

**09/01025/FUL:** CONSTRUCTION OF 52 UNIT EXTRA CARE FACILITY AND 12 CLOSE CARE BUNGALOWS PLUS ASSOCIATED PARKING AND LANDSCAPING AT LAND OFF, THORNEY ROAD, EYE

**VALID:** 8 SEPTEMBER 2009

**APPLICANT:** AXIOM HOUSING ASSOCIATION

**AGENT:** LARKFLEET HOMES

**REFERRED BY:** COUNCILLOR SANDERS

**REASON:** NOT IN KEEPING WITH THE SURROUNDING AREA AND POSSIBLE CONGESTION IN RELATION TO TRAFFIC MANAGEMENT

**DEPARTURE:** NO

**CASE OFFICER:** EMMANUEL ALLANAH

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## **1 SUMMARY/OUTLINE OF THE MAIN ISSUES**

The main considerations are:

- Appearance of the development in the street scene
- The traffic impact of the development
- Impact on reptiles within the site

The Head of Planning Services recommends he be given authority to APPROVE planning permission subject to signing of a Section 106 Agreement to secure contribution toward the provision of bereavement services and waste management.

## **2 PLANNING POLICY**

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

### **Development Plan Policies**

#### **The Peterborough Local Plan (First Replacement)**

H16- Residential Design and Amenity

H21- Affordable Housing

H23- Lifetime Homes and Wheelchair housing

T1- The Transport Implications of New Development

T3-Accessibility

T5-Accessibility to Development – Cyclists

T8-Connection to the existing highway network

T10-Car parking provision

LT1- Open space in new residential development

LT2- Off-site contributions towards the provision for open space for new residential development

DA1- Townscape and Urban Design

DA2- The effect of development on the amenities and character of an area

CBE2- Other areas of archaeological potential or importance

LNE9- Landscaping implications of development proposals

LNE10-Detailed elements of Landscaping schemes

LNE12- Hedgerows

IMP1- Securing satisfactory development

### **3 DESCRIPTION OF PROPOSAL**

This application seeks planning permission for the construction of a total of 64 extra care and close care units for the elderly / infirm. The proposal consists of the following:

- 52 socially rented extra care units with communal gardens
- 6 shared ownership affordable close care bungalows
- 6 market sale close care bungalows

The 52 extra care units are located in a large block situated on the front part of the site, facing Thorney Road and opposite Fountains Place and is mostly 3 storey in height with the 'end wings' on either side of the building being 2 storey. This gives the effect of the building rising from a height that is actually lower than the two storey dwellings that have been granted planning permission either side of this proposed development, to 3 storey.

Access to the proposed development is via the two accesses that already have the benefit of planning permission.

21 car parking spaces (of which 3 are of disabled standard) are proposed to serve the 52 extra care units and 5 of the proposed bungalows. The remaining 7 bungalows are served by 14 parking spaces.

Axiom Housing Association wish to highlight that:

*"Peterborough City, along with all of the East of England, has an increasingly ageing population. There is a severe shortage of suitable accommodation for the vulnerable elderly population. The City`s housing strategy has set the target of providing 400 units of extra care housing to meet the City`s needs by 2011. The proposed will make a major contribution these needs meeting that need.*

*In order to provide high quality, affordable extra care homes, housing associations, such as Axiom are required to bid for government capital grants to contribute towards the development costs of the scheme. This is a competitive process and many other providers are looking to do the same across the East of England and compete for increasingly scarce government resources. Axiom has been successful in securing over £3 million of government grant towards this scheme. The investment from Axiom will bring the total investment to over £9.5 million.*

*All of this investment and the homes and support services for vulnerable older people, is dependent upon planning permission being granted and work being undertaken to achieve completion by March 2011.*

*This is a key strategic project for Peterborough secured in competition from other authorities across the East of England. It is reasonable to state that this level of grant funding is very unlikely to become available in the foreseeable future and the rejection of this scheme will mean not only the loss of vitally needed homes for local older people, but also secure long term employment for local people".*

### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The site is part of a wider vacant development site that in total has planning permission for 112 family dwellings. The site is generally flat with a short sharp rise from the main body of the site to the Thorney Road (a height change of c1.3m). The southern boundary of the site is made up of hedges and a large tree (protected by a Tree Preservation Order). A hedge makes up the boundary to the east with there being no boundary demarcation to either the west or north of the application site.

