

**Application Ref:** 16/00349/FUL

**Proposal:** Proposed demolition of farm buildings and construction of 2 dwellings together with associated works

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

**Applicant:** Mr Andrew Sharpley  
J.P and M. Sharpley + Son

**Agent:** Marrons Planning

**Referred by:** Head of Planning  
**Reason:** Departure from Local Plan

**Site visit:** 14.06.2016

**Case officer:** Mr M A Thomson  
**Telephone No.** 01733 453478  
**E-Mail:** matt.thomson@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 20th-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.

These 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 previously 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 a large area of 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. Outline planning permission for residential development was granted in 2001 under App Re: 01/00550/OUT. 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 Applicant is seeking planning permission to demolish the existing farm buildings and erect two detached dwellings, a single storey shared outbuilding, a shared access driveway and a landscaping strip. An existing access to the farmyard would also be closed up.

The proposed dwellings would have an L-shape layout, these would face north and east respectively and would share a single storey outbuilding providing garaging, bin and log storage. The shared driveway would run almost the length of the application site. The driveway would be about 65m long and 3.5m wide.

### **History**

In 2014 planning permission was sought for 5 dwellings; this scheme was subject to pre-application advice, various amendments and discussions with the Applicant and Agent and was subsequently recommended for approval to the Planning and Environmental Protection Committee in April 2015, however the Committee resolved to refuse planning permission for the following reasons;

- R 1 Part of the application site falls outside the settlement envelope ... and is therefore located in open countryside. The proposal is for general residential development and therefore is contrary to the provisions of Policy CS1 of the Peterborough Core Strategy (February 2011) as it is not a form of housing which is supported by the policy.
- The application site is the same as the previous 2014 application, which extends in the region of 20 metres outside of the village envelope. The reason for this is that the farmyard extends 20 metres outside of the village envelope and includes a large area of hard standing and an agricultural building. The number of units proposed has been reduced from 5x dwellings to 2x dwellings with a shared single storey outbuilding; these structures would be situated only slightly outside of the village envelope. The majority of the development to be located outside the village envelope would be the provision of an access road and a planted landscape buffer and is supported by Officers. The Parish Council have not objected to this proposal.
- R 2 Part of the application site is located within a Minerals Safeguarding Area (MSA) and whilst the dwellings themselves are located outside the MSA, their proximity to the MSA would result in the extraction in the locality being compromised as it would bring residential development closer to the MSA than is the case now.
- As the number of units has been reduced from 5x dwellings to 2x dwellings, there is less encroachment into the Mineral Safeguarding Area therefore this application would not form a significant constraint to any future mineral extraction.
- R 3 The dominant nature of the built form of the village is frontage development in spacious plots with individual building designs. The village has Conservation Area status but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposal is at odds with this given its backland nature and similarly designed properties. Consequently the proposal will not be in keeping with key characteristics of the Conservation Area and will be detrimental to it including in terms of views in to and within the Conservation Area itself.
- A heritage statement has been submitted which considers the Sutton Conservation Area and adjacent listed Manor Farm House and found to be acceptable by the Council's Conservation Officer.
- R 4 Adjacent to the site is a Grade II Listed building but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposed

development will have a significant impact on the Listed building itself and also on its setting as a result of the siting, form, mass and design of the development.

- A heritage statement has been submitted which considers the Sutton Conservation Area and adjacent listed Manor Farm House and found to be acceptable by the Council's Conservation Officer.

R 5 The proximity of the proposed development to the existing amenity area of the adjacent Manor House will result in a loss of privacy and will have an overbearing relationship.

- The proposed layout has been designed to overcome concerns with respect to a loss of amenity to the adjacent Manor Farm House.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/02024/FUL	Proposed demolition of farm buildings and construction of 5 dwellings with associated works	Refused	10/04/2015

## **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 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.

### **CS10 - Environment Capital**

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

### **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.

### **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)**

#### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

#### **PP02 - Design Quality**

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

#### **PP03 - Impacts of New Development**

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

#### **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.

**PP05 - Prestigious Homes**

Permission will not be granted for development involving the loss of prestigious, top-of-the market housing unless there is clear evidence of appropriate marketing or new prestigious homes would be created.

