

**Application Ref:** 17/02105/HHFUL

**Proposal:** Two storey extension to include garage, carers room and extended bathroom facilities

**Site:** Vine Cottage, Bainton Green Road, Ashton, Stamford  
**Applicant:** Mr & Mrs J Wreford

**Agent:** Mr Mark Bennis  
 Paul Bancroft Architects

**Referred by:** Councillor Over

**Reasons:**

- 1) There are significant personal circumstances involved.
- 2) The application involves an extension but limited changes in the building which is presently there.
- 3) There is significant village support for the individuals concerned but recognition that this should be a 'one-off' approval due to the particular personal circumstances of the applicant and not seen as a precedent for other developments.

**Site visit:** 23.11.2017

**Case officer:** Mr Jack Gandy  
**Telephone No.** 01733 452595  
**E-Mail:** jack.gandy@peterborough.gov.uk

**Recommendation:** **REFUSAL**

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

**Site and Surroundings**

The application site comprises a detached dwelling located within the Special Character Area of Ashton. The site is not located within, or adjacent to, a Conservation Area. The dwelling has previously been extended forward of the front elevation with regards to the existing timber garage, which was granted permission under planning application 06/00046/FUL. The front elevation of the original dwelling is set back from the back edge of the highway by approximately 16 metres. The entrance to the site is bordered by a beech hedge with a willow tree and a hazel tree either side of the entrance. The surrounding area is predominantly residential, with dwellings in detached form.

**Proposal**

Permission is sought for construction of a 1.5 storey extension to the front of the dwelling, to replace the existing garage structure.

The proposal would project from the studio room (to be converted to a bedroom) by approximately 9.3 metres in depth and would measure 7.2 metres in width.

A dual-pitched roof is proposed, with the proposed ridge to measure 6.1 metres high from ground level. The proposed eave lines would be different however, with the north-west facing eaves to measure 3.7 metres high from ground and the proposed south-east facing eaves would measure 2.6 metres high from ground level.

The space created would accommodate a disabled bedroom, bathroom and garage at ground floor level, followed by carer accommodation at first floor level which is full self-contained (save for a shared entrance and access to the rest of the house). Two roof dormers are proposed to the north-west facing roof elevation and two rooflights are proposed to the south-facing roof elevation.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
P0022/79	Erection of detached house and double garage (approval of reserved matters)	Permitted	09/02/1979
06/00046/FUL	Single storey front extension and rear conservatory	Permitted	28/02/2006

## **3 Planning Policy**

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

### **Equality Act 2010**

Given the personal circumstances of the applicant's family, regard must be had to the positive equality duties of Section 149 of the Equality Act 2010. More specifically, this means that due regard must be had to the need to advance equality of opportunity in terms of removing or minimising disadvantages and meeting their needs.

This does not mean that planning applications that relate to meeting the health needs of a person should always be approved. A balanced approach must be taken. If the harm arising from the development outweighs the benefits associated with meeting the needs of the person, then the application may be refused planning permission.

### **Peterborough Core Strategy DPD (2011)**

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

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

#### **SA19 - Special Character Areas**

To preserve the character of Wothorpe, Thorpe Road and Ashton proposals will be assessed against specific criteria in respect of garden sub-division, extensions and alterations, design including site analysis and trees. Proposals for Wothorpe will also be considered against an additional criterion in respect of landscape character.

### **Peterborough Planning Policies DPD (2012)**

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

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

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

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

### **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.

### **PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

### **Peterborough Design and Development in Selected Villages SPD (2011)**

All planning applications for development in Bainton and Aston will be tested against General Village Policies (Section 3) within the SPD for Bainton and Ashton, as well as wider Peterborough-wide planning policies, in order to determine whether such development proposals should be granted permission.

### **Peterborough Local Plan 2016 to 2036 (Proposed Submission 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 Proposed Submission version of the Local Plan will take place during January and February 2018 after which the responses will be reviewed ahead of submission to the Secretary of State.

This plan was approved Cabinet for consultation on 13 December 2017. It is, therefore, classified as an 'emerging plan'. Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At the final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

## **4 Consultations/Representations**

### **PCC Tree Officer (24.11.17)**

There is no objection to the proposal. Request the following tree protection condition as no tree removals are required:

## CONDITION 1

Prior and throughout the duration of the development, the applicants shall implement the recommendations, principles and methodologies as contained within the BS 5837 Arboricultural Report produced by John Wilcockson Arboricultural Consultant dated 23 October 2017.

Tree protection fencing and ground protection shall be erected according to the specifications and locations illustrated on the Tree Protection Plan, within the associated report thereby creating a Construction exclusion Zone. Signs will be placed and retained on the tree protective fencing outlining its importance and emphasising that it is not to be moved, nor the area entered into until the end of development.

Any changes to the above must be requested in writing and granted by the LPA prior to them being undertaken.

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 PP16 of the Peterborough Planning Policies DPD (2012).

