

Application Ref: 16/01496/FUL

Proposal: Conversion to 12x bedsitting rooms

Site: St Theresa's House, Manor House Street, Peterborough, PE1 2TL

Applicant: Mr Zed Ahmed
Propertyline Limited

Agent: Mr Paul Sharman
Sharman Architecture

Referred by: **Head of Planning Services**

Reason: **Previously considered by the Planning and Environmental Protection Committee**

Site visit: 02.08.2016

Case officer: Mr M A Thomson

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Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site is situated within the Park Conservation Area on a residential street. It comprises a locally listed former Victorian school which has a large flat roof extension to the side and rear. The application site has had a number of uses which included a homeless shelter and most recently it was occupied as an undertakers, receiving planning permission in 2011 (App Ref: 11/00695/FUL). It would appear that the undertaker use ceased at least 18 months ago.

To the west is No. 17 Manor House Street; the lawful use of this building is offices however prior approval for conversion to 4x flats (App Ref: 16/00869/PRIOR) has been granted. To the east is No.11 Manor House Street which is a residential property; both No's 11 and 17 are owned by the Applicant. The site has off-street parking to the rear, which is shared with No. 17 Manor House Street.

History

In March 2016 planning permission was refused by the Planning and Environmental Protection Committee for 12x bedsits in line with Officer recommendation for the following reason:

R1 Insufficient information has been submitted to demonstrate that satisfactory parking can be provided to serve the proposed development. Policy requires a maximum of 8x parking spaces to serve the existing office at 17 Manor House Street and 14x car parking spaces to serve the proposed bedsits. As a result of the proposed bedsit use, the existing office use would have a shortfall of 6x car parking spaces, and it is considered that the two uses operating side-by-side and using a shared car park would generate more parking demand than what can be accommodated on site. Further the proposed access is of substandard width and the associated intensification of the access and lack of parking being able to be accommodated on-street to make up this shortfall would lead to vehicles undertaking unsafe manoeuvres causing a detriment to the safety of the users of the adjacent public highway. The Applicant has not been able to demonstrate that the on-site shortfall can be made up through on-street provision, the proposal is therefore contrary to Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

This application has been submitted to address this reason for refusal.

Proposal

The Applicant seeks consent to demolish part of the single storey side extension and convert the building into 12-bedsits with a shared kitchen/dining area. The scheme would replace/re-open the ground and first floor side facing windows. Part of the garden serving No.11 Manor House Street would be used to form car parking.

18x car parking spaces are proposed to be formally laid out, four of which would serve the to-be converted offices at No. 17 Manor House Street.

2 Planning History

Reference	Proposal	Decision	Date
11/00695/FUL	Change of use to Undertakers (A1)	Permitted	08/07/2011
15/01292/FUL	Conversion to HMO providing 12 bedsitting rooms	Refused	14/03/2016

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 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.

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.

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)

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.

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 Centre DPD (2014)**PCC10 - City North Policy Area**

Development will be acceptable provided that it respects the character and form of the surrounding area. Housing proposals must assist in improving the quality of the housing stock and the residential environment. Residential intensification through sub-division or the creation of HMOs will not be supported.

Development will be supported in principle where it:

- Involves replacement dwellings (subject to a density control)
- Improves the mix of uses, including especially open space and community facilities
- Complement/support community regeneration projects
- Improve pedestrian/cycle connectivity to the city core, especially North Westgate.

The Stanley Recreation Ground will be protected and enhanced. Proposals for adjoining development should help to reconnect it and enhance the sense of safety.

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 polices 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

A Design and Access Statement did not accompany the application when it was originally submitted. This was secured by Officers who undertook a 21-day neighbour re-consultation. Consultees who provided comment before this document was submitted were also re-consulted.

Archaeological Officer (18.08.16)

No objection

Police Architectural Liaison Officer (PALO) (11.08.16)

No objection - Between now and 1st May (2015) there have been two incidents that relate to rough sleepers trespassing and removing boarded up areas of the site. I would therefore consider the crime risk at present medium to low. There are some areas that Mr Middlemass (former Police Architectural Liaison Officer) commented on last year that I believe are still relevant for this application:

1. For any site with more than 10 bedsits or apartments we would advise that a video and audio access control system is installed;
2. Some secure cycle storage should be provided on the site - it may be appropriate to consider a Condition which requires the submission of detailed proposals in respect to Cycle security; and
3. There is evidence that existing HMOs across the City experience high levels of burglary because the hardware and door security is poor for each room. I would ask that consideration be given to the principles of Secured by Design so that external and internal doors and hardware are to the standard of PAS 242012 and windows that are ground floor and those that overlook flat roofs also be PAS 242012 with laminated glass.

Update – With respect to the design and access statement there are concerns that a communal post box is to be situated in the lobby of the building entrance. The concern is that postal deliveries will be by a 'trades' button which reduces the security of the front door as there is lots of issues with doors being left ajar or wide open and not closed properly. We would prefer to see external post boxes for residents.

Building Control Manager

No comments received

PCC Transport & Engineering Services (10.08.16)

No objection - Whilst it is acknowledged that the access is clearly sub-standard in today's terms, the Local Highway Authority have to be mindful that it has existed for many years with no evidence of accidents as a result of it being narrow and sub-standard. It is further acknowledged that the site previously generated a similar amount of traffic, when taking in to account the recent prior approval consent for 17 Manor House Street (from offices to 4 dwellings) there would be adequate parking for both uses which is in accordance with Policy PP13.

Subject to a condition being appended to state that the prior approval consent for 17 Manor House Street (office to residential) is implemented before the occupation of the proposed 12x bedsits the Local Highway Authority do not raise objection to the proposal

Conditions are also sought with respect to the provision of parking and turning for vehicles, cycle parking and temporary facilities.

Update – No change to the comments issued.

Cambridgeshire Fire & Rescue Service

No comments received

PCC Pollution Team

No comments received

Waste Management (17.08.16)

No objection - With regards to waste collection they have provided space for what looks like 2 x 1100L bins, and a separate area for another 1100L bin. It looks like they will have room for communal bins and food waste too.

The distance from the highway to the bin store is more than 10m, this will be a problem and either the bins will need to be moved to within 10m on collection day or the bin store moved within 10m of the highway. The bins could be stored through the gate on the right of the property and an access made to the highway. It looks like the only place that won't impede access for vehicles parking at the rear.

Update – With respect to the submitted design and access statement they will need to accommodate 2 x 1100 bins and 2 x 360 bins.

PCC Conservation Officer (30.09.16)

No objection - The dormer windows to the north elevation are a feature of the building and are retained. The top part of the windows are over boarded in timber. From Manor House Street only a narrow view of the north elevation is gained along the passageway access. It is proposed to replace these windows with uPVC windows. The lower windows on show are modern timber with a single top opening light. The design of replacement windows can be conditioned, and this can take into account what is revealed in removing the timber over boarding. Appropriately finished flush fitting casement style windows would be appropriate and would have little visual impact on Manor House Street.

A conservation area is an area of... "Special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" (Section 69 of The 1990 Planning (Listed Buildings and Conservation Areas) Act). Conservation areas are designated by the local authorities to protect an area's special character and appearance.

The main qualities that define the special character of the Park Conservation Area are its physical appearance and history, i.e. its form and architectural detailing of buildings, historical development greenery and building features. The character of individual parts of the Park conservation area differ, and reflect periods of historical development. Contrasts between the appearance of areas and the combination of buildings of various ages, materials and styles also contribute to its character.

This planning application will be determined on the planning merits of the proposal and present planning policies.

From a heritage consideration the proposed alterations can be supported and the external work will preserve the character and appearance of this part of the Park Conservation Area.

Local Residents/Interested Parties

Initial consultations: 47

Total number of responses: 13

Total number of objections: 13

Total number in support: 0

Two petitions have been received, signed by a number of properties on Manor House Street. Further to this 7x letters of representation have been received raising the following concerns:

- The access road has not changed, it is dangerous, it would lead to an intensification of the access, both in terms of traffic but also the access would be used all year around;
- The area is densely overpopulated and there is insufficient on-street parking. Future occupiers would be eligible for two parking permits each;
- The bin collection point is too far from the road;
- Rear car parking courts should ideally serve no more than six dwellings; this would serve 16x dwellings;
- No pedestrian access to the car park;
- The parking figures provided as part of the last committee are out of date;
- when the property operated as a funeral home no more than 5x cars parked in the car park, and sometimes had vehicles reversing onto the road. The most people there were 8, not 30+ as stated;
- There is a discrepancy in the number of bedsits and cycle spaces proposed in the supporting information;
- The submitted car park layout is not to standard, for example some bays are too narrow. The car park should be future proofed for vehicle sizes and there are no details of lighting;
- There is no light period outside peak office and school hours; there is no school nearby;
- The external changes to the building would be visible from the road and would have an impact on the Conservation Area;
- The proposed development is unsuitable and it contravenes the Park Conservation Area appraisal, the inferior and poor quality housing would materially affect the ambience of the street;
- The introduction of this HMO (12x beds, 24x persons) would not create an inclusive community, it would irrevocably devastate it;
- There are already a number of properties that have been turned into bedsits;
- Rubbish disposal at the front of the site would cause an eyesore;
- This is a conservation area therefore surely no changes should be made. It is about the residents, not just bricks and mortar. It would affect the ambience of the street and quality of life of the residents;
- Permission would be required to change to UPVC windows;
- The Design and Access Statement states they wish to put a wall up at the front of the site, however but this cannot be done as this is a conservation area;
- Impact on the amenity of residential amenity and quality of life of neighbours;
- The proposal would result in a vulnerability to and fear of crime, as well as anti-social behaviour;
- The proposal would result in the loss of garden to No. 11 Manor House Street;
- The development would result in adverse noise, more so than the existing funeral home use;
- With respect to the external changes at first floor the proposal would result in overlooking and loss of privacy to neighbours;
- Devaluation of property;
- The other properties owned by the Applicant which are situated on Manor House Street are untidy and are poorly managed;
- No. 17 Manor House Street has consent to be converted to flats with a very small drying area to rear; this could result in future occupiers from drying clothes within their rooms;
- A condition attached to the funeral home planning permission stated that the building should be used as an undertakers only, and for no other use; therefore why is this use being considered;
- Condition 8 of the planning permission for the undertakers specifically said no external changes to the appearance of the building;
- How does the LPA intend to control the number of future occupiers?;
- the prior approval change of use at No. 17 Manor House Street overlap with what is proposed;
- St Theresa and the adjoining properties (No's 11, 13-15 and 17 Manor House Street have

- been shown to be for sale;
- The previous application failed to assess the proposal against Policy CC10; which resists HMO's within the City North area;
- Why was No.17 MHS allowed to be changed from Offices to residential when the City Centre DPD resists the subdivision?;
- Housing Enforcement failed to notify the Planning Office of the number of HMO's within the locality; there is one at No. 11 Manor House Street;
- The application form states 13x bedsits to be created, however the plan shows only 12; what is stopping them changing it;
- There is a development at Manor House (adjacent) for 6x units;
- The development would increase the number of pedestrians that use Manor House Street;
- Planning should ban parking services from issuing scratch/visitor parking permits;
- The overuse of this site contravenes planning rules;
- Instances where letters of representation have not been received;
- The Applicant must be made to convert the offices at No. 17 Manor House Street to residential before work can start to St Theresa's'; and
- A scheme for two homes or 3 flats would be a more appropriate use of the land.

Stewart Jackson MP has submitted the following letter of objection;

'I write to strongly OBJECT to this application and I trust that it will be subject to a report to the Planning and Environmental Protection Committee in due course.

I believe that is an over intensive use of the property, will impact on the residential amenity and quality of life of neighbours. I also believe that there is insufficient parking provision on site, in a residential street between two main arterial roads (Park Road and Lincoln Road respectively) and in an area which is also very densely populated. It is an unsuitable development and is not materially different from previous substandard applications.

I also believe that there is potential overlooking issues in respect of neighbouring properties.

It contravenes the March 2007 Park Conservation Area Appraisal document, in that it allows inferior and poor quality housing facilities in a Conservation Area materially affects the ambience of this Victorian street'.

5 Assessment of the planning issues

1) Principle of Development

The application site is situated within the City Centre and therefore the principle of residential development is acceptable and accords with Policy CS1 and CS2 of the Peterborough Core Strategy DPD (2011), which seeks to provide 4,300 dwellings within the City Centre by 2026.

Policy CC10 does state that within the City North Area 'the intensification of residential use through the subdivision of existing properties, including the creation of Houses in Multiple Occupation, will not be supported'. It is emphasised that St Theresa's is not a residential property, it has planning permission to be used as an Undertakers, which is an A1 use class, and therefore the proposed development is not contrary to this policy.

