

**Application Ref:** 17/02205/FUL

**Proposal:** Conversion of first floor from 1 to 3 flats and construction of dormer window

**Site:** The Eldern, Eldern, Orton Malborne, Peterborough  
**Applicant:** Mr Sunner  
**Agent:** SLR Architectural

**Referred by:** Cllr Casey  
**Reason:** Car parking

**Site visit:** 08.08.2018

**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 Description

The Eldern was originally built as a public house (PH), and it is located within the Eldern Local Centre. The building is of an irregular shape with a large roof scape, and was until recently a PH at ground floor with a single flat above. The ground floor is now occupied by 4x 1-bed dwellings.

To the immediate north of the site are retail uses with residential units above. There are also some residential properties to the west and south west of the site, and a bus-way to the immediate south with Leighton Primary School beyond. The building is not served by any designated car parking, however there is a communal car park located to the north of the site.

### Site History

In 2014 under planning application reference 14/01240/FUL planning permission was applied for to convert the ground floor of the PH into 7x 1-bed flats. This application was refused due to concerns in respect of future occupier amenity, lack of cycle and car parking and that a S106 legal agreement for infrastructure had not been entered into.

Subsequent to this, planning permission was applied for to convert the ground floor to 4x 1-bed flats together with the creation of a shared amenity / drying space under planning application reference 14/01893/FUL. This planning application was approved and has now been implemented.

### Proposal

This application seeks planning permission for the conversion of the first floor of the building from 1 x 3 bedroom flat into 3 x flats (2 x 2 bedroom flats and 1x 1-bedroom flat), together with the construction of a large roof dormer extension. The proposed dormer would extend along the east, south-east and southern roof slope of the building. An existing high level first floor window on the northern elevation is also proposed to be changed into a standard sized window, to serve the kitchen of Flat 3.

Amended plans have been received during the course of the application, to clarify the red-line site application boundary and to insert an additional first floor side facing window into Flat 1.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/01240/FUL	Convert former public house into seven one-bed residential units at ground floor level	Refused	22/09/2014
14/01893/FUL	Convert former public house into four one-bed residential units at ground floor level	Permitted	23/04/2015

## **3 Planning Policy**

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

### **National Planning Policy Framework (2018)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 11: Making effective use of land

Section 12: Achieving well-designed places

### **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.

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

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

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

### **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.

### **PP13 - Parking Standards**

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

### **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.

### **Peterborough Local Plan 2016 to 2036 (Submission)**

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 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 this 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.

### **LP01 - Sustainable Development and Creation of the UK's Environment Capital**

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

### **LP03 - Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

### **LP13 - Transport**

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

#### **LP16 - Urban Design and the Public Realm**

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

#### **LP17 - Amenity Provision**

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

## **4 Consultations/Representations**

### **PCC Peterborough Highways Services**

#### *First Round of consultation*

Comments - It stated in the pre application information that the existing car park was to be used for the parking requirements of the residents of the new dwellings.

As the existing car park also provides parking facilities for people visiting the nearby Nisa store and takeaway it was unclear as to whether the car park could safely accommodate the additional parking requirements of the new residents.

As a result of the above the Local Highway Authority (LHA) stated that should a formal application be submitted that a parking survey of the car park would need to be carried out.

Upon submission of the completed parking survey the LHA can then make a robust assessment of the proposals and submit final highway comments.

#### *Second Round of consultation*

No objection - The data and video footage collected as a result of the Parking Survey has demonstrated that the car park has sufficient available capacity to accommodate the parking requirements of the 2 additional flats proposed.

### **Police Architectural Liaison Officer (PALO)**

No objection - This section is aware of the issues regarding anti-social behaviour. We are mindful that the existing conversion has improved the look of the building and with this proposed conversion and refurbishment of the bin stores this would improve the security and appearance of the site, and prevent unauthorised access and dumping.

The developer can contact this Service for any advice on security improvements for the whole site, including improvements to lighting and security of the refurbished bin stores.

### **Cllr Casey**

Has referred the application to Planning Committee due to concerns about car parking.

## **Local Residents/Interested Parties**

Initial consultations: 22

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

There have been 8 letters of representation received from 3 local residents raising the following concerns;

- The car park is at capacity, used by the school, teachers, shops and residents;
- People are parking vehicles on the road and on the footpath leading to the Eldern;
- The site is in a poor state of repair, and works sought under to the earlier application has not been completed; and
- Issues of anti-social behaviour, including littering, graffiti and the first floor flat being used as a cannabis factory.
- Rubbish thrown outside and no bins provided.

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

### **The Principle of Development**

The site is located within a designated Local Centre, as defined by the Site Allocations DPD. Whilst the site is still referred to as the Eldern, the PH use has since ceased on site further to the implementation of the 2014 planning permission which granted the conversion of the ground floor into 4 x 1-bedroom flats.

The site is located within the urban area of Peterborough, and is well related to surrounding services and facilities. Therefore the principle of residential use on this site is considered to be acceptable subject to satisfactory addressing the following detailed issues.

### **Design, Layout and Crime**

To facilitate the proposed residential accommodation in the first floor, the building is to be extended by way of a large dormer extension, which would utilise a shallow roof slope and brown weather boarding materials. The dormer would be situated on the eastern, south-eastern and southern roof slopes of the building facing towards the bus route.

Whilst large dormer extensions such as the one proposed are not generally typical design features of the surrounding area. The proposed dormer has been designed to appear subservient to the building's roof, by being set back from the ground floor and down set down in height from the main ridgeline. The dormer is also proposed to be constructed in materials which are visually sympathetic to the character and appearance of the original building. Therefore whilst the proposed dormer would be visually prominent in the surrounding public realm, including Leighton Primary School opposite and adjacent bus route, it is not considered to be visually harmful to the character or appearance of the site or surrounding area.

In addition an existing high level window on the northern elevation is proposed to be changed into a full sized window to serve a kitchen, and a new window is proposed to be inserted into the southern elevation. Subject to these proposed windows being designed to match those in the existing building they are considered to be acceptable.

Crime - The Police Architectural Liaison Officer are aware of anti-social behaviour issues, however they have raised no objections to the proposed development. They comment that the existing residential conversion on site has improved the look of the building. This further residential conversion proposed would also further improve the visual appearance of the site. They are aware that the existing bin store is not adequately secure and this provides the opportunity for people to hang around who should not be there. The improved security of the bin storage area should be secured through this planning permission by condition. Further to the completion of these works it is anticipated that issues of untidy land and anti-social behaviour would reduce.

The letters of representation received raised concerns that the refuse collection area on site approved under the 2014 planning permission had not been implemented. The planning enforcement team have investigated this complaint and are satisfied that the bin storage area on site has been completed in accordance with the 2014 planning permission. It is recommended that a planning condition be appended if planning permission is granted, to ensure that the refuse collection area on site is retained and that adequate security measures are proposed to reduce the potential for crime and anti-social behaviour.

Subject to the development being implemented in accordance with the approved details, it is not considered that there would be any unacceptable harm to the character or appearance of the site or surrounding area, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

#### **Amenity of existing and future occupier amenity**

The windows of the proposed dormer extension would overlook the adjacent bus route and the public realm to the east and south of the site. Therefore they would not give rise to any unacceptable levels of overlooking, loss of privacy or outlook to any of the surrounding residential properties.

An existing first floor window is proposed to be enlarged, to become a full sized window, on the northern elevation to serve Flat 3. This window would overlook a communal terrace area serving the three flats above the shops to the immediate north of the site. As this is a communal area, and not a dedicated private amenity space, the introduction of this window serving a kitchen would not result in any unacceptable harm to the privacy of these neighbouring sites.

The amended plans received also include a new full sized window to Flat 1. It was not possible to introduce a window on the north elevation due to the proximity of a raised garden serving a residential property to the north. Therefore a first floor side facing window has been proposed instead. Whilst the outlook from this room would not be ideal, it does at least provide some natural light into the main kitchen and living area for this flat, to give improved amenity for residents.

Each flat would be provided a dedicated kitchen and living space, and the bedroom windows would be situated within the proposed dormer extension, thereby achieving a satisfactory outlook from these windows for future residents.

The proposal would not provide any dedicated private amenity space, however there are a number of public open spaces within a 5 minute walk of the site. Therefore future residents would have access to nearby outdoor amenity space. A dedicated refuse collection space is also provided to the rear of the building for residents.

Consistent with other schemes of this nature a condition is recommended in respect of the proposed security measures, specifically audio and visual access control, to help prevent unauthorised access to the communal areas.

As such it is considered that the proposal would not result in any unacceptable harm to the amenity of neighbouring residents, and would provide a satisfactory level of amenity for future occupiers. The proposal is therefore in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012).

## Access and Parking

The parking requirement for the existing 3 bedroom flat is 2 car parking spaces. The car parking requirements for the 3 flats proposed would be 5 spaces. Therefore discounting the spaces for the existing flat, the net additional car parking requirement would be 3 car parking spaces.

The submitted red line plan confirms that future occupiers would be able to park within the private car park located to the north of the site. This is the same as the previous car parking arrangements which formed part of the 2014 planning permission. The data and video footage collected as part result of the submitted Parking Survey has demonstrated that this car park has sufficient capacity available to accommodate the parking requirements of the 2 additional flats (3 car parking spaces) now proposed, and on this basis the Local Highway Authority raises no objection.

The site is located within a designated local centre, which is considered highly sustainable due to being well served by a regular public transport service, and having a range of facilities such as convenience food shops, hot food takeaways etc.

Officers are aware that car parking appears to be an issue within the immediate locality, particularly as the nearby car park is private and so people may be put-off from parking there. There are concerns by residents that 2x additional flats on the first floor of the building, as there is one already existing, would exacerbate existing on-street parking. The Case Officer has sought written confirmation that future occupiers of this site would be entitled to park within the nearby car park, and Officers at the time of writing this report are awaiting this written confirmation. Further information will be reported in the update report, however it should be noted that the site is located within a sustainable local centre, and the shortfall in the car parking requirement for this development is only 3 spaces.

A condition is recommended to require the car parking spaces be provided and retained for this residential use prior to the first occupation of the flats. Subject to this condition the proposal would accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

## 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 flats would be located within the urban area of the city, and the proposed works would not unacceptably harm the character or appearance of the host building or surrounding streetscene. As such the proposal would accord with Policies CS1, CS2 and CS16 of the Peterborough Core Strategy DPD (2011), and PP1 and PP2 of the Peterborough Policies DPD (2012);
- The flats would not result in any unacceptable harm to the amenity of adjoining neighbours, and a satisfactory level of residential amenity would be provided for future residents, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2012) and PP3 and PP4 of the Peterborough Policies DPD (2012); and
- The proposed development would not constitute a highway safety danger and sufficient car parking would be available in the nearby car park, in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).

## 7 Recommendation

The case officer 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 Prior to the occupation of the first flat, or on completion of the development, whichever is sooner, three parking spaces shall be made available within the car park situated to the north, as shown on Drawing 479-17-150C (Site Location Plan) to serve this proposed development. These parking spaces shall remain available for these flats for the purposes of parking vehicles only in perpetuity.

Reason: In the interest of providing off-street car parking, in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).

- C 3 The materials to be used in the construction of the external surfaces of the dormer window and openings hereby permitted shall match those indicated on the submitted plans and application form.

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).

- C 4 Prior to the occupation of the first flat, details of the communal refuse collection area at ground floor, and measures to make it secure, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse collection area shall be made available prior to the occupation of the first flat, and thereafter retained and maintained as such in perpetuity.

Reason: In the interest of providing satisfactory amenity for future occupiers in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2, PP3 and PP4 of the Peterborough Policies DPD (2012).

- C 5 Prior to the occupation of the first flat, details of a video and audio access control system to the communal pedestrian door, 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 6 Prior to the occupation of the first flat, details of secure cycle parking to serve all the flats hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall be implemented on site, so that each flat is provided with secure cycle parking, prior to first occupation and shall be retained and maintained as such in perpetuity.

Reason: In the interest of providing alternative and sustainable means of transport, in accordance with Policies CS14 of the Peterborough Core Strategy (2011) and PP13 of the Peterborough Policies DPD (2012).

C7 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the conversion/construction period. These facilities shall be retained for the duration of the conversion/construction period.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

C 8 The proposal shall be implemented wholly in accordance with the following details:

- 479-17-100B - Existing plans and elevations
- 479-17-160A - Existing ground and proposed first floor plans
- 479-17-150C - Proposed floor plans, elevations, block plan and location plan

Reason: For the avoidance of doubt

Copies to Councillors:

Graham Casey  
Gavin Elsey  
Irene Walsh

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