

Application Ref: 15/00667/FUL

Proposal: Proposed three bedroom detached dwelling with associated driveway

Site: 17 Castor Road, Marholm, Peterborough, PE6 7JA

Applicant: Mr & Mrs E Flanz

Agent: Mr David Shaw
David Shaw

Referred by: **Director of Growth and Regeneration**

Reason: Previous decision by Members to refuse planning permission against Officer recommendation

Site visit: 03.06.2015

Case officer: Miss Louise Lovegrove

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Recommendation: **REFUSE**

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

Site and Surroundings

The application site is located in a prominent position within the village of Marholm, at the junction of Castor Road, Walton Road and Stamford Road. The site is situated between two existing residential properties - 16 Walton Road and 17 Castor Road, the latter of which the site forms part of the garden to. Within the site itself is there is a prefabricated detached single storey garage and static mobile home (albeit this does not have planning permission to be sited). Vehicular access is taken via a dropped kerb crossing from Castor Road and there is presently on-site parking associated with the host dwellinghouse.

The application site is located on the edge of the Marholm Conservation Area and situated opposite the Grade II Listed War Memorial, located on the village green. There is a large mature Sycamore tree to the front of the site which reaches a height of 14 metres.

Proposal

The application seeks planning permission for the construction of a two storey detached 3-bed dwelling with associated access improvements and car parking.

It should be noted that the application has been submitted following refusal by Members of the Planning and Environmental Protection Committee of a previous application for similar development under application reference 14/02145/FUL. This was refused for the following reason:

R1 The proposed dwelling, by way of its size and siting on the plot, would have a significant adverse impact on the residential amenity of the occupants of number 16 Walton Road, by way of an overbearing impact and loss of outlook from primary habitable rooms. This is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and PP3 of the Peterborough Planning Policies (DPD) 2012.

The current application differs from this earlier refused scheme in the following ways:

- The two storey element of the proposed dwelling has been reduced in depth by approximately 1 metre, with the front elevation set back within the site by the same distance (the submitted Proposed Site Plan identifies the position of the earlier proposed dwelling); and
- A single storey rear element has been included.

2 Planning History

Reference	Proposal	Decision	Date
14/01310/FUL	Proposed three bedroom detached dwelling with associated driveway	Withdrawn	04/09/2014
14/02145/FUL	Proposed three bedroom detached dwelling with associated driveway	Refused	06/03/2015

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 7 - Good Design

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

Section 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.

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.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

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.

Peterborough City Council Developer Contributions SPD (2015)

4 Consultations/Representations

PCC Conservation Officer (19.06.15)

No objections – The proposed amendment from the previous scheme, to set the dwellinghouse back by 1 metre from the streetscene, would represent a neutral change in terms of the impact on the character and appearance of the Conservation Area. The proposal would still visually enhance the 'gap' within the built form. The single storey rear element will not form a prominent feature within the streetscene, nor detract from the Conservation Area. As such, the proposal can be supported as it would enhance the character and appearance of the surrounding heritage assets.

PCC Tree Officer (10.06.15)

No objections – The feasibility of a 'no-dig' driveway has been demonstrated. However, there is concern that the 'no-dig' area may be compacted during construction activities and therefore, phasing for tree protection fencing may be required, along with ground protection. Request a condition securing a finalised Method Statement/Tree Protection Plan.

PCC Archaeological Officer (03.06.15)

No objections – Although the site is located within the core of the medieval settlement, the extent of the proposed groundwork is modest. In addition, the foundations of the former garage are likely to have caused truncation of any potential buried remains. There is therefore no need to secure a programme of archaeological work.

PCC Transport & Engineering Services (03.06.15)

No objections – The proposed access arrangements have previously been deemed acceptable. Whilst it would appear that the hedge, which previously blocked the required vehicle-to-pedestrian visibility splays, has been removed the splays are not shown on the submitted drawings. These could be secured by condition.

PCC Pollution Team

No comments received.

PCC Waste Management

No comments received.

Cambridgeshire Fire & Rescue Service

No comments received.

Marholm Parish Council (09.06.15)

Support – The dwelling will improve the area as long as it is in keeping with the village. The new design and layout is seen as an improvement, and the single storey extension to the rear is a better solution. The Applicant has responded to the issues raised by the neighbour, as the dwelling now sits further back from the road giving better visibility.

In terms of the appearance of the dwelling, we have previously responded stating that we would prefer the dwelling to be in keeping with those either side (i.e. rendered). However, having canvassed opinion there are mixed views in the village and we would support a combination of stone and render, which would enhance the village but also be in keeping with surrounding properties. If the Planning Department decides that the only option is stone, then we would not object to this.

