

Application Ref: 19/00696/REM

Proposal: Approval of access, appearance, landscaping, layout and scale for the erection of five self-build detached bungalows (with refuge in the roof space) together with associated access, parking and amenity space pursuant to outline planning permission 17/01902/OUT

Site: Land on the West Side Of, Guntons Road, Newborough, Peterborough

Applicant: Mr Patrick Burke, Burmor Roberts

Agent: Mr Paul Sharman, Sharman Architecture

Site visit: 10.05.2019

Referred by: Councillor Steve Allen

Reason: Proposed reserved matters scheme differs from the outline planning permission

Case officer: Mr D Jolley

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Recommendation: **GRANT** subject to conditions and delegated authority for Officer's to resolve outstanding drainage matters.

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

Site and surroundings

The application site extends to approximately 0.42 hectares (44 metres x 95 metres), is rectangular in shape and located on the western side of Guntons Road to the rear of Nos.78 to 90. The application site is primarily a large grassed area/paddock and part of the domestic garden to No.90 Guntons Road.

The site lies within the identified Newborough settlement boundary and sits approximately 70 metres from the southern entrance to the village. The site is bounded by: residential development to the east, comprising both bungalows and two storey dwellings; rear gardens to residential properties fronting Guntons Road to the north and south; and agricultural fields to the west. There is a drain/ditch parallel to the western boundary.

Access to the site would be gained via an existing access off Guntons Road which is also used by the host dwelling. There is a further independent access off Guntons Road serving the host dwelling.

Proposal

The application seeks reserved matters consent in respect of appearance, landscaping, layout and scale for the erection of 5no. self-build detached bungalows (with refuge in the roof space) together with associated access, parking and amenity space pursuant to outline planning permission 17/01902/OUT.

The application also seeks to comply with the requirements of conditions C6 (archaeology), C7 (fire hydrants), C8 (Arboricultural Method Statement), C10 (access details) and C13 (Construction Management Plan).

2 Planning History

Reference	Proposal	Decision	Date
17/01902/OUT	Outline planning permission for the erection of 5 self-build detached bungalows (with refuge in the roof space) together with associated access, parking and amenity space with all matters reserved except for access	Permitted	16/03/2018

3 Planning Policy

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

Peterborough Local Plan 2016 to 2036 (2019)

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.

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP13 - Transport

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

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

- 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.
- 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.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites - The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, over riding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites - Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

4 Consultations/Representations

PCC Peterborough Highways Services (17.05.19 and 20.07.19)

No objections - The proposals for the access are acceptable and the Applicant is aware that a Section 278 application will need to be made under the Highways Act. The submitted Construction Management Plan is also accepted.

Environment Agency (23.07.19)

No objections - Satisfied that the revised drawing demonstrates that the finished floor levels will be set a minimum of 500mm above the existing ground levels and will therefore be in accordance with the approved Flood Risk Assessment.

Lead Local Drainage Authority (10.09.19)

No objections - The submitted drainage strategy appears to demonstrate that a 1 in 100 year event (plus climate change) can be accommodated. Outfall would be to the North Level IDB drain. Unfortunately it's a traditional gully to pipe system which wouldn't meet the current SuDS standards, but from a surface water flood aspect it should be acceptable if built as designed.

North Level District Internal Drainage Board (29.5.19 and 15.07.19)

No further comments.

PCC S106 Planning Obligations Officer (04.07.19)

The proposal will be CIL Liable, however note that it is the intention the dwellings will be Self Build. Providing the appropriate CIL Forms are submitted in accordance with the CIL Regulations., Self Build Exemption can be awarded for each dwelling.

PCC Tree Officer (07.06.19 and 03.07.19)

No objections - The submitted soft landscaping scheme is broadly accepted however further details in respect of the boundary hedge to the west are required. The number of gaps proposed is

not acceptable and further strengthening required. This could be secured by condition, with an emphasis on a native mix of planting.

PCC Open Space Officer (23.07.19)

No comments as the proposal does not contain any Public Open Space.

PCC Archaeological Officer (04.09.19)

No objections - The recommended archaeological evaluation has been undertaken and reported. Therefore, condition C6 may be discharged.

PCC Pollution Team (07.06.19 and 23.07.19)

No objections - It is unlikely that the proposal would have a detrimental effect on the local noise climate or be affected by ground contamination. The basic Construction Management Plan is noted, best practicable means should be employed to control noise and dust during the construction phase so that the amenity of neighbouring properties is not affected.

PCC Waste Management (02.07.19)

No objections.

Highways England (04.07.19)

No objection.