The nature of the surrounding development is mostly 2 and 2.5 storey residential development. The nature of the building materials are as follows: red and buff brickwork on the modern residential

development to the south, local stone at the newly built Parsonage and a mix of brick and stone along the High Street.

## **5 PLANNING HISTORY**

06/00045/FUL – Approval for residential development  
06/00455/FUL – Approval for residential development  
05/00008/FUL – Approval for residential development

The above permissions grant planning permission for 112 units.

The proposal would have the result of reducing the number of units from 112 to 84.

## **6 CONSULTATIONS/REPRESENTATIONS**

### **INTERNAL**

#### **Transport & Engineering**

No objection as the proposal generates no more traffic than the approved housing scheme. Requests standard highway conditions be applied. See recommendation.

#### **Strategic Housing**

The provision of extra care housing is a strategic priority for both Peterborough City Council and NHS Peterborough and the 64 dwellings proposed by this scheme would play an important part in meeting the target of providing 400 units of extra care housing by 2011. This was corroborated by letters of support from Peterborough City Council's Housing Strategy Team, Supporting People and Primary Care Trust at the stage of submission of a funding bid for this scheme to the HCA.

#### **Bereavement Services**

Requests that a Section 106 contribution for Bereavement Services be secured.

#### **City Services – Cleansing**

Requests that a Section 106 contribution for Waste Management Services be secured.

#### **Planning Delivery - Ecologist**

Requests that a satisfactory reptile (common lizard) survey and mitigation proposal be submitted prior to the issue of the grant of planning permission.

Note for Committee:- The applicant at the time of writing is undertaking this work and a verbal update will be given at the meeting. It should be noted however, that the presence or otherwise of reptiles was not a matter that was apparent in the (extant) planning permissions issued in respect of the residential development that has approved on this application site and on the land to either side. In effect, these approved development could go ahead with no regard (in planning terms) to the presence of the reptiles.

#### **Building Control – Access Officer**

No objection

#### **Tree Officer**

No objection subject to application of standard condition regarding tree protection measures for the tree protected by a tree preservation order.

#### **Environmental Health**

No comments received.

#### **Archaeology**

No comments received.

### **Senior Engineer Drainage**

No comments received, though the proposal does not impact on any City Council drainage infrastructure.

### **Travel Choice**

No comments received.

### **Adult Social Care**

No comments received.

## **EXTERNAL**

### **Eye Parish Council**

Object as the main block is 3 storey and close to the road side and thus would not be in keeping with Eye

### **North Level IDB**

No objection. Requests condition requiring the submission and approval of a surface water scheme. See recommendation.

### **Cambs Fire & Rescue Service**

No objection. Requests condition requiring the provision of fire hydrants.

### **Police Architectural Liaison Officer**

No comments received.

## **NEIGHBOURS**

Two objections have been received and these raise the following points:

- The proposal for 3 storey development is too high, is out of keeping with the area and may be the start of a development trend in the village
- A 3 storey hotel was recently refused planning permission locally due to its height
- Orientation of the building is detrimental to the occupants of the complex, the occupants of the proposed dwellings to the east and the residents of Fountains Place.
- With rooms facing the main road (and some surrounded by a 'T' junction) they will be subject to much noise nuisance from all kinds of passing traffic (including busses stopping at the bus stop with engines running) particularly during the early morning
- If the development is to go ahead, the speed limit should be reduced to 30mph.
- The appearance of the 3 storey building will be overbearing to the Fountains Place residents.
- A higher than normal number of Service vehicles, staff vehicles, emergency vehicles and visitor vehicles, going too from the development, will run through a residential area.
- City Council is using Eye as a dumping ground for an excessive amount of development and is doing so to the detriment of the amenity and appearance of the area.

The following changes have been suggested by one objector:

1. Rotate the building 90 degrees and provide the development with a bespoke access
2. Put in a mini-roundabout at the junction (formed as a result of doing 1 above). with Thorney Road
3. Add more landscaping
4. Add signage so people can find the facility

## **COUNCILLORS**

Cllr Sanders has expressed the view that the proposed 3 storey building is not in keeping with the surrounding area and that it may cause congestion in relation to traffic management.