### **PCC Wildlife Officer (23.11.17)**

The proposed development is located within Ashton Meadows and Hedges County Wildlife Site, however I consider that this proposal is unlikely to have an impact upon the features for which this site has been designated a County Wildlife Site.

I have no objection to the proposal.

### **PCC Conservation Officer (29.11.17)**

In my opinion, this extension will not preserve the positive attributes that Ashton was designated a Special Character Area for.

There are clearly reasons why this extension is being proposed. Opportunities should be taken to reduce the scale and projection of this proposal. Possibly by way of deleting the garage provision, allowing for a more subservient structure.

### **GeoPeterborough (Sites Of Interest)**

No comments received

### **Bainton & Ashton Parish Council (04.12.17)**

Parish Council has no objections.

Although the proposed building will be higher than the present garage and carport, and therefore more visible from the road, Parish Council do not consider it will be a problem as far as light is concerned and the design seems to be in keeping with the present house. The arborial report implies that the two trees should not be affected.

Our only query is that at present the house has an artificial slate roof, but the proposed roof covering for the extension is clay pantile. However, there are other houses in Ashton with this same combination (house with slate, garage with clay pantile), so we consider it will be in keeping.

### **The Wildlife Trusts (Cambridgeshire) (22.11.17)**

The site is within Ashton Meadows and County Wildlife Site (CWS), selected for its network of mature hedgerows and for its pollard willows. The proposed works would not affect the features of interest of the CWS. The trees on-site are of some ecological interest, but as the arboricultural report concludes, the proposals would not significantly change existing conditions with respect to these trees. The Wildlife Trust therefore has no objection to this application.

## Local Residents/Interested Parties

Initial consultations: 3  
Total number of responses: 3  
Total number of objections: 0  
Total number in support: 3

Two letters of representation have been received from nearby residents in support of the application.

A further letter of support was also received by **Councillor Over**, who has called the application into Planning Committee for the following reasons:

- There are significant personal circumstances involved.
- The application involves an extension but limited changes in the building which is presently there.
- There is significant village support for the individuals concerned but recognition that this should be a 'one-off' approval due to the particular personal circumstances of the applicant and not seen as a precedent for other developments.

## 5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the Special Character Area
- Neighbour amenity
- Impact to trees
- Ecology
- Parking provision

### a) Design and impact to the character and appearance of the site and the Special Character Area

The application site is located within the Ashton Special Character Area. Special Character Areas are not Conservation Areas and as such, are not covered by Section 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended). However, given their special character status, special regard is paid to ensure that the character of the surrounding Special Character Area would not be unacceptably affected by development.

Special Character Areas are marked by their low-density and generally large dwellings set within spacious grounds. It is important that any development is carefully guided in order to protect each Area's character. Any new development must enhance the character and appearance of the Area. It must respect the scale, massing, depth, materials and spacing of established properties, according to Policy SA19 of the Peterborough Site Allocations DPD (2012).

The Design and Development in Selected Villages SPD (2011) details particular principles to be accounted for when assessing development proposals within Ashton. Extensions are required to be "highly sympathetic" to the existing dwelling, both in the use of materials and design to preserve dwelling character (paragraph B&A 1). Paragraph B&A 2 states that alterations to existing properties should respect the character of the area by taking reference to density, orientation to and placement besides roads, the spacing between properties and property boundaries.

Whilst the proposed extension would be built in timber to match the existing garage, it is considered that the scale, depth and design of the proposal does not respect the character and appearance of the property on site and dwellings within the surrounding area.

Officers consider that the increased depth to 9.3 metres (from 5.2 metres), as well as the increase in height to 6.1 metres (from 4.8 metres) to accommodate the first floor, would cause the proposal to be overly dominant against the original property. The proposal would result in large frontal massing that would exceed the proportions of the existing dwelling. Such massing, along with the 6.1 metre height proposed, would appear prominent in a location where dwellings are subservient to plot size. The works would reduce the distance separating the property from the highway, thus this increases the prominence of the proposal to the surrounding area. Whilst the willow tree and hedge would provide some form of cover against the street-facing gable, this is not considered sufficient to limit the prominence of the proposal to the surrounding street scene.

The Conservation Officer states that the neighbouring property to the south, Devonshire Cottage, has a detached garage extension approved under 14/01998/HHFUL that is forward of the front elevation. Whilst the size and scale of this neighbouring extension is much reduced compared to the extension proposed under this application, the Conservation Officer states the neighbouring extension previously approved has had a negative impact upon the immediate setting of the area as it is more prominent than it ought to be. The structure proposed under this application is much larger, taller and would also project closer to the highway than that approved at Devonshire Cottage. Officers consider that the proposal would be a dominant feature within the surrounding area, which the Conservation Officer considers would be of detriment to the positive attributes of Ashton's Special Character Area.

Further to site meetings and discussions with the agent, Conservation and Planning have advised on reducing the depth of the extension by half, thus removing the garage and one roof dormer, but would retain the planned entrance, bedroom, bathroom layout proposed elsewhere in the dwelling. However, this has been rebutted by the agent, stating that the carer accommodation is required to be located near to the disabled rooms. The agent has also informed that the size of the proposed garage is needed to allow storage of equipment relating to the needs of the occupiers.