Health & Safety Executive (08.05.19)

No objections - Does not advise against granting permission.

Cadent Gas (09.07.19)

No objection.

Cambridgeshire Fire & Rescue Service

No comments received.

Newborough & Borough Fen Parish Council (22.05.19)

Objection - The current plans submitted are a change from the outline planning permission granted by Peterborough City Council.

The current plans include a habitable roof space (plots are advertised on 'Rightmove' to this effect), this is no longer a 'refuge in the roof' and would be classed as dormer bungalows.

Furthermore, bedrooms in the loft space would mean the apex of the roofs will be higher, overlooking the houses on Guntons Road, especially given the number of skylights indicated on the plan.

Local Residents/Interested Parties

Initial consultations: 18

Total number of responses: 5

Total number of objections: 4

Total number in support: 0

3 representations were received in relation to the initial consultation stating:

The outline permission was granted for bungalows with a refuge area above the ground floor in case of flood. We understand that a bungalow is a single storey building with all living accommodation at ground floor level. However we have found that Rosedale estate agents are selling four proposed properties on this site ("off plan" we assume), each of which has a substantial amount of living space on the first floor.

We note that the bungalows on Guntons Road adjoining the site have a height of approximately 5.5 metres at ridge level.

There is no information in the application about the properties on plots 2/3/4/5, only for plot 1 (document "Plot 1 first floor plan BN/17/D"). Examination of this suggests that the finished height will be 6.5 metres plus 0.5 m for the raised floor - 7 metres above ground level in total.

We therefore had to refer to Rosedale's adverts and drawings, acknowledging that they state are provisional and subject to the planning process.

From the drawings in the advert, we estimate that the proposed buildings on plots 4 and 5 will be between 7 (minimum) and 8 metres in height. Our house which is a true 2 storey building is approximately 7.5 metres in height.

The proposed house (plot 5) adjacent to 76 Guntons Road garden will have two bedrooms, a bathroom and an outside sundeck on the first floor. We submit that this and the other buildings are not bungalows and object against the proposal as it stands.

We also point out that outline planning permission was granted subject to the new buildings being not visible from Guntons Road. This condition is likely to be breached by the apparent proposals.

We note that the house on plot 5 would have been 7.737 metres from our boundary according to the OPP plan. It is unclear from the plans in the current application, but the proposal is for a distance of around 2 metres from the boundary.

Finally, as the details of the bungalows on plots 2-5 are not provided in the documentation, we ask that the application is rejected until full details are supplied.

And was not informed that the bungalows were being built and was assured that the land behind the house was 'land that could not be built upon'.

I discovered the proposed development on this website.

Could you please get back to me to discuss exactly what is being built, how close to 78 Guntons Road it will be, will there be a road behind the property? Will there be a lamppost shining into my bedroom window?

The plans that were originally agreed by the committee last year were based on the fact that the properties were for the owners 'elderly parents' and the other elderly residents, incorporating affordable accommodation for the local elderly population. It now appears that this is now a luxury gated development, in total contrast to the original application considered by the committee.

The plans outlined are incomplete. There appears to be only one property outlined at present. Plans submitted should incorporate the layout and details for all properties in order to make a judgement on proposals.

Property outlined is vast with sleeping/living accommodation on the upper floor, in addition incorporating large balconies. It was my understanding that plans agreed were that there was only to be refuge space in the loft, and properties were to be of single storey living accommodation.

The properties would be visible from Guntons Road.

Border fencing is not sufficient. Currently there is a 30 year old chain link 5ft fence. This is not to be replaced in new proposals. Border fencing should be in line with the rest of the development, as stated in original proposals. The road used by refuse/emergency and private vehicles would be an invasion of privacy to neighbouring properties. My property has bedrooms facing the rear garden, and this would be in clear view for all vehicle users/pedestrians accessing the proposed site.

The hours of proposed works are lengthy and over six days a week. This would affect mine and neighbouring resident's quality of life and wellbeing. I would propose that hours be over the shorter period Monday/Friday to minimise the noise, mess and disruption experienced.

Planning outlined stated that until permission had been granted, there was to be no construction or activity in this land. Bulldozers and diggers have been present and used in this land recently, contrary to instruction agreed.

One of my main concerns is that usually garden backs onto garden. Here, garden backs onto road and parking.

Is it possible to mandate that a brick/stone wall (maybe 6 feet tall) be built behind the older properties to protect them from traffic and intruders? Otherwise we will be vulnerable.

Representation from **Councillor Richard Brown** stating: I confirm that I have no problems with the plans.

Representation from **Councillor Nigel Simons** stating: I have no objections.

