to excessive amounts of mud on the road from local farming activities
- Building works will cause disruption to the village
- The alternative approach to the village along The Drift will almost certainly be closed when further development of the A47 occurs
- All other roads in the village are public, is it beneficial to the spirit and culture of the village to introduce a private lane?
- The development would have an unacceptably adverse impact on the amenities of occupiers of nearby properties
- The development would site the proposed new properties at the back of the plot adjacent to existing animal housing and excrement
- Proposals would introduce properties so close to animal quarters that complaints from the new properties would likely curtail these activities
- Development would obstruct views from Manor Farm to the countryside
- Overlooking to garden of Manor Farm
- Would like the Leylandii hedge on my boundary [5 Manor Road] to be retained
- The development may affect the value of surrounding properties; any nearby villagers planning to sell when the building works commence are likely to be detrimentally affected in terms of competition and price
- If permission is granted what compensation will the village be granted?

### Round 2

The following points of objection were received during the second round of public consultation, including a second letter of objection from Mr Sibthorp (dated the 3 March), again acting on behalf of the owners of Manor Farm:

- The revised plans do not materially alter the nature and character of the development and offer no benefit
- The revisions further detract from the character and setting of Manor Farm and the conservation area
- It remains the case that no heritage impact has been submitted with the application
- Fully endorse the latest comments by the Council's Conservation Officer
- The pre-application comments given by the conservation officer appear vague and generalised and little weight should be attached to them. The Council's own website states that no weight can be given to pre-application advice that is more than one year old
- No species survey has been undertaken
- The Council's Draft Conservation Area Appraisal and Management Plan reinforces the objections previously made
- Defer any determination of the application at committee until the objections have been addressed

### Round 3

The 3<sup>rd</sup> round of public consultation (including the Parish Council) was undertaken to allow residents and the Parish Council more time to comment on the application. No further changes had been made to the proposal following the second round of public consultation.

At the time of writing the report 2 objections had been received as a result of the 3<sup>rd</sup> round of public consultation. These can be summarised as follows:

- Strongly object to the application. The minor changes do not alter the situation
- The Draft Sutton Conservation Area Appraisal and Management Plan is well supported by the Parish Council and Villagers, and many of the points within it would mitigate against the Manor Farm/Nene Way development as proposed. It would be appropriate to take this Conservation Area document into account

## **Peterborough Civic Society**

Regret the substitution of smaller house units with large detached houses. It is vital that that mixture of dwelling sizes is maintained in villages to enable local residents to downsize.

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

The main considerations are:

- Principle of development
- Minerals Safeguarding Area
- Residential amenity
- Access and highway implications
- Character of the area and impact on the Conservation Area
- Impact on the Listed Building
- Trees, landscape and ecology
- Archaeology
- Sustainability
- Permitted Development “fall-back” position
- Developer contributions

### **a) Principle of Development**

Sutton village is identified as a small village under Policy CS1 of the Peterborough Core Strategy DPD (2011). The principle of infill development of up to 9 dwellings within the village envelope is therefore considered to be acceptable, subject to the application being satisfactory in all other respects.

However, in this case, the site is partly outside the Village Envelope. The proposal shows that the part of the site in the open countryside would be used for a landscaping strip, the access road and turning head, front gardens and a small part of two of the dwellings. Approximately 3,860 sq m of the site would be put into residential use, and of that approximately 1,250 sq. m are outside the Village Envelope.

Development in the open countryside is restricted by Policy CS1 to development that is “...demonstrably essential to the effective operation of [inter alia] local agriculture, recreation, services...”.

Until the 2005 Local Plan, the north edge of the village envelope ran about 40m further to the south. The Inspector’s Report from 2003 determined that the village envelope should be extended as far north as Nene Way, in order to allow development of an area that would otherwise be landlocked. The Inspector was of the view that the change would “...logically round off the village...”.

The applicant subsequently put forward the entirety of the farm yard, including that part outside the village envelope, for allocation as housing land during the last Site Allocations process which was concluded in 2011, but the site was rejected. This does not mean that no development can take place, but it does mean that there is no presumption in favour of development.

It is important in this case to set out the background to the current proposal. The applicant was given pre-application advice in July 2013 which indicated that the existence of the agricultural buildings and hardstanding might constitute a special circumstance, such that the Policy regarding development in the open countryside could be relaxed and development be allowed outside the Village Envelope, as their redevelopment “carries more benefit as an area of grass land, landscaping and biodiversity gain than to remain as existing.”

Therefore, the pre-application advice given clearly states that development beyond the village envelope boundary is considered to be acceptable in this instance (notwithstanding other

issues). Officers feel that whilst this advice was given in 2013, as there has been no change in policy circumstances of any significance, significant weight should be given to the pre-application advice in the determination of the current application.

It was also stated in the pre-application advice given by the Planning Authority that the agricultural buildings “are not considered to hold any architectural merit; the loss of these buildings would improve the setting of Manor Farm and Sutton Conservation Area; as such the loss of the farm buildings are accepted.” This view was formed by the case officer in part as a result of the positive feedback from the Conservation Officer at the time who was consulted as part of the pre-application enquiry. The Conservation Officer’s comments have been set out in full earlier on in the report but in it he stated that the modern farm buildings proposed for demolition are an eyesore and that their removal might actually improve the setting of the listed Manor house and the wider conservation area.

Given the advice issued at pre-application stage and the positive comments from the Conservation Officer at that time, it is considered that the principle of residential development, the loss of the agricultural buildings and a small encroachment into the open countryside is acceptable in this instance.

**b) Mineral Safeguarding Area**

That part of the site outside the Village Envelope is within a Mineral Safeguarding Area (MSA) relating to underground resources of limestone, sand and gravel. These areas are defined and allocated in order that proven mineral resources are not needlessly sterilised by non-mineral development. Development proposals on land which is not otherwise allocated should be assessed against Policy CS26 of the Minerals and Waste Core Strategy.

The applicant has referred to the MSA but has either not realised or not acknowledged that part of the site is within it, and that the MSA also covers land across Nene Way from the north of the site. No assessment of this issue has been carried out.

It is very unlikely that mineral would be extracted right up to the edge of the Village Envelope, but a quarry buffer strip could abut a village envelope. In this case, it is considered that additional dwellings within the Village Envelope and a relatively minor encroachment into the open countryside would not be likely to form a very significant constraint to extraction of the mineral. Quarrying, although it can take several years, is temporary, and sites are always remediated after extraction. Impact on residential amenity has to be assessed taking this into account.

Therefore, it is considered that the existence of the MSA would not justify a reason for refusal of the application.

**c) Residential Amenity**

**New Dwellings**

Manor Farm, adjacent to the application site is used for various activities including the keeping of horses, chickens and sometimes, according to the occupants, foals and sheep. As a consequence of keeping the livestock, there is a requirement for a muck heap. This is located just within the boundary at Manor Farm, about 3m from the proposed Unit 5 and 4m (laterally) from where a bedroom window would be. The heap would be 15m or so from the proposed Unit 4, and immediately across the boundary from where the gardens to these dwellings would be laid out.

These existing, legitimate activities at Manor Farm may cause noise and disturbance, including smells, of a type that maybe unacceptable to residents of the proposed houses. If new residents complained about this, and the complaint was upheld as a Nuisance by the Pollution Control section, the occupants at Manor Farm could be required to cease their activities.

It is therefore important not to allow a development that would be certain to prejudice an existing, otherwise harmless, use. However, it is the view of the Planning Authority that people considering buying the new dwellings could decide for themselves whether to live there, and on the edge of a village next to the Manor Farm, future occupants should reasonably expect to experience noises and smells, on a day-to-day basis, that would be associated with a farm yard use.

Policy PP4 sets out that new dwellings must provide for adequate internal space, adequate light, privacy and noise attenuation, good quality private amenity space and well-designed bin storage. The proposed development either shows, or could easily include good levels of amenity for future occupants.

Window-to-window separation distances between the house at Manor Farm and the nearest proposed dwelling is at least 45m, which ensures adequate privacy. The proposed dwellings are all large, and laid out to allow for good light penetration and no unacceptable mutual overlooking or overshadowing. Amenity space is adequate. Refuse bin storage is not shown, but is proposed to be agreed by condition.

### **Existing Dwellings**

The new development as proposed would include various first floor windows, which would be at the closest point 45m from the nearest existing dwelling (Manor Farm). This is considered acceptable. The separation distances would make unlikely any unacceptable impact on existing residents by way of overshadowing, overbearing impact or noise.

An objection has been received relating to overlooking of the private garden at Manor Farm. The side elevation of Unit 2 would be 6-8m from the boundary with the main lawned area of Manor Farm's garden, however the only first floor window proposed in this elevation is a bedroom window which is proposed to be conditioned to be obscure glazed and unopenable (there are two windows and two rooflights that also serve this room). Although it would be the largest window, the other windows would offer adequate opportunity for looking out, considering that views from bedrooms are of less importance for residents than from other rooms.

There are first floor windows to plots 3, 4 and 5 which would face towards Manor Farm, however only one of these (bedroom window to plot 5) would be closer than 10m to the boundary. That window would be about 4m from the boundary, close to the location of Manor Farm's muck-heap, but it would not have an adverse impact on the amenity of the residents at Manor Farm given it would be off-set at an angle.

Manor Farm is generously sized, and activities are typical of a smallholding as well as a residence. Occupants of the new dwellings being able to see some of the activities from their upstairs windows would not be considered an unacceptable impact on residents of Manor Farm.

In this respect, the proposal is considered to be in accordance with Policy PP3.

#### **d) Access and highway implications**

The shared access would be satisfactory in terms of dimensions. Some neighbours have commented that the access appears over-large for the development, but it is in line with what the Local Highway Authority (LHA) requested, and is dimensioned so that vehicles can enter and leave the site at the same time without anyone having to wait on the Highway.

Visibility splays have been shown on the latest layout plan (Revision I) and are in accordance with the dimensions required by the LHA. There are some slight obstructions within the splays, to the east this is mostly hedging within the applicant's land, although outside the site, so a condition could be used to require that the splay is kept clear.

To the east, a boundary wall projects into the splay, by about 25cm, for a short distance about half way along the splay. This is not considered sufficiently harmful to warrant a refusal. A condition could be imposed requiring the wall to be set back out of the visibility splay.

It is acknowledged that the roads here are very quiet, as Sutton is effectively a dead-end for vehicles, and this has been taken into account when assessing the visibility information. The proposed layout does not show a refuse collection point close to the Highway, but there is space within the site for this to be provided and it could be agreed by condition.

Concerns expressed by neighbours that the access road might be designed to lead to further development on adjoining land are understandable, but given the existing policy context and site constraints this is unlikely to be permitted. In any case, the future possibility could not be used as a reason to resist this application.

Comments have also been made about the state of Nene Road, specifically that it is not treated in poor conditions and that it tends to be muddy. Many rural roads are not gritted, mud on roads in agricultural areas is not surprising, and it is for drivers to drive according to the conditions.

In summary, it is considered that the applicant has shown that a safe access and egress to the site can be provided, with respect to visibility between the site and the Highway. This is in accordance with Policy PP12, which requires that development does not have any unacceptable impact on Highway safety. Accordingly, the Local Highway Authority has raised no objections to the latest plans, subject to the imposition of a number of conditions on any permission issued.

**e) Character of the Area and Impact on the Conservation Area**

Sutton is a very small, compact village – about 44 dwellings along four connecting roads. Of these dwellings the majority are detached, and about half are post-WW2. All of the dwellings have a street frontage although it appears that some dwellings were constructed on sub-divided plots.

Manor Farm is on the corner of Nene Way and Manor Road. Existing plots on Manor Road, to the south of the application site, are typically about 2,000 sq. m; these are generally although not exclusively the larger plots in the village. There are some small plots in the village, reducing to just under 500 sq.m, although these smaller plots are generally associated with the older small semi-detached farm workers cottages.

The Conservation Area includes all of the village, with the exception of the agricultural buildings and associated yard area on the application site. National planning policy and guidance requires that the character of Conservation Areas should be given great weight in making planning decisions, and that harm can only be justified if it would be outweighed by public benefits.

The character of the area immediately adjacent the application site is open countryside on one side, and Manor Farm to the other. Running south from the south-west of the site are large plots with detached houses. Dwellings on Manor Road, to the south of the application site, face west to the road, and the east boundaries of these plots are to the open countryside. On approaching the village from the east views across to these dwellings are currently interrupted by boundary planting, both to the plots and the field boundary at the road verge, and by the bulk of the agricultural buildings.

The proposed development would introduce a row of new houses where there are currently agricultural buildings.

English Heritage have been consulted on the application and have no comments to make other than the application should be determined in accordance with national and local policy

guidance, on the basis of PCC's specialist conservation advice.

The Council's Principal Conservation Officer in his most recent comments has objected to the proposal. In his view, the proposal would be out of keeping with the built form of Sutton, and would be visually intrusive in views to and from the Conservation Area as it would introduce a form of development untypical of the village. In his view the applicant has not properly assessed the impact on heritage assets.

Three of the new houses would face out over the open countryside. Immediately to the front of these houses would be a private drive, and in front of that would be a landscaped area, slightly broken by the turning head at the end of the drive. The dwellings would be of a very similar design/style which is not typical of the local character.

National policy and guidance require that heritage assets should be preserved, and that development should sustain and enhance the significance of them. Adopted Local Plan Policy CS16 refers to new development "enhancing local distinctiveness", and Policy PP2 requires that development makes a positive contribution to the quality of the environment. The Principal Conservation Officer does not consider that this development complies with these requirements and is therefore recommending refusal.

It is accepted that it would be both reasonable and legitimate on planning grounds for Members to agree with the Conservation Officer's most recent expressed opinion. However, the layout submitted at the planning application stage did take on board advice given by the Local Planning authority at the pre-application stage and this is a material consideration that needs to be given weight in the determination of this application as planning policy has not significantly changed since 2013.

In addition, as stated earlier in the report, the Conservation Officer's comments at pre-application stage were positive towards the redevelopment of the site because the loss of the farm buildings would be a benefit, in respect of views to and from the Conservation Area and the setting of the listed Manor Farm house.

The proposed design of the dwellings and the materials to be used are also considered to be acceptable. Whilst the dwellings are all similar in appearance, the layout proposed shows Plots 1 and 2 side-on, Plots 3 and 4 set behind the access road and a landscape strip and Plot 5 giving the appearance of a barn conversion. Therefore, when approaching the development from the east the similarity in design would not, in the Planning Authority's view, be so obvious as to be detrimental to the setting of the Conservation Area.

It is highly unusual for two Conservation Officers to form different view on the proposals, and so the Planning authority has had to balance these views, along with other material considerations, in forming a view on the application. On balance, taking into account the above, it is considered that the impact on the Conservation Area is preserved and no harm will be caused to warrant the refusal of planning permission.

**f) Impact on the Listed Building**

Manor House/Manor Farm is a Grade II listed building. It dates to about 1700, restored about 1900. It is a large two storey stone building, with Collyweston roofs, H-shaped with accommodation in the attics. The building occupies a prominent position, and the roofscape is visible through the farm buildings on approaching the village. The single storey buildings within the site reflect the historic agricultural function of the site.

The significance of the listed building is derived from its age, large plan form, scale, traditional materials and its position in the street. Good views of the listed building are obtained from the junction of Manor Road and Nene Way, and of the western elevation from Nene Way across the open paddock to the west. Immediate views of the formal west elevation are gained along

Graeme Road approaching from the south. The building makes a positive contribution to the conservation area when viewed from a number of vantage points.

Views of the building from the west provide a pleasant appreciation of the building. However, they are tempered by the portal frame buildings in the background. These buildings range in ridge height from 5.8m to 9m. The tall grain dryer can be seen across the front garden of the Manor house and the larger portal frame buildings can be seen across the parking area to the rear of the house and also at the back of the outbuildings on Manor Road. From the east the roof scape of Manor House can be seen between the portal buildings, but otherwise they restrict views of the listed building on this approach to the village. Although these buildings have a relationship with the past agricultural activity of Manor House they detract somewhat from the setting of the building by their scale and prominence.

The proposed buildings to plots 3 and 4 would have ridge heights of 8.8m each, and the ridge to plot 5 would be 7.5m (Plot 3 is proposed adjacent to the site of the grain dryer which is 9m in height). The proposed houses, particularly Units 3 and 4, would be quite noticeable in views from Nene Way and from the junction of Nene Way / Manor Road and would be 2.1m taller than the large portal building ridge which is set 3m further east. The buildings would also be noticeable in near views, along the driveway to Manor House off Manor Road. From the east, approaching the village, plot 3 would close off the existing view of the listed building which is gained to the south of the grain drier. Another view would arise between Units 2 and 3, but available closer to the village and nearer the proposed buildings. The ridge height of the building to plot 5 would be 7.5m, some 1.7m higher than the 5.8m high ridge of the portal building to be replaced.

It is accepted that the change to the skyline to the east of Manor House will be significantly different to the existing. The current buildings, with the exception of the grain drier, have a linear visual impact in the background of various long and short views of the listed building and from the conservation area. The skyline would have taller and detached buildings after development, compared with the current lower (with the exception of the drier) more continuous linear forms. The new buildings would have a greater visual impact, be more prominent, and would 'draw the eye' much more in the back drop to views of the Manor House than the current buildings because they would be visually more interesting and varied. In addition, it is not considered that the backdrop of the existing buildings (to be demolished) form an essential part of the character of the setting of the listed building.

It should be noted that in the Draft Conservation Area Appraisal Management Plan for Sutton, the buildings are considered to have a negative impact and their removal is therefore welcomed.

It is also considered that, given the separation distance of the proposed dwellings from the Manor Farm, its immediate environment, when viewed from the west, would be preserved. Whilst the views when approaching the village from the east are important, maintaining an open aspect and views out to the countryside is not integral to the special character of the listed building, and as this was not a formally planned aspect and many former Farm house buildings have, over time, had development built in proximity to them.

Taking the above into account, it is considered that in this instance the harm is 'less than substantial' and that the proposal will provide a setting which is better and not any worse than the setting provided by the existing farm buildings on the application site.

#### **g) Trees, Landscape and Ecology**

The Design and Access Statement states that there are no trees within the site, however the site plan shows several trees to be removed. An Arboricultural Survey has been provided and assessed. The majority of the trees are of low value/quality. The site layout plan is appropriate in respect of retained trees and conditions are recommended to secure tree protection to retained trees, and new landscaping.

The part of the site outside the village envelope is just within the Nene Valley, as defined on the Planning Proposals Map, and covered by Policy PP15. The policy is supportive of development that would safeguard and enhance biodiversity and appropriate use of the river. Given that this designation covers a very small part of the application site, and that the designation does not go beyond the north or west site boundaries, it is not considered that the policy applies to the proposal.

A comment has been made about nearby County Wildlife Sites, and another comment about birds and bats using the structures. The site is not within or adjacent to a County Wildlife Site.

An Ecological Appraisal, Initial Bat Survey and Great Crested Newt (GCN) Survey was submitted with the application. It concluded that the current agricultural buildings were largely unsuitable for roosting bats; reptiles, hedgehogs and other amphibians (not GCN) were unlikely to be resident on site due to its small size, limited foraging and sheltering opportunities and expanse of hardstanding. A pond area on site was dry at the time of the survey and therefore offered no opportunities to breeding Great Crested Newts. No further surveys were considered necessary.

The Council's Ecology Officer agrees with the conclusions of the appraisal, but has recommended a number of conditions to safeguard the potential ecological interest on the site.

A pre-demolition bat survey is proposed as well as an informative advising the developer of obligations relating to nesting birds under the Wildlife and Countryside Act. If permission was to be granted then the provision of nesting boxes and native planting would be secured under a condition.

Comments have been received referring to the proposed open space that would be part of the development. The open space in question would function more as a landscape buffer, alongside the private driveway. This would not be adopted but would have to remain in private ownership. One neighbour commented that the area would encourage tipping, but the presence of houses a few metres away would probably discourage this.

The neighbour at 5 Manor Road has commented that they would like the Leylandii hedge on the boundary to be retained. Removal of the hedge, which appears to be planted in the garden to No 5, is suggested as an option in the Arboricultural Report, but that report is based on an earlier proposal for 7 dwellings which would have resulted in there being dwellings at the south end of the site, with small gardens which would be affected by shading. The current proposal shows one large house with large garden at the southern end of the site, and although there would be some shading apparent from the hedge it would not affect all of the garden. There is no planning reason to seek either retention or removal of the hedge, and consent would be required for removal of the trees as they are within the Conservation Area.

#### **h) Archaeology**

The archaeological record shows a dearth of finds within a 250m radius although, historically, the place name would suggest a possible medieval/post-medieval origin for the farm complex. Cartographic evidence shows that the part of the site to be affected by redevelopment is relatively modern. In addition, most of the area is currently occupied by farm buildings the foundation of which are likely to have caused extensive damage.

#### **i) Sustainability**

The applicant has listed various features and options which could be considered, but has not committed to anything. The applicant has mentioned solar gain and south-facing elevations, but does not appear to have designed the development to take advantage of this. Several design features are mentioned which would have to be incorporated into the design at this stage, but they have not been.

However, were the application to be approved it would be possible to impose a condition

requiring a 10% improvement over the Building Regulations (target emission ratio).

A neighbour has pointed out that the applicant has failed to demonstrate how this development will reduce the need to travel by car, which is a requirement of Policy CS14. Of course this could not realistically be demonstrated. However this is not usually a requirement that would be applied to small residential developments in villages.

**j) Permitted Development “fall-back” position**

Under Permitted Development regulations, agricultural buildings can, subject to a Prior Notification procedure, be changed to use classes A1, A2, A3, B1, B8, C1 and D2; a school or nursery; or residential development. There are various floor space restrictions in place. There is a limit of 450 sq. m cumulative floor space for change of use to dwellings, and a maximum of three dwellings can be created out of converted agricultural buildings.

The applicant’s farm extends to 500 ha (1236 acres), as set out in the Planning Statement submitted with the application. The holding at Sutton, is 110 ha, the remainder is at Thornhaugh 130 ha (Farm building complex), Water Newton 130 ha, Wittering 40 ha, and Stamford 90 ha. There are no agricultural dwellings associated with these holdings other than the applicant’s house - Thornhaugh Manor. There have been no conversions of farm buildings to dwellings to date.

Under the Prior Notification Procedure the Planning Authority could only consider impact on Highways, flood risk and contamination, as well as whether the location or siting of the building makes it impractical or undesirable for it to change from agricultural to residential.

Given this, the applicant could, in theory, convert three of the agricultural buildings to dwellinghouses. However, most of the buildings on the site would not be suitable for residential conversion. The layout of the buildings is not likely to result in such a change that would offer reasonable levels of residential amenity, or dwellings that would be readily marketable. Although this is not something that the Planning Authority can adjudicate on, it does mean that the available fall-back position is unlikely to be implemented. The Planning Authority is entitled to take the view that this unlikelihood means that the fall-back position need not be given significant weight.

**k) Developer contributions**

On the 28 November last year, Central Government issued guidance that residential developments of 10 dwellings or fewer, and of less than 1,000 sq.m floor area, should not be subject to tariff style contributions. As the Planning Obligations Implementation Scheme sets out a tariff contribution, it cannot be applied to this development.

A neighbour has commented that the developer should be asked to contribute to local infrastructure improvements, however given the current policy this cannot be secured.

The Community Infrastructure Levy, which is the new tariff style contribution system being implemented by the Council, will come into force after this application has been determined (assuming a decision on the application is made by committee) and therefore does not apply.

**l) Other matters**

The following points have been raised by neighbours and others. Comments are summarised in **bold**; Officer response is in *italics*.

**The maintained view from Manor Road will include visible elements of the plot 5 dwelling and the perceived value of the view created is thus overstated** – *this comment refers to the view eastward from Manor Road, between Manor Farm and the first dwelling on Manor Road. The view currently, along the side of Manor Farm’s boundary, is of an open-sided structure and of a row of conifers at the end of the garden to 5 Manor Road.*

*The proposed development would change this view; part of the rear of Unit 5 would be visible. The proposed building would block about the same amount of view as the existing building, and it is likely that a resident would want a 1.8m boundary treatment across the rest of the boundary, for privacy reasons. This would change the view out of the village, however it is not considered that the change would be significantly detrimental. A planning condition requiring a soft boundary treatment such as a native hedge would ensure that the rural aspect was maintained as far as possible.*

**The farm buildings are used irregularly, where would materials/machinery be housed – the applicant has advised that the farmland is managed from Thornhaugh.**

**The site does not constitute previously developed land, it is agricultural – agricultural sites/buildings are excluded from the current definition of previously developed land, but this does not mean that the land cannot be developed. It simply means that the policy presumption in favour of development is absent.**

**The applicant is proposing, outside this application, a new farm access further to the east. Concerns have been expressed that creating a new access could also create a security risk, but it could not be resisted for this reason if the applicant could show that it was required for agricultural reasons.**

**A mixture of dwelling sizes should be provided to enable people to downsize – this would be ideal, perhaps, although there is no requirement for a very small development to provide a variety of dwelling sizes.**

**This will set a precedent for backland development in Sutton – the development, being off a cul de sac from the main road, has characteristics typical of backland development. The applicant contends that this is not backland development as it is not behind anything, however the three dwellings to the south of the site would be behind the dwellings on the street frontage. Even so, each site needs to be considered on its planning merits and it is not felt that if approved this would set a precedent for backland development in Sutton.**

**Building Works will cause disruption to the village – some disruption when people are undertaking development is to be expected, and developers should behave reasonably. There is no reason to suppose that disturbance resulting from these buildings works would be unacceptable if properly managed.**

**Other roads in the village are public, is it beneficial to introduce a private lane? – the introduction of a private drive serving a few houses would not be a reason to resist the application. The impact on the character of the area, which is explored above, would be the same whether this was a private or public road.**

**Fire hydrants – these are usually dealt with under the Building Regulations.**

**The pre-application comments given by the conservation officer appear vague and generalised and little weight should be attached to them.**

*It is accepted that the pre-application comments are not as detailed as those issued at the application stage. However, they do give a clear steer to the developer that the redevelopment of the site, the removal of the agricultural buildings and the encroachment into the open countryside could be justified in this case. The pre-application advice is a material consideration that the planning authority has given weight to in its decision making.*

**No species survey has been undertaken**

*An Ecological Appraisal, initial Bat survey and Great Crested Newt survey was submitted with the application. The Council's Ecologist has reviewed this and accepts the assessment undertaken.*

### **The Council's Draft Conservation Area Appraisal and Management Plan re-enforces the objections previously made**

*The draft plan identifies the agricultural buildings a negative feature and the removal of them is therefore in accordance with the plan. The Planning authority feels that, on balance, the other objectives of the plan have been complied with.*

### **Defer any determination of the application at committee until the objections have been addressed**

*The Planning Authority does not feel it necessary to delay the consideration of the application by Committee as we do not consider that anybody has been prejudiced by the situation and proper procedure has been followed. Indeed, residents and the parish council have been given extra time to comment on the application.*

## **6 Conclusions**

The proposal is, on balance, considered to be acceptable 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:

- The majority of the application site is within the village envelope. Given the advice issued at pre-application stage and the positive comments from the Conservation Officer at that time, it is considered that the principle of residential development, the loss of the agricultural buildings and a small encroachment into the open countryside is acceptable in this instance
- On balance, the impact on the Minerals Safeguarding Area would not justify a reason for refusal of the application
- The proposed dwellings are all large and laid out to allow for good light penetration and no unacceptable mutual overlooking or overshadowing. Amenity space is adequate. Whilst the noise and smells associated with the farmyard/small holding use at the Manor Farm would be unacceptable to some people, it is considered that people buying the new dwellings could decide for themselves whether to live there
- The separation distances would make unlikely any unacceptable impact on existing residents (Manor Farm) by way of overshadowing, overbearing impact or noise.
- It is considered that the applicant has shown that a safe access and egress to the site can be provided with respect to visibility between the site and the Highway, and is in accordance with Policy PP12.
- Whilst the Council's Principal Conservation Officer has objected to the proposal because it would be out of keeping with the built form of Sutton, on balance, taking into account the pre-application advice issued in 2013 and the positive impact of removing the agricultural buildings, it is considered that the impact on the Conservation Area is preserved
- It is accepted that the new buildings would have a greater visual impact, be more prominent, and would 'draw the eye' much more in the back drop to views of the Manor House than the current buildings. However, the impact of removing the current agricultural buildings and replacement with residential development is positive and the existing buildings do not form an essential and positive part of the setting of the listed building. In addition, whilst the views when approaching the village from the east are important, maintaining an open aspect and views out to the countryside is not integral to the special character of the listed building
- The impact on trees, ecology and archaeology is considered to be acceptable, subject to conditions
- The 'fall-back' position for conversion of the exiting agricultural buildings to dwellings, as set out in the report, is unlikely to happen and is therefore afforded little weight in the Planning Authority's decision making

## 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 The development hereby permitted shall be carried out in accordance with the following drawings:

- Layout Plan (drawing number EMS.2454\_04 I);
- Plot 1: Elevations;
- Plot 1: Floor Plans;
- Plot 2: Elevations;
- Plot 2: Floor Plans;
- Plot 3: Elevations;
- Plot 3: Floor Plans;
- Plot 4: Elevations
- Plot 4: Floor Plans;
- Plot 5: Elevations;
- Plot 5: Floor Plans
- Garage G1 and G2 (Plots 1 & 2) (drawing number EMS.2454\_G-1 Revision C); and
- Garage G3 (Plots 3 & 4) (drawing number EMS.2454\_G-2 Revision C).

Reason: For the avoidance of doubt.

- C 3 No work shall take place on the application site (including soil stripping, preconstruction delivery of Equipment or materials, the creation of site accesses, positioning of site huts) until a Method Statement and/or Tree Protection Plan (to BS5837:2012 *Trees in relation to design demolition and construction – Recommendations methodology*) has been submitted to and agreed in writing with the Local Planning Authority. The Statement and/or Plan shall identify (not exclusively) the following:

- Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within influencing distance of the application site;
- Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised;
- Details of facilitation pruning;
- Location of access, material storage, site office, mixing of cement, welfare facilities etc.; and
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees.

The scheme shall be implemented strictly in accordance with the agreed and prior to the commencement of works within the site.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP14 of the Peterborough Planning Policies DPD (2012).

- C 4 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall

include:

- Hours of construction;
- Areas for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction;
- Materials storage;
- Site welfare compound;
- Wheel washing facilities, which all vehicles shall use when exiting the site onto the public highway; and
- Measures to prevent the emission of dust from the site.

Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 5 No dwelling hereby permitted shall be occupied until the means of vehicular and pedestrian access shown on drawing number EMS.2454\_04 I 'Layout Plan' has been constructed to at least base course level. Thereafter, the final surface finish to the access shall be provided prior to first occupation of the last dwellinghouse to be constructed.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 6 No dwelling hereby permitted shall be occupied until details of the surfacing and drainage of those areas shown on drawing number EMS.2454\_04 I 'Layout Plan' for the parking and turning of vehicles have been submitted to and approved in writing by the Local Planning Authority. Those parking and turning areas shall be provided in accordance with the approved details and prior to first occupation of the dwelling to which they relate. Thereafter, those areas shall not be used for any purpose other than the parking and turning of vehicles in connection with the use of the dwellings in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 7 Notwithstanding the details shown on the submitted drawings and prior to first use of the vehicular access hereby permitted, vehicle-to-vehicle visibility splays measuring 2.4 metres (measured along the centre line of the proposed access road from its junction with the channel line of the public highway) x 59 metres (to the west) and 120 metres (to the east) (measured along the channel line of the public highway from the centre line of the proposed access road) shall be provided. Those visibility splays shall be kept clear of any obstruction above a height of 600mm above verge level in perpetuity. In order to achieve the required visibility to the west, the section of the existing boundary wall that currently falls within the visibility splay shall be re-aligned and set back so as to not cause an obstruction.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 8 No dwelling hereby permitted shall be occupied until the existing eastern access onto Nene Way from the site has been permanently closed to vehicular traffic in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C 9 The vehicular access hereby approved shall be ungated.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C10 No development shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing materials (including samples)
- Doors and windows, including garage doors and rooflights
- Canopies and chimneys
- Rainwater goods.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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).

C11 Prior to the commencement of development, a scheme of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include sustainable disposal of surface water. The scheme shall be implemented in full prior to any occupation of the dwellings.

Reason: To ensure that surface water and foul sewage are adequately dealt with, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

C12 No dwelling hereby permitted shall be occupied until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- Proposed finished ground and building slab levels;
- Planting plans all public areas including retained trees, species, numbers, size and density of planting;
- Boundary treatments;
- Hard surfacing materials; and
- External lighting.

Development shall be carried out in accordance with the submitted details and at the following times:

- Hard landscaping (boundary treatments, hard surfacing and external lighting) shall be provided prior to first occupation of the dwelling to which it relates; and
- Soft landscaping shall be carried out no later than the first planting season following the occupation of the dwelling to which it relates.

Reason: In the interests of the visual appearance of the development and to mitigate the loss of trees within the site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

- C13 Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and to mitigate the loss of trees within the site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

- C14 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C15 Prior to the commencement of development, a scheme (including a timetable for installation) for the provision of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and in accordance with the timetable submitted.

Reason: To ensure that there is no loss of biodiversity within the site resulting from the development, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

- C16 Before the residential dwellinghouse shown on the submitted drawings as Plot 2 is first occupied, the proposed first floor window to Bedroom 1 on the west elevation shall be obscure glazed to a minimum of Level 3 obscurity, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Thereafter, those windows shall be retained as such in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C17 Notwithstanding the provisions of Part 1 Classes A and E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions or detached outbuilding/enclosures shall be constructed to/within the curtilage of the dwelling shown on the submitted drawings as Plot 5 other than as those expressly authorised by any future planning permission.

Reason: In order to protect the amenities of neighbouring occupants and to prevent overdevelopment, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012).

C18 Notwithstanding the provisions of Part 2 Classes A and E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure shall be constructed within the site other than as those expressly authorised by any future planning permission.

Reason: In the interests of the amenity of the area and highway safety, in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012).

C19 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

Copies to Councillors: J Holdich OBE, D Lamb