Officers appreciate that there are personal circumstances associated with the proposal to fulfil the requirements of the occupiers. Under such circumstances, Officers may allow for some provision of increased development of more-than-usual proportions to accommodate care needs. However, it is considered that the scale of development proposed within the Special Character Area and the harm that would be created would overly exceed this threshold.

In light of the above, given the size, scale, prominence, massing of the proposal and its unacceptable impact to the character and appearance of the site and the surrounding area, Officers do not consider the proposal to be in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

## **b) Neighbour amenity**

There are three properties that are nearest to the boundaries of the application site: Hawthorn Farm to the north, Grossmiths Cottage to the east and Devonshire Cottage to the south.

There would be approximately 20 metres of separation between the east-facing elevation of the proposal and the front elevation of Grossmiths Cottage, with the public highway situated between. Given this distance, it is not considered that the proposal would cause unacceptable levels of overshadowing or overbearing to this neighbour. In addition, no windows are proposed to this east-facing side elevation, which allows the privacy of this neighbour to be safeguarded.

Hawthorn Farm is located to the north of Vine Cottage. There would be approximately 55 metres between the north-facing elevation of the proposal and the south-facing elevation of Hawthorn Farm. The distance alone is considered by Officers to be sufficient to avoid adverse levels of shadowing and overbearing. With regards to the proposed dormers, some views would be provided into the neighbouring garden. However, this view would be limited as a result of the trees to the neighbouring site and the boundary hedge. Furthermore, as a result of the distance, it is considered that there would be no clear view to the south-facing elevation of Hawthorn Farm.

Finally, Devonshire Cottage is the neighbour south of the application site, as well as the neighbour closest to the proposed development. The distance between the shared boundary and the south-facing elevation of the existing garage would remain the same for the proposed garage, albeit the proposed garage is much larger. The proposal would be further forward than the front elevation of Devonshire Cottage.

Devonshire Cottage is approximately 3.7 metres south of the boundary line between the two properties. As such, no harmful levels of shadowing would occur to this neighbour. One window is proposed to the south-facing elevation of the extension. This window would provide an opening for light to the disabled bathroom. Providing that the window is obscurely-glazed, the amenity of both the occupier and the neighbours to the south would be protected.

Having assessed the impacts to the neighbours nearest to the application site, Officers consider that the proposal is in accordance with Policy PP3 of the Peterborough Planning Policies DPD (2012).

#### **c) Impact to trees**

The Tree Officer has raised no objection to the proposal. There are no trees protected by Tree Preservation Orders (TPOs) with the immediate vicinity. There are also no wider tree protections due to the site not being located within a Conservation Area.

An arboricultural report has been submitted alongside the proposed plans, which identifies two trees onsite that require future protection. The report outlines the impact of the proposal on the trees which appears to be relatively minor. However, the methodologies outlined must be followed to ensure the trees are not unintentionally damaged. As such, the Tree Officer has recommended that if the application was recommended for approval, that compliance with this report is conditioned. Officers consider that the proposal is in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

#### **d) Ecology**

The application site is located within 'Ashton Meadows and Hedges' County Wildlife Site. Given the works proposed, the PCC Wildlife Officer does not consider that the proposed extension would have an adverse impact upon the features within the County Wildlife Site. As such, the Officer raises no objection to the proposed development. This view is also shared with the Wildlife Trust, as stated in Section 4.

On the basis of the above, Officers consider that the proposed development would not result in adverse harm to the proposal is considered to accord with Policy PP19 of the Peterborough Planning Policies DPD (2012).

#### **e) Parking provision**

The property currently has four bedrooms. The proposed extension would contribute a further two bedrooms to the property, increase the overall number of bedrooms to six. Parking standards state that for properties with four bedrooms, these should be served by two parking spaces.

Under adopted policy in parking standards, there is no increase in requirement for any additional car parking spaces when increasing from four to six bedrooms. In addition, it is considered the existing gravel surfacing to the front of the property, would be able to accommodate more than two vehicles on site. As such, Officers consider that the proposal is considered to accord with Policy PP13 of the Peterborough Planning Policies DPD (2012).

## **6 Conclusions**

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant planning policies of the development plan and for the specific reasons given below (Section 7 'Recommendation').

With regards to the Equality Act 2010, it is considered that the adverse harm that would arise from the proposed development would outweigh the benefits associated with meeting the needs of the applicants.

## **7 Recommendation**

The case officer recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed extension, by virtue of its size, massing and prominence would have an unacceptable adverse impact upon the character and visual appearance of the site and the surrounding Special Character Area. The proposal would result in a 1.5 storey extension that is not to scale with the proportions of the existing property and one that would be built too close to the east-most boundary of the property that is much further forward than the property's building line. The proposal would appear adversely prominent on site and within the surrounding area as a result of its position, height and massing. The proposal is considered to be incongruous to existing character and appearance of the site and the surrounding area. The proposal is therefore contrary to Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).