**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.

**Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document runs from 15 January to 25 February 2016.

At this preliminary stage the policies cannot be afforded any weight with the exception of the calculation relating to the five year land supply as this is based upon the updated Housing Needs Assessment and sites which have planning permission or which are subject to a current application. Individual policies are not therefore referred to further in this report.

**4 Consultations/Representations**

**PCC Pollution Team (05.01.15)**

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.

**Waste Management (04.04.16)**

Comments - The access needs to be in accordance with the details listed in the RECAP Design Guide; the main issue seems to be lack of a turning space as the vehicle cannot reverse more than 12 metres to reach the collection point for the bins. Please provide further details to demonstrate how the bins can be collated safely and where the Refuse Collection Vehicle would be able to turn around, providing tracking if possible.

**Sutton Parish Council (31.03.16)**

No objection - The Parish Council have responded with the following comments;

- This application for 2x dwellings is a huge improvement on the previously submitted schemes, with an appropriate number of buildings and carefully designed to be in keeping with the traditional building form of the village.

- The Parish Council (PC) remain uneasy that a significant part of the application site lies outside the village boundary. The PC therefore requests that eastern site boundary be pushed westwards without pushing the dwellings further west and/or placing legally binding safeguards to ensure the scheme does not set a precedent for building outside the village envelope. Also, the buildings and concrete hard-standings be removed and a landscaping scheme be drawn up, implemented and maintained.

- The PC have also requested the matters of amenity be considered, a gate be provided to prevent vehicles from continuing south through the site in the interest of security and crime prevention, a condition be attached to ensure that the buildings shown on 'Sketch Urban Design Principles' do not form part of the approved plans and clarification that the scheme is for 2x dwellings and not 5x dwellings.

**English Heritage (23.03.16)**

No objection - The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

**PCC Conservation Officer (31.05.16)**

No objection - From a heritage consideration the proposed development is supported as this would respect the setting and the significance of Manor Farm House (grade II Listed) and preserve the character and appearance of the entrance to the village and the Sutton Conservation Area.

It is considered that the proposal would not have an adverse impact on the character and appearance of the Manor Farm House and would accord with section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 and is in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations)

The proposal would preserve the character and appearance of the Sutton Conservation Area and accord with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and likewise is in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations)

Conditions regarding hard and soft landscaping, building materials and boundary treatments would be appropriate.

**PCC Minerals and Waste Officer (Policy) (04.04.16)**

Object - The eastern part of the site containing the access road and landscaping lies within a

Minerals Safeguarding Area (MSA). The two 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.

To minimise any conflict with future quarrying activities the proposed landscaping of the site to both the north and east could be designed in such a way as to enhance screening for the development in addition to any biodiversity and landscape enhancements.

#### Second Round

The Agent provided a rebuttal in response to the above comments. This has been reviewed by the Council's Minerals and Waste Officer who has responded as follows;

Thanks for bringing this to my attention. My concerns were essentially that additional residential development would necessitate an increased buffer size to any potential future mineral extraction within the Mineral Safeguarding Area (MSA). I am pleased to note that there is no intention to seek any further development to the east of the access road in the future and consider that a landscaped strip would offer some visual screening from any mineral development within the MSA in the future.

#### **GeoPeterborough (Sites of Interest)**

No comments received

#### **Archaeological Officer (21.03.16)**

No objection - 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.

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.

There is insufficient evidence to justify a programme of archaeological work. However, given the historic origin of the site the applicant and/or his/her agents to report any remains/finds exposed during groundwork operations.

#### **Building Control Manager (24.03.16)**

No Objection - Building regulations are required. Ensure level access and a suitable driveway surfacing. If any part of the rear dwelling is further than 45m from the highway the drive will have to be constructed to suit fire service vehicles.

#### **Cambridgeshire Fire & Rescue Service**

No comments received

#### **Education & Childrens Dept - Planning & Development**

No comments received

#### **PCC Transport & Engineering Services (05.04.16)**

No objection - The Local Highway Authority (LHA) have advised that a small-scale S278 Agreement would need to be entered into to remove the redundant access and reinstate the verge. The LHA have also advised that the boundary wall may cause an obstruction to the vehicle to vehicle visibility splay, and that the wall be constructed so that it runs along the back of the splay.

The LHA have concluded no objection subject to securing conditions with respect to the provision and retention of parking and turning, temporary facilities during construction, access construction and access closure, visibility splays, positioning of gates and provision of wheel cleansing.

## Second Round

Amended plans have been received which illustrate satisfactory vehicle to vehicle visibility splays, however the pedestrian visibility splays will need to be correctly drawn. This matter can be secured by planning condition.

### **Section 106 Minor Group (15.03.16)**

No objection - The proposed development would be caught by the Community Infrastructure Levy Regulations (2014).

### **Strategic Housing (17.03.16)**

No objection - There is no affordable housing requirement because the development is for less than 15 dwellings.

### **PCC Tree Officer (31.05.16)**

No objection - The landscaping buffer proposed to the west could use Oaks, as well as a variety of native species, such as a native hedge and mix of wild cherry, field maple, Rohan and hazel. Tree protection required as per previous scheme.

## **Local Residents/Interested Parties**

Initial consultations: 22

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

Four letters of representation from two addresses have been received raising the following concerns. The 5<sup>th</sup> response relates to Parish Council comments, referred to above.

- The plans do not show the current village envelope;
- Proposed plot sizes are not representative of the existing settlement;
- Create a new street scene of the main village approach;
- Intrusion into the open countryside;
- Backland development;
- Opportunity to control, protect and potentially enhance the features of the historic environment;
- The barns to be demolished currently form part of the boundary to Manor Farm, what boundary treatment is proposed;
- Location of proposed bin storage area;
- If permission is granted, permitted development rights for extensions, roof alterations, garden buildings and the insertion of new windows should be conditioned;
- The new road in open countryside to access the site is not justified;
- The new road should be secure to prevent unauthorised access;
- A separate access for agricultural machinery should be proposed;
- Mud dragged onto the road by agricultural vehicles;
- Future occupiers would overlook an existing animal enclosure and associated muck pile;
- Land use compatibility; plot 2 is situated adjacent to an active small holding for horses, sheep and chickens;
- Overlooking and loss of privacy to garden serving Manor House;
- The submitted Heritage Report incorrectly states that the farmhouse is no longer a farmhouse;
- Position of soakaways;
- Precedent;
- In the future the current owner could erect new agricultural structures near to the existing village envelope;
- Should the farm track have originally received planning permission; and
- Application form states 5 dwellings.

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



The main considerations are:

- a) Principle of development
- b) Minerals Safeguarding Area
- c) Residential amenity
- d) Access and highway implications
- e) Character of the area and impact on the Conservation Area
- f) Impact on the Listed Building
- g) Trees, landscape and ecology
- h) Archaeology
- i) Sustainability
- j) Permitted Development "fall-back" position
- k) 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.

The 2014 scheme proposed 5 dwellings. As part of this scheme three of the proposed dwellings (Plots 1, 3 and 4) were partly situated outside the village envelope, and proposed a 5m wide access road, a turning area and landscape buffer.

This scheme has reduced the number of units from 5x dwellings to 2x dwellings. Part of Plot 2 and the shared outbuilding would be situated outside the village envelope in the region of 2m and 4m respectively, however the proposed access road has been reduced in width from 5m to 3.5m, the turning heard has been omitted and has been incorporated into the landscape buffer.

The amount of encroachment into the open countryside by residential development is significantly less. Therefore Officers consider that the principle of residential development is acceptable in this instance, when balanced against the other aspects of the scheme (see the remainder of the report).

The proposed layout would result in two dwellings situated in tandem and letters of representation have raised concern that the proposal constitutes backland development, however this proposal would be of a lower density to the previous scheme, of a more appropriate form, scale and appearance, and no objections have been raised by the Council's Conservation Officer or the Parish Council. This is discussed further below.

#### **b) Mineral Safeguard Area**

The part of the site situated 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 proposed dwellings would predominately be situated within the settlement boundary and the Local Planning Authority consider that it is very unlikely that mineral would be extracted right up to the edge of the village envelope and that a quarry buffer strip could abut the village envelope.