A letter of representation has stated that there are already a number of HMO's within the area, however the Housing Enforcement team do not have a record of all properties that have been converted to HMO. This is partly due to the fact that it is possible to convert a residential dwelling to a 6-person HMO without planning permission. In any case, because the rooms have their own private facilities, this proposed development does not fall within the definition of a House in Multiple Occupation.

2) Access and Parking

The Local Highway Authority do not object to the proposal.

The previous planning application (App Ref: 15/01292/FUL) was refused by the Planning and Environmental Planning Committee in line with Officer recommendation due to a lack of parking in combination with a sub-standard access; the lack of parking was in part due to the fact the rear yard area was being shared by an office at No. 17 Manor House Street (also owned by the Applicant). It was concluded by Officers that on-street parking is in high demand, and as the application site was situated outside of the City Core, satisfactory on-site parking was required to be provided.

The significant change since the previous application was considered by the PEP Committee is that the next door property (No.17 Manor House Street) has received prior approval for the change of use from offices to 4x residential dwellings. This has reduced the required number of car parking spaces for that property from 8x to 4x. With this in mind, and the fact that the proposal would create 12x bedsits, a total of 12x car parking spaces and 2x visitor spaces is required to be provided to meet adopted standards. 18x spaces is shown on the layout plan and the development is therefore policy compliant.

With respect to the access the Local Highway Authority acknowledges that the access is sub-standard and could be used at all hours, however the existing use of the land is as an Undertakers. It is noted from letters of representation that attendance at the undertakers was typically low, and the reason for this could be why the business was not successful, however the site could reasonably generate a significant number of trips. With this in mind the Local Highway Authority have not raised a highway safety objection given that sufficient car parking to serve the development can be provided on site.

Letters of representation have stated that there is a lack of on-street parking; however sufficient off-street parking has been provided to serve the development in accordance with PP13. Residents have requested that the LPA prevent future occupiers from purchasing scratch cards / visitor passes from parking services, however this could not be done by the use of planning condition(s).

A letter of representation has referred to best practice guidance, which states that no more than six dwellings should be served by a private garage court, pedestrian access should be marked out, and that some of the bays are not of sufficient size. However the parking court is already existing, currently serving properties which have lawful use as office (or residential should this be implemented) and an undertakers. The proposed parking layout works and is a betterment than the existing informal parking arrangement.

To ensure that sufficient parking is achieved on site, a condition is recommended ensuring that the prior approval at 17 Manor House Street is implemented before development of St Theresa occurs.

3) Design, Layout and Impact on a Building of Local Importance and the Conservation Area

Policies CS16 and PP2 seek to ensure any development would not have an adverse impact on the character of the area. Policies CS17 and PP17 seek to ensure that any development would preserve or enhance the Conservation Area.

The single storey flat roof side extension, the rearmost part of which is to be demolished, is of no architectural or historic merit and its partial demolition is accepted.

There would be no fundamental changes to the front of the building. The dormer windows along the western elevation are a feature of the building even though an appreciation of them is only gained from the passageway access. In accordance with Conservation advice these dormer windows would be retained and re-used along with the insertion of roof lights. The alteration to form the ground floor windows (west) would not be readily visible from Manor House Street with appropriately finished windows. These details could be secured by way of planning condition(s). On this basis the Councils Conservation Officer raises no objection.

Waste - The Council's Waste team has advised that the development would be required to provide 2 x 1100 bins and 2 x 360 bins; these details can be secured by planning condition. It is noted that the proposed location of bins at the rear of the site would exceed distances the Council refuse collection teams would collect from the highway, however it is understood that the development would continue to utilise a private refuse collection company.

Subject to securing details of materials and openings, boundary walling and no storage of bins at the front of the site by way of planning condition(s) the proposed works are not considered to harm the locally listed building and would preserve the setting of the Conservation Area, and accord with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and PP2 and PP17 of the Peterborough Policies DPD (2012).

4) Amenity of Existing and Future Occupiers

Policy PP3 seeks to ensure that any development would not result in an unacceptable overbearing impact, loss of privacy, light or amenity to neighbouring properties. Policy PP4 seeks to ensure that the development would provide satisfactory living condition for future occupiers.