## **7 REASONING**

### **Appearance of the development in the street scene**

Whilst the main block of the development is 3 storey, the visual impact of this has been mitigated by the following:

- The site sits lower than the properties opposite it along Thorney Road.
- The design of the development has been deliberately arrived at to give it as lower roof line as possible and because of this the maximum height of the building is not significantly taller than the dwellings that have been granted planning permission to either side or on the opposite side of the road.
- The building has deliberately incorporated a number of design features to reduce the visual impact of the building e.g. the stepping of the building from two storey at either end to three storey in the middle, a variation in the 'building line' along the Thorney Road frontage, variation in the roof line.

It should be noted that residential properties along the High Street also comprise of both two and two and half storey residential buildings with different patterns of ridge heights.

Having taken into account the existing level of the application site and the different patterns of ridge heights and different townscape characters within the immediate built environment, on balance the proposed 3 storey scheme will not adversely spoil the visual street scene along this part of Thorney Road.

### **Traffic impact**

The proposed access to this scheme is from Thorney Road via two accesses that already have the benefit of planning permission. The proposal will result in a lower number of housing units on the site compared to the previously approved development and that any increase of traffic movements generated by staff and service vehicles would be offset by the low level of traffic movements generated by the occupants of the development compared to the previously approved residential development. Highway Officers have deliberately visited a similar development elsewhere in Peterborough in order to assess this application prior to making comments and it has been concluded that the proposal would not result in a level of traffic movements and demand for car parking that could not be accommodated by the proposed access, the junction with Thorney Road or by the car parking being provided. Adequate cycle parking is to be provided and it is noted that Thorney Road is on a local bus route.

### **Impact on the likelihood of discovering reptiles within the site**

There is a waterlogged pit nearby and there is the possibility that reptiles may have migrated onto the application site. A survey to look for the presence of reptiles (and if found a scheme of mitigation) is awaited and a verbal update will be given at the meeting. If reptiles are found a condition requiring the implementation of a mitigation scheme needs to be applied (see recommendation).

## **8 CONCLUSIONS**

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

The proposed development is considered acceptable because the proposed three storey building will not adversely spoil the character and visual amenities of the appearance of the area and will not lead to unsatisfactory living condition of existing or developments granted planning permission by virtue of overlooking, overshadowing, loss of privacy or by being overbearing. This is in accordance with policies DA1 and DA2 of the Peterborough Local Plan (First Replacement). The proposal will improve extra care homes facilities and the provision of affordable housing within this part of Peterborough. It will assist to achieve the Strategic Housing priority of the provision of care homes housing strategy for Peterborough City Council and National Health Service. This is therefore in accordance with policies H20 and H23 of the Peterborough Local Plan (First Replacement).

Access to/ from the site is safe and adequate provision has been made for the turning and parking of vehicles. Cycle parking is to be provided and the proposal is located on a bus route. The proposal therefore is unlikely to generate adverse traffic to the area; therefore in accordance with policy T1 of the Peterborough Local Plan (First Replacement).

The mitigation measures to safeguard any existing reptiles within any part of the application site will assist to safeguard life of any reptiles that are likely to be found through the confirmatory survey. Such mitigation measures will be secured through the recommended planning condition. This is in accordance with policy LNE19 of the Peterborough Local Plan (First Replacement).

The proposal will impact on the future provision of bereavement services and waste management and a contribution toward mitigating the impact is proposed and this is in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement).

## **9 RECOMMENDATION**

That the Head of Planning Services be authorised to APPROVE the application (with the conditions set out below) subject to:

- a) the entering into of a legal agreement in respect of a contribution toward Bereavement Services and Waste Management
- b) a satisfactory reptile and mitigation proposal being submitted:

**1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Prior to the commencement of the development visibility splays of 4.5m x 120m visibility splays (measured along the centre line of the proposed access roads from their junction with the channel line of Thorney Road and measured along the channel line of the public highway from the centre line of the proposed access road respectively) shall be provided and thereafter maintained free of any obstruction over a height of 600mm .

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement)

**2. Prior to the commencement of the development full details of a footway/drainage scheme along Thorney Road from and along the frontage of the site to tie-in to the existing footway to the west shall be submitted to and approved by the local planning authority. The footway/drainage scheme shall be implemented in accordance with the approved details prior to occupation of any of the dwellings.**

Reason: In the interests of Highway Safety and to provide for the efficient drainage of the public highway, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement)

**3. Development shall not commence before vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. (see informative 1) All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway.**

Reason: To prevent mud and debris being brought onto the public highway, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement)

**4. Adequate 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 period of clearance, remediation and construction. These facilities shall be in accordance with**

**details which have previously been approved in writing by the Local Planning Authority and shall be retained for the duration of works on site.**

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement).

- 5. Notwithstanding the submitted plans prior to commencement of the development details showing a turning area for refuse vehicle on the western access road must be submitted to and approved by the Local Planning Authority. This turning area shall be provided before the use of the western accesses and thereafter be maintained solely for the turning of refuse vehicles.**

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005.

- 6. Pedestrian Visibility splays shall be provided on either side of the junction of the accesses from parking areas with the proposed main access roads. The minimum dimensions to provide the required splay lines shall be 2.0m x 2.0m measured from and along the channel line of the public highway on each side of the access. The splays shall be thereafter maintained clear of any obstruction over a height of 600mm above the footway/carriageway level.**

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005.

- 7. Prior to the commencement of the development, a Travel Statement (TS) shall be submitted to and approved by the Local Planning Authority. The TS shall contain measures to promote the use of non-car modes to access the site and also contain details of the location and design of cycle parking in accordance with Peterborough City Council Guidance.**

Reason: In the interest of sustainable travel and to accord with Policy T1 of the Peterborough Local Plan (First Replacement) 2005.

- 8. Prior to the occupation of the dwellings hereby approved alternative bird nesting sites and bat roosting sites within the development shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure the survival and protection of the birdlife within the site and the general locality in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement) 2005.

- 9. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layout; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures.**

Reason: In order to improve the visual amenity of the areas; in accordance with Policies DA1, DA2, LNE9, and LNE10 of the Peterborough Local Plan (First Replacement).

- 10. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass established); schedules of plans, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.**

Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

- 11. If within a period of five years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure the successful establishment of the landscaping scheme, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

- 12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before occupation of each completed dwelling or in accordance with a timetable agreed in writing with Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- 13. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.**

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policies CBE1 and BCE2 of the Peterborough Local Plan (First Replacement).

- 14. No development shall take place until details of all materials to be used in the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- 15. Prior to the occupation of the approved development a scheme for the provision fire hydrants shall be implemented in accordance with details to be submitted to and approved in writing with the Local Planning Authority.**

Reason: In the interests of residential amenity and safety in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).

- 16. No development, including site clearance works, shall commence in the area identified as area 1 in the ecological scoping accompanying the application until a reptile survey has been carried out and a survey report submitted to and agreed in writing with the Local Planning Authority. Area 1 shall be taken to include the boundary hedgerow between areas 1 and 2. Should the survey identify the presence of reptiles, then no development shall commence until a mitigation strategy has also been agreed in writing with the Local Planning Authority and implemented in accordance with the agreed detail.**

Reason: In order to safeguard and protect the life of the reptiles in accordance with policy LNE19 of the Peterborough Local Plan (First Replacement).

- 17. No development shall take place until a scheme for the protection of the TPO tree on the site has been submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved scheme.**



Reason: To safeguard the tree and to accord with policy LNE11 of the Peterborough Local Plan (First Replacement).

- 18. No development shall take place until a scheme for the disposal of surface water has been submitted to and approved by the local planning authority (your notice is drawn to the attached advice from the Internal Drainage Board). The development shall be implemented in accordance with the approved scheme.**

Reason: In the interest of flood prevention and to accord with PPS 25 and policies U1 and U2 of the Peterborough Local Plan (First Replacement).

- 19. With the exception of the formation of the access to Thorney Road, no raising of land levels is authorised by this planning permission and the finished floor levels of all the properties hereby approved shall be no more than 15cm above existing ground level.**

Reason: In the interest of the appearance of the development and in the interest of flood prevention and to accord with PPS 25 and policies U1, U2, DA1 and DA2 of the Peterborough Local Plan (First Replacement).

## **Informatives**

### **Numbering and Naming**

Public Health Act 1925 S17-18

The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.

Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.

### **Vehicular Crossings S184 Access Works**

Highways Act 1980 - Section 184, Sub-Sections (3)(4)(9)

This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway.

These works **MUST** be carried out in accordance with details specified by Peterborough City Council.

Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee.

Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.

### **INF15 NR&SWA 1991**

The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.

### **INF17 New Adoptable Highways S38 road adoption agreements**

The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421.

### **INF18 Wheel Cleansing**

#### **Informative associated with condition HW24**

The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.

Copy to Councillors: Sanders, Dobbs