It is considered that the dwellings would not 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, whilst Officers recognise the existence of the adjacent Mineral Safeguarding Area, the

proposed development is of a lower density to the previously refused scheme and it is a relatively minor encroachment into the open countryside that would not form a significant constraint to the extraction of minerals in the future.

### **c) Residential amenity of existing and future occupiers.**

#### 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 10m from the rear of proposed Plot 2.

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 (Unit 2) is at least 45m, which ensures adequate privacy. The proposed dwellings are large, and laid out to allow for good light penetration and no unacceptable mutual overlooking or overshadowing. Amenity space is adequate. Refuse bin storage would be located within the central single storey building at the eastern end.

A bin collection point shall be provided at the entrance to the site, screened by wattle fencing and a native hedge. It is recognised that this is some distance to drag bins on collection days, however it is not considered reasonable to design the access road to cater for a refuse collection vehicle, as this would result in a large, over engineered access wholly out of keeping with this rural area. This bin collection point shall be secured by planning condition should permission be granted.

In this respect, the proposal is considered to be in accordance with Policy PP4.

#### Existing Dwellings

Plot 1 proposes two west facing windows situated at first floor, which serve a bedroom (Bed-2). There would be a separation distance of 50m between these windows and the rear wall of Manor Farm, which is considered to be an acceptable separation distance. There is a one and a half storey element that would be sited slightly closer, however there are no facing openings. Were planning permission granted, as this is a side facing first floor elevation, planning permission would be required to install a window that was clear glazed and openable.

Plot 2 proposes a first floor west facing window situated at first floor, which serves an en-suite. There would be a separation distance of 45m between this window and the rear wall of Manor Farm, which is considered to be an acceptable separation distance. Notwithstanding this, this window would be conditioned to be obscure glazed, affixed shut with the exception of a top opening vented window only.

An objection has been received with respect to overlooking of the private garden at Manor Farm. The main private amenity space for Manor Farm is considered to be the garden area situated to

the immediate north of the property however it is recognised that this property benefits from a large and generous garden, and has done for a number of years. The nearest property is Plot 1, which has two first floor west facing windows serving Bed-2. There would be a distance of 23m between these first floor windows and the boundary to Manor Farm, which is considered to be an acceptable separation distance. Further, Bed-2 has a single east facing opening window therefore this would not be the only outlook from this principal room.

Given the separation distances involved and intervening boundary treatments and outbuildings the proposed dwellings would not result in a significant adverse impact on existing residents by way of overshadowing, loss of light, privacy, overbearing impact or noise.

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

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

The Local Highway Authority (LHA) have raised no objection to the proposal, advising that a small-scale S278 Agreement would need to be entered into to remove the redundant access and reinstate the verge. The LHA have also advised that the boundary wall may cause an obstruction to the vehicle to vehicle visibility splay, and that the wall be constructed so that it runs along the back of the splay.

An amended plan has been received which illustrates satisfactory vehicle to vehicle visibility splays, however the pedestrian visibility splays need to be correctly drawn. This matter can be secured by planning condition.

The LHA have concluded no objection subject to securing conditions with respect to the provision and retention of parking and turning, temporary facilities during construction, access construction and access closure, visibility splays, positioning of gates and provision of wheel cleansing.

A bin collection point would be created adjacent to the proposed shared access which would preclude the need for refuse collection vehicles to enter the site.

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 extremely unlikely to be permitted. In any case, the future possibility could not be used as a reason to resist this application. However, a suitable gate would be secured by planning condition to ensure that this did not become a throughout route.

Comments have also been made with respect to agricultural vehicles using the new road, with respect to dragging mud onto this road, and Nene Way. Mud on roads in agricultural areas is not surprising, and it is for drivers to drive according to the conditions.

Subject to the conditions set out above the proposed development is considered to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

#### **e) Character of the area and impact on the Conservation Area**

The Sutton Conservation area boundary includes much of the built form of the settlement. It is a compact settlement arranged around four connecting roads said to reflect a typical Anglo-Saxon settlement with a central rectangular stockade bordered by tracks and stone walls. Most buildings date from the mid-20th c onwards. Generally plots are a generous size with large buildings and building heights are varied. All buildings are built of natural or manufactured limestone. Traditional dry stone walls border the approaches to the village and are positive features within the conservation area.