Letters of representation have raised concern that the proposed use would result in harm to neighbour amenity generated by the coming and going of occupiers of the bedsits, as well as issues of noise, overlooking and a loss of privacy.

It is noted that the proposed use would be an intensification when compared against the current approved use as an undertakers, as it would generate more pedestrian movements to and from the site at all hours. However the application site is situated within a residential area that is a short walking distance from the City Centre. Within the fringes of the City Centre these areas typically experience a higher number of coming and goings and it is not considered that an unacceptably harmful impact on the amenity of adjoining properties would occur. This has been balanced against securing a future use for this locally listed building, which is currently vacant.

Letters of representation from residents have raised concerns about a loss of privacy. Flat 8 and 11 would utilise east facing openings, however if planning permission were granted these openings could be obscurely glazed and fixed shut by way of planning condition. These flats have a principal outlook to the east and north respectively. The first floor west facing windows would serve a landing; as these are public areas and not principal rooms the inter-relationship with No. 17 Manor House Street is accepted as occupiers would only use this area for circulation.

The main areas to each of the proposed flats would be served by a main window. It is noted that Flat 5 and 6 would have secondary windows onto the western access road, however these windows could be conditioned to utilise obscure glazing and be fixed shut. Flat 2 would benefit from a small amenity courtyard; a condition could be used to ensure that this is for the benefit of this flat only, and is considered to off-set an otherwise poor outlook from principal rooms. The flats would benefit from an outdoor amenity area to rear as well as a communal kitchen area.

Flat 10 proposes an east facing window which looks towards No. 11 Manor House Street, which is owned by the Applicant. When reviewing the outlook from this room given the angles involved it is not considered that this window would result in an adverse level of overlooking to No.11's primary amenity space and the relationship is accepted.

It is noted that part of the garden to No. 11 would be reduced to provide parking, however this property would retain a usable garden and there are areas of open space within a 5 minute walking distance, such as the Stanley Recreation Ground and the Cathedral Square. As such the reduction in garden is accepted in this instance.

The proposed car park would be situated adjacent to the rear garden serving No. 9 Manor House Street, however this property's garden is 26metres in depth and only the bottom end would be affected. Given the size of the garden and the fact that there would be a 2m high boundary fence to be secured as part of a hard landscaping condition, the proposed car park would not have an adverse impact on the amenity of this property.

Subject to utilising conditions to secure obscure glazing and non-openable windows and details of hard landscaping the proposal is not considered to harm the amenity of neighbouring occupiers and subject to ensuring internal noise is mitigated through sound proofing, satisfactory amenity for future occupiers could be secured.

5) Crime

The crime statistics for the area indicate the area as having a low to moderate risk of crime and anti-social behaviour, taking into consideration its close proximity to the City Centre. The Police Architectural Liaison Officer notes that Houses in Multiple Occupation (HMO) can make a valuable contribution to private rented stock, however concentrations of HMO's can result in environmental and social problems associated with the more intensive use of a property. The Council's Housing Enforcement team previously advised that there are no known Houses in Multiple Occupation on Manor House Street, the closest being situated on Park Road, although there are properties on Manor House Street which have been converted to flats.

Letters of representation have raised concern that the proposal would result in an increase in and fear of crime, as well as anti-social behaviour. However, there is no evidence to suggest that this would be the case.

The Police Architectural Liaison Officer (PALO) raises no objection, however should planning permission be granted the PALO recommends that conditions be attached securing details of access control, secure cycle storage as well as a lighting scheme alley and rear yard. Subject to these conditions the proposal would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011).

6) Biodiversity

Policy PP16 seeks to ensure any development would not have an adverse impact on the Biodiversity of the site.

The application site is a Victorian School and further to receiving comments from the Council's Wildlife Officer the site has potential to contain bats and nesting birds. An ecological assessment for protected species was previously submitted (JDE Ecology Ltd (15.12.15) advising that the building was well pointed and there was no access to the loft; having inspected the loft area it was concluded that no bat roosts or nesting birds were found to be within the building. It was advised that the building was of negligible potential to support roosting bats and no further survey or mitigation was required. The survey was found to be acceptable by the Council's Wildlife Officer, however were permission granted a condition would be attached to install bird boxes for house sparrows prior to occupation of the development. This would enhance the biodiversity value of the site.