Local Residents/Interested Parties

Initial consultations: 3

Total number of responses: 3

Total number of objections: 2

Total number in support: 1 (Parish Council)

Two objections have been received from local residents on the following grounds:

- My objections (occupant of No.16 Walton Road) remain the same as per the last two applications. Whilst the Applicant has shown me the plans, the dwelling would look out of place and not be in keeping with the two neighbouring properties.
- I don't want to look out of my kitchen (No.16 Walton Road) to a stone wall, or have my garden put into shade.
- The driveway will come out onto a busy road next to a junction and if the Parish Council thinks that cars do not speed through the 30mph area, they need to wake up.
- The owner of No.17 does not seem to have any consideration for the village, residents, or the Conservation Area.
- The proposed dwelling looks an eyesore.
- The proposal is well over the waste sewage pipes which run across the middle of the plot to a manhole in the garden of No.17 (which serves Nos.14-16 Walton Road). I (occupant of No.15 Walton Road) doubt that this would be satisfactory as the sewer has been blocked 2/3 times in the last 16 years.
- The exit onto Castor Road is a very busy junction, with heavy goods vehicles going to the farms along Stamford Road (due to the weight restriction on Walton Road). This would cause an extra hazard and create a more blind junction.
- Having removed the fence to the site, it gives the appearance that the plot is much larger than it actually is.

5 Assessment of the planning issues

The main considerations are:

- Principle of residential development
- Design and impact upon the character and appearance of the surrounding area and heritage assets
- Neighbour amenity
- Access, parking and highway implications
- Tree implications
- Archaeology
- Developer contributions

a) Principle of residential development

The application site is located within the identified settlement boundary of Marholm, which itself is identified in the settlement hierarchy as a 'small village'. Policy CS2 of the Peterborough Core Strategy DPD (2011) states that development in these villages of any windfall site (a site not formally allocated for development) will be limited to only infill or a group of no more than 9 dwellings. The application proposal represents infilling between two lines of established dwellings at the heart of the village and therefore, subject to meeting all other policy requirements, the principle of residential development is acceptable.

b) Design and impact upon the character and appearance of the surrounding area and heritage assets

As detailed in Section 1 above, the application site comprises garden land to the side of No.17 Castor Road (the host dwellinghouse). This garden land is set between two residential properties of identical design, layout and form and which form a row of three blocks of semi-detached rendered two storey dwellings along both Walton Road and Castor Road. With regards to impact upon heritage assets, as set out above, the site is located on the edge of the Marholm Conservation Area and in close proximity to a number of listed buildings (the War Memorial, Blacksmith's Cottage, Almshouses and Fitzwilliam Arms). Accordingly, the Local Planning Authority has a statutory duty to ensure that all new development either preserves or enhances the settings of these heritage assets.

The Marholm Conservation Area appraisal identifies that the locality of the application site, namely the village green, is a focal point of the village particularly by virtue of the presence of

the War Memorial and village sign. Further, it is an enclosed area given the surrounding buildings, stone walls and accordingly has a positive sense of place. The removal of tall conifers to the frontage of the application site has opened up views of the site and emphasised a 'gap tooth' effect which 'leak's space. The proposed dwelling would infill this existing gap within the streetscene and it is the view of Officers and the City Council's Conservation Officer that new development on the site would add to the sense of enclosure of the village green, enhancing its setting.

The siting of the proposal would respect the established building lines to both streetscenes and would ensure adequate gapping between the dwellings to accord with the established built form of the area. By virtue of this careful siting, the proposal would not appear cramped or overdeveloped and it is considered therefore that the presence of a building on this site would not detract from the overall appearance of the locality or the setting of either the Conservation Area or nearby listed buildings.

In terms of specific design, the proposal seeks the construction of a detached two storey dwellinghouse of traditional form, design and materials. It is acknowledged that Marholm Parish Council has previously commented on the appearance of the proposal and stated a preference for the dwelling to be in keeping with the properties on either side, therefore it should be of a rendered finish. However, their latest comments on the proposal advise that views within the village are mixed and therefore, the Parish Council would be supportive of a mixed stone and render appearance and, in the event that the Conservation Officer requires it, they would not object to a solely stone finish. The Conservation Officer considers that the use of stone in the treatment of the facade, and replica Collyweston slate would result in a building which positively enhances the setting of heritage assets. Whilst a mirroring treatment of render would appear to blend into the streetscene, it would have an effect of preserving the setting whereas it is considered that the proposal enhances. It is the view of the Conservation officer that a degree of contrast to the neighbouring dwellings would not be harmful to the appearance of the locality and that blending of the proposal would represent a missed opportunity for creating a more focal point building to enhance the sense of place to the village green.

With regards to the addition of a single storey rear element to the scheme, this would not be readily visible from the public realm. It is considered that it is of a size and scale which is sympathetic to the form of the main bulk of the dwelling and accordingly, it would not appear incongruous or at odds with the locality.

On the basis of the above, it is considered that the proposal would enhance the setting of nearby heritage assets and would not result in any unacceptable impact to the character, appearance or visual amenity of the surrounding area. On this basis, the proposal is in accordance with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 58, 131, 132 and 137 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

c) Neighbour amenity

Both the host dwellinghouse and neighbouring residential property to the east (No.16 Walton Road) have windows at first and ground floor which face towards the application site and serve primary habitable rooms (kitchen, bedroom etc.). The Applicant has provided greater clarification regarding the internal arrangement of these properties, and confirmed that at ground floor, the facing windows serve the kitchens of these properties. These rooms are served by three windows: two at the side (facing towards the site) and one to the front elevation. At first floor, the side facing windows both serve a single bedroom.

With regards to the host dwellinghouse, the proposal would be sited a minimum of 6.5 metres from these windows. Given that this dwelling is occupied by the Applicant, they have already accepted the level of separation and consider that it would not be overbearing to their primary

habitable rooms. Some loss of natural daylight would result in the mornings given the orientation however this is considered to be acceptable in light of the ownership arrangements.

In terms of the separation distance to No.16 Walton Road, this would be a minimum of 5.5 metres and it is noted that the occupant of this neighbouring property has objected to the proposal on the basis of loss of views from their kitchen window and replacement with a large brick wall. The previous scheme, which was refused by Members, had a separation distance of some 5 metres, and therefore this current proposal has resulted in only a slightly improved relationship. In light of the significant concerns raised during debate of the previous scheme (the minutes for this Committee are attached at Appendix A of this report), it is not considered that this increased separation distance improves the situation sufficiently. The limited separation distance between the proposal and primary habitable windows of No.16 Walton Road, and the scale and design of the proposal is such that it would appear an unduly dominant and obtrusive feature, resulting in an unacceptably overbearing impact to neighbouring occupants. With regards to overshadowing impact, this was not a previous factor in the refusal of the earlier scheme and it is not considered that the revised proposal would alter this view.

On the basis of the above, it is considered that the proposal would result in an unacceptable level of impact to the amenities of neighbouring occupants. The proposal is therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

d) Access, parking and highway implications

The Local Highway Authority (LHA) has raised no objections with regards to the proposal. The revised access arrangement would provide a safe vehicular and pedestrian access to serve both the existing and proposed dwellings, with adequate car parking to meet adopted standards and serve the needs of both dwellings without creating additional demand on the public highway. It is noted that concern has been expressed from local residents with regards to danger caused by intensification of the vehicular access in close proximity to the highway junction. Whilst this is noted, the proposal would not create a significant intensification and the access design meets with required standards in terms of safety and visibility. Whilst vehicles associated with the existing dwelling would reverse out onto the highway, this is not an alteration from the present situation and does not need to be addressed. With regards to the proposed dwelling, adequate turning is provided within the curtilage of the site to ensure that vehicles can enter, turn and exit the site in a forward gear.

The LHA has requested that 2 metre x 2 metre vehicle-to-pedestrian visibility splays be provided at either side of the improved access. Whilst these are achievable, the submitted drawings do not show them and accordingly, the LHA has requested revised drawings. However, as these splays are achievable, their provision could instead be secured through an appropriately worded condition.

On the basis of the above, the proposal would provide adequate on-site car parking and would not result in any unacceptable impact to the safety of the public highway network. Therefore, the proposal is in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

e) Tree implications

As set out in Section 1 above, there is mature Sycamore tree situated to the front of the application site, owned by the City Council. The application has been accompanied by a Arboricultural Implications Assessment and Arboricultural Method Statement which estimated that there will be a 24% incursion into the Root Protection Area of this tree as a result of the proposed development (most notably the amended access and driveway). The City Council's Tree Officer is broadly in agreement with the conclusions of the report however some additional specifications have been requested. Whilst this is noted, the measures accord with BS5837:2012, and this is considered acceptable without the need for further information.

On the basis of the above, the proposal would not result in any unacceptable impact upon landscape features of visual amenity importance and is therefore in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

f) Archaeology

The application site is located within the historic core of the medieval settlement however the City Council's Archaeologist has advised that there is no need to secure a programme of archaeological evaluation. It is considered that the footprint of the proposal is modest and that, given the presence of the existing garage, truncation and damage is already likely to have resulted to any potential buried remains. Accordingly, the proposal would not pose an unacceptable risk to undiscovered heritage assets and is therefore in accordance with paragraph 128 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

g) Developer contributions

In accordance with the Peterborough City Council Developer Contributions SPD (2015), the proposed development is liable for a financial contribution towards the infrastructure demands it generates by virtue of the City Council's Community Infrastructure Levy (CIL). The level of CIL payable by the Developer is determined on the basis of the floor area to be created, and the charging zone within which the application site falls. This will only be calculated by the City Council's Planning Obligations Team in the event that planning permission is issued.

h) Other matters

Impact on existing sewers within the site

It is noted that concern has been raised with regards to the impact upon an existing sewer which runs through the application site. The Applicant would be required to seek approval from the water authority to re-route this sewer if needed but this does not form a material consideration for the determination of the application.

6 Conclusions

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

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed dwelling, by virtue of its size, siting and relation to the plot boundaries, would result in a significantly overbearing impact to and harm the outlook from primary habitable rooms of the neighbouring dwelling No.16 Walton Road. The proposal would therefore result in an unacceptable level of harm to the amenities of occupants of this neighbouring dwelling, which is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Copy to Councillors Lamb D and Holdich MBE J