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 on Manor Road. 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 is for the erection of 2x dwellings where there is currently a group of agricultural buildings of differing shapes, size and materials, all of which are not in a great state of repair.

- Plot 1 would have a plot size of circa 1500sqm. It would have an L shaped layout with a floor area of 21m x 18m proposing to stand at 5.7m to eaves and 9.8m to ridge.
- Plot 2 would have a plot size of circa 1200sqm. It would have an L shaped layout with a floor area of 21m x 18m proposing to stand at 4.8m to eaves and 8.6m to ridge.

Both dwellings would be constructed out of coursed natural limestone, bradstone conservation roof slate and timber openings. The shared outbuilding would have a floor area of 27.5m x 6m proposing to stand at 2.4m to eaves and 5.5m to ridge, also constructed out of coursed natural limestone utilising natural clay (red or yellow) single roll pantiles.

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 Conservation Officer has raised no objection to the proposal. The approach to the village from the east along Nene Way is marred by the visual presence of the agricultural buildings. The removal of the buildings would greatly improve the entrance to the village, the conservation area and better reveal the view and appreciation of the listed Manor House.

It is considered that the form and design of the development would enhance this edge of village location. Building form, detailing and materials, including frontage boundary walls to Nene Road and hedge and tree planting to the eastern boundary are appropriate and in keeping with the character of the village. Overall, the removal of the existing redundant farm buildings and the proposed development will enhance the arrival in the village and so preserve the special interest of the adjacent conservation area.

Subject to conditions securing details of hard and soft landscaping, building materials and boundary treatments the proposal would accord with Policy CS16 and CS17 of the Peterborough Policies DPD (2011), PP2 and PP17 of the Peterborough Policies DPD (2012) and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### **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 dwellings would be visible in views from Nene Way and from the junction of Nene Way / Manor Road on par with the height of the grain drier, and taller than the large portal building ridge. Parts of dwelling 2 would also be visible in near views along the driveway to Manor House off Manor Road. Approaching from the east views of Manor Farm across the field would be provided between both dwellings.

There will be some change to the skyline to the east of Manor House as a result of this development. It is considered that the buildings will be less prominent on the eye of the viewer than the current back drop to views of the Manor House.

Given the form, scale and materials of the proposed buildings it is considered that the development would improve the setting of the listed building compared to the existing situation.

As such the proposal is considered to accord with Policy CS16 and CS17 of the Peterborough Policies DPD (2011), PP2 and PP17 of the Peterborough Policies DPD (2012) and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### **g) Biodiversity**

The site was surveyed in 2013 and this report has been subsequently updated this year, which has confirmed little overall change to the site habitats. Provided the mitigation and enhancement measures relating to nesting birds, reptiles, hedgehogs as well as landscaping and lighting measures set out in Section 6 of the 2013 Ecology Report can be conditioned, the Councils Wildlife Officer has raised no objection. Of particular relevance to building design is the requirement to provide swallow nesting features in the new buildings to include an approx. 3ft overhang to which swallow nest cups should be installed. This is because existing swallow nest sites would be lost with the demolition of the existing buildings.

The updated report did identify that care should be taken during site clearance works near the wall of railway sleepers where rabbit burrows are currently present to avoid accidental killing or harming of animals. This shall also be secured by planning condition.

An Arboricultural Survey was previously submitted 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 was previously raised with respect to the 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.

Subject to conditions with respect to biodiversity enhancement and tree protection the development would accord with Policy PP16 of the Peterborough Policies DPD (2012).

#### **h) Archaeology**

The Council's Archaeology Officer has advised that records show a dearth of finds within a 250m radius although, historically, the place name would suggest a possible medieval/post-medieval origin for the farm. 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. There is therefore insufficient evidence to justify a programme of archaeological work. However, given the historic origin of the site the applicant should report any remains/finds exposed during groundwork operations. A note to applicant shall be attached for the avoidance of doubt.

#### **i) Environmental Capital**

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

#### **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.

Where applications for prior notification are made the Local Planning Authority would determine that the development accords with the provisions of the Permitted Development regulations, however the Local Planning Authority can 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**

Any infrastructure contribution will automatically be caught by the Community Infrastructure Levy, therefore a Section 106 legal agreement is not required in this instance.

#### **Other Matters**

- A letter of representation has advised that Sutton has historically been subject to a number of crimes in relation to heating oil theft, some of which were repeat crimes. The Police Architectural Team have done a huge amount of awareness in this village and many others also targeted; winter 2015 crime was reduced from 44 offences to just 2, and none of those were in Sutton. Sutton is very low on crime. Notwithstanding this it is considered

reasonable and necessary to control vehicle access south of the application site.

- Building Control have advised if Plot 2 is situated in excess of 45m from the road, suitable access for a fire engine will need to be provided. The proposed access road is 3.5m which is considered capable of accommodating a fire engine in an emergency.
- A letter of representation has raised concern of soakaways, however this is a building control matter and would be handled separately to the planning application process.
- A letter of representation previously advised that the Applicant could at a later date apply for new agricultural buildings. Should the Applicant seek to erect a new agricultural building(s) in the future they would be required to submit either a Prior Notification application or apply for planning permission. This would be assessed against relevant National and Local Policy.
- A letter of representation has queried whether the original farm track should have received planning permission. The track appears to have been in place for a considerable period of time; in excess of 10 years. Nonetheless an agricultural track does not require planning permission; a road however would need consent.

## **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 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; and is less intrusive than the previous 2014 scheme;
- The proposed dwellings are 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 satisfactory access to the site and parking could be provided, and is in accordance with Policies PP12 and PP13.
- The proposed dwelling and removal of the existing agricultural buildings would preserve and enhance the setting of the Conservation Area and would not have a harmful impact on the significance of the adjacent Grade 2 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:

- Location Plan
- Drawing 1 - Dwelling 1
- Drawing 2A - Dwelling 2
- Drawing 3 - Proposed site plan and garages
- 3260-02 Rev A

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 The dwellings shall not be occupied until the areas shown as parking on the approved plan have been drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the dwellings.
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C 6 No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for vehicles to turn so that they may enter and leave the site in forward gear, and that area shall not thereafter be used for any purpose other than the turning of vehicles.
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C 7 The dwellings shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C 8 Visibility splays clear of any obstruction over a height of 600mm above verge level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 43m (to the west) and 120m (to the east) measured along the channel line of the public highway from the centre line of the proposed access road. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access).
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C 9 The existing western access to Nene Way shall be permanently closed to vehicular traffic before the dwellings are occupied. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C10 If gates are to be installed to the vehicular access, they shall be set back by a minimum of 6m from the highway boundary.
- Reason: In the interest of Highway safety, and to accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).
- C11 Details of a gate that will restrict vehicle access beyond the southern end of the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved gate shall be implemented in accordance with the approved details and thereafter retained and maintained in perpetuity.
- Reason: In the interest of ensuring that the access does not become a through route and in the interest of crime prevention, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2012) and PP12 of the Peterborough Policies DPD (2012).

C12 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).

C13 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).

C14 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;
- External lighting; and
- Bin collection point for collection days.

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

- Hard landscaping (boundary treatments, hard surfacing, external lighting and bin collection point) 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).

C15 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).

- C16 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).

- C17 Before the residential dwellinghouse shown on the submitted drawings as Plot 2 is first occupied, the proposed first floor west facing window serving en-suite to Bed-1 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).

- C18 Notwithstanding the provisions of Part 2 Classes A and C of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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, or the painting of any buildings, 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).

- C20 The development shall be carried out in accordance with Section 6 of the supporting Ecological Survey (Ecolocation 2013-07(21) and Rev A) with respect to nesting birds, reptiles, hedgehogs and works within the vicinity of and to the railway sleepers identified on site, as well as bats. The biodiversity enhancements, mitigation and recommendations shall be implemented prior to the occupation of the first dwelling to which they relate, or on completion of the development, whichever is sooner, and thereafter be retained and maintained in perpetuity where relevant.

Reason: In the interest of protecting and enhancing the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

Copies to Councillor: D Lamb

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