7) Other Matters

Letters of representation have also raised the following matters which have not been covered above;

- Management of the site - Concerns have been raised with respect to the management of the site; this is a matter for the operator to address. Whilst letters have referred to other properties on Manor House Street, there is nothing to suggest that the development as submitted would be of a low quality.

- Construction Traffic - Any construction traffic would be for a temporary period, however if permission were granted given that the site is within a predominately residential area an hours of demolition and construction condition would be appropriate;
- Devaluation of Property - This is not a planning matter and cannot legally be considered;
- Why is this application being considered again? - Officers could refuse to validate an application if there has been a history of refusals and there is no material change in the application(s). There have however been material changes which have been assessed above.
- No. 17 Manor House Street has consent to be converted to flats with a very small drying area to rear; this could result in future occupiers from drying clothes within their rooms - This would be a case of buyer beware.
- A condition attached to the funeral home planning permission stated that the building should be used as an undertakers only, and for no other use - This was to prevent the building from becoming another use that would fall within an A1 use class, such as a small supermarket;
- the prior approval change of use at No. 17 Manor House Street overlap with what is proposed - Providing that the prior approval change of scheme is implemented before the works to St Theresa both schemes would work in terms of vehicle and cycle parking;
- St Theresa and the adjoining properties (No's 11, 13-15 and 17 Manor House Street) have been shown to be for sale - This is not a material planning consideration. As far as Officers are aware the Applicants are as stated on the submitted application form;
- The previous application failed to assess the proposal against Policy CC10; which resists HMO's within the City North area - Officers clarified this matter under 1) Principal of Development of the previous Committee report.
- Why was No.17 MHS allowed to be changed from Offices to residential when the City Centre DPD resists the subdivision - Prior notification is covered by Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is different to a planning application;
- The application form states 13x bedsits to be created, however the plan shows only 12; what is stopping them changing it - As confirmed by the description of development this is an application for 12x bedsits only. Any additional bedsits would require planning permission.
- There is a development at Manor House (adjacent) for 6x units and there is a planning application at 16-18 Manor House Street which has been submitted seeking change of use from Offices to 6x residential flats under App Ref; 16/01800/FUL - This could be undertaken as a prior notification application, as set out above, however the developers have chosen to submit a planning application. For the avoidance of doubt at the time of writing this report the Case Officer has been advised 6x off-street parking spaces have been secured to serve this neighbouring development, and has no bearing on this planning application.
- The development would increase the number of pedestrians that use Manor House Street - This would likely be the case however this is not a planning matter. There are no highway safety objections raised.
- The overuse of this site contravenes planning rules - The Local Planning Authority do not have minimum space standards with respect to accommodation, however sufficient car parking has been secured based on the number of bedrooms and there are areas of open

space within the locality that future occupiers could use.

- Instances where neighbour letters have not been received - Officers have been advised that a neighbour did not receive a notification letter with respect to the latest round of consultation (September); however Council records show that a letter was sent to this address. The LPA is not responsible for the postal service delivering letters.
- A scheme for two homes or 3 flats would be a more appropriate use of the land - This is noted however this is not the scheme put forward to the Local Planning Authority to consider; and
- The Applicant must be made to convert the offices at No. 17 Manor House Street to residential before work can start to St Theresa's' - This will be secured by planning condition and goes to the heart of Officer approval.

6 Conclusions

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

- The proposed development would go towards providing additional residential development within the City Centre by 2026, therefore the proposal accords with Policies CS1 and CS2 of the Peterborough Core Strategy DPD (2011);
- The proposed change of use and external alterations would not unacceptably harm the character or appearance of the locally listed building or street scene, and would preserve the setting of the Conservation Area. The proposal would therefore accord with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Policies DPD (2012);
- The proposed change of use would not unacceptably harm the amenity of adjoining neighbours, and would ensure satisfactory living conditions for future occupiers, and therefore accords with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012); and
- The proposal would not result in a highway safety hazard and sufficient car parking can be provided thereby according with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

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 As illustrated on the submitted drawings (Location Plan Rev A and Drwg MHS/05G) no flat shall be occupied within the building known as St Theresa's, Manor House Street, until the prior approval consent for offices to 4x dwellings at 17 Manor House Street under reference 16/00869/PRIOR has been implemented and at least one flat occupied, and thereafter No. 17 Manor House Street shall remain in use as residential.

Reason: In the interest of highway safety and to ensure the development site has sufficient off-street parking, in accordance with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

- C 3 The dwellings hereby approved shall not be occupied until the area shown as parking and turning on plan MHS/05G has been surfaced, marked out and drained, and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the use of these dwellings and No. 17 Manor House Street, in accordance with Condition 2.

Reason: In the interest of highway safety and to ensure the development site has sufficient off-street parking, in accordance with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

- C 4 No dwelling shall be occupied until cycle parking spaces, covered, lit and secure, have been constructed as shown on plan MHS/05 Rev G, and that area shall not thereafter be used for any purpose other than the parking of cycles in connection with the use of the dwellings.

Reason: In the interest of Highway Safety, in accordance with Policies PP12 & PP13 of the Peterborough Planning Policies DPD.

- C 5 Notwithstanding the submitted details, no development or demolition shall take place until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels
- Hard landscaping finishes
- Planting plans including retained trees, species, numbers, size and density of planting
- Details of any boundary treatment
- Bin storage, capable of accommodating 2 x 1100 bins and 2 x 360 bins.

The approved hard landscaping scheme shall be carried out prior to the occupation of the first dwelling hereby approved, or on completion of the development, whichever is sooner, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) 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 visual amenity and then enhancement of biodiversity in accordance with Policy PP16 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details needs to be agreed before development commences on site.

C 6 Prior to the commencement of any development or demolition, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include (but not exclusively the following):-

- Hours of working;
- Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles;
- Site compounds/storage areas;
- Temporary Access points;
- Wheel cleansing facility details;
- A noise management plan including a scheme for the monitoring of construction noise;
- A scheme for the control of dust arising from building and site works;
- Details of remedial measures to be taken if complaints arise during the construction period;
- Any temporary fencing; and
- Any temporary lighting.

The demolition and construction shall thereafter shall take place in accordance with the approved details.

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details needs to be agreed before development commences on site.

C 7 Notwithstanding the submitted details no external works or demolition shall take place until details of the materials to be used in the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. 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). This is a pre-commencement condition as the details need to be agreed prior to any external works taking place.

C 8 Prior to the occupation of the first flat details of a video and audio access control system, as well as a lighting scheme for the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access control and lighting system shall be implemented prior to the occupation of the first flat in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of preventing vulnerability to and fear of crime, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

C 9 The ground floor amenity area to serve Unit 2 as shown on Drawing MHS/06G shall be made available prior to the occupation of this unit and retained thereafter in perpetuity for the benefit of this unit only.

Reason: In the interest of ensuring the future occupier of this unit would have sufficient amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012).

C10 The development shall not begin until a scheme for noise insulation has been submitted to and approved in writing by the local planning authority. The scheme shall include measures to minimise the transmission of noise within the premises and between the adjoining properties. The scheme shall be implemented in accordance with the approved details before the premises are occupied and the noise insulation measures shall thereafter be retained.

Reason: In the interests of protecting neighbour amenity and the amenity of future occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed prior to development commencing.

C11 Notwithstanding the submitted details and prior to the use of the room to which they relate the following units, listed below, and associated windows shall be fitted with obscure glazing (Pilkington level 3 or equivalent) and shall be affixed shut with the exception of a top opening vented window to the bathroom only, and shall thereafter be retained and maintained as such in perpetuity;

- Units 5 and 6 - West facing ground floor windows
- Units 8 and 11 - West facing first floor windows

Reason: In the interest of protecting future occupier amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012).

C12 Prior to first occupation of the development a scheme of nesting boxes for birds shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cater for a number of different species such as House Sparrow, Starling and Swift and shall include details of the number and design of boxes and their location. The boxes shall thereafter be implemented before the building is first occupied.

Reason: In the interests of the enhancement of biodiversity in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

C13 The development hereby approved shall be carried out in accordance with the following approved plans:

- o Location Plan (Rev A)
- o Block Plan
- o MHS/02A - Existing site plan
- o MHS/03B - Existing ground floor plan
- o MHS/09A - Existing front elevation
- o MHS/11A - Existing rear elevation
- o MHS/12A - Existing side elevations
- o MHS/05G - Proposed side plan
- o MHS/06G - Proposed ground floor plan
- o MHS/07H - Proposed first floor plan
- o MHS/08C - Proposed sections
- o MHS/16C - Proposed rear elevation
- o MHS/17D - Proposed side elevations

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

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