Representations received in relation to the second consultation:

Councillor Allen: I do not have a comments to make, nor objections to record. At this stage I have not received any representations from local residents.

Councillor Brown: I confirm I have no reason to object to this planning application. None of the residents have raised any concerns to me regarding this issue.

Representations received in relation to the third consultation:

Representation from **Councillor Allen** stating:

OP [*outline permission*] consent was given to 5 bungalows with refuge spaces in the lofts and living accommodation to be restricted to the ground floor.

The PA [*planning application*] is for 5 two storey dwellings whose only similarity to bungalows are roofs with eaves at ground floor ceiling height. They are not bungalows.

A condition in the documentation in the OP stated that the new properties should not be visible from Guntons Road. The two storey buildings will be very visible over the tops of the existing properties.

The heights of the buildings in the PA are approx. 5.2 metres for the garages, 6.5 m for the smaller buildings and 7 m for the larger ones including the condition that the buildings were to be raised 0.5m above ground level to protect from flooding. No plans were submitted in the OP, however given the condition of visibility from Guntons road, the PA should be for dwellings no higher than the existing bungalows at a height of 5-5.5 metres.

The ground plans of the site in the OP show dwellings with parking spaces in between the bungalows leaving a partially open aspect to the site. The PA shows garages filling these spaces presenting a solid line of buildings as seen from the existing properties. It is now a high density development.

In the OP the building on plot 5 was to be over 7.7 metres from the boundary of the garden at no 76 Guntons Road. It is now estimated to be approximately 4 m from the boundary.

Documentation in the OP stated that there should be no windows overlooking the existing

properties. The PA plans show first floor windows front and rear.

The OP appeared to include fencing at a height of 1.8m which is no longer specified in the PA.

The OP consent included public amenity space on the land adjoining the existing houses. This has been completely removed from the PA which is now for a private gated development.

Representation from neighbour stating:

The outline planning permission for this development was for 5 bungalows with roof space refuges and amenity land which would have considerable impact on the neighbouring properties. It has been turned into a gated community of (as Rosedale estate agents describe them) 5 detached "bungalows" with garage which have significant first floor accommodation of a similar height to our two storey house. This beggar's belief. They are clearly two storey houses that overshadow the existing bungalows giving the occupants no privacy, where the new occupants will enjoy privacy and the views over the opens fields. The designs of the houses now make the development high density.

A point in the original application was that the buildings would not be visible from Guntons Road, where they will now loom over the existing properties.

In addition, the existing properties will suffer additional road noise and pollution from the rear to what already comes from Guntons Road at the front.

It is our understanding that outline planning permission cannot be significantly changed in the manner of this proposed development.

We ask why these plans were not rejected as being totally inconsistent with the outline permission.

We note that Rosedale estate agents are selling the projected properties as a "done deal" despite their disclaimers relating to the planning process.

Several of the residents (including ourselves) have lived here for a long time and bought the properties because of the green belt nature of the land behind. This development should therefore have as little impact on those residents as possible. Equal consideration should be given to the residents as the developer

We therefore very strongly object to this development in its entirety.

5 Assessment of the planning issues

The main considerations are:

- Compliance with the outline permission
- Layout and design
- Neighbour amenity impact
- Amenity provision for future occupants
- Access, parking and highway implications
- Landscaping
- Flood risk and drainage
- Other outline conditions

a) Compliance with the outline permission

The outline planning permission (reference 17/01902/OUT) permitted the erection of 5no. self-build detached bungalows (with refuge in the roof space) together with associated access, parking and amenity space. At the time, the matter of access was secured with appearance, landscaping, layout and scale reserved. This application relates to those reserved matters and Officers consider that the information submitted is adequate to meet with the requirements of the outline condition.

It is noted that objectors have raised concern regarding the presence of bedrooms within the roof space, as they consider that this does not accord with the description of development approved at outline stage. The objectors do not consider that permanent accommodation within the roof space constitutes the 'refuge space' stated in the outline description as this term was believed to be only a temporary location for times of flooding, as stated in the Officers committee report.

However, Officers are of the opinion that the proposal, to include bedrooms at first floor, is consistent with this outline consent. The Committee Report pursuant to the outline permission did state that the development related to bungalows 'with no accommodation within the roof space other than as a refuge in an extreme flood event'. However, it was stated within the report that no details of the proposed dwellings were yet available, and any potential impacts from first floor windows would be considered at reserved matters stage.

No conditions were imposed to restrict the design/scale/storey height of the dwellings granted outline permission or preclude permanent accommodation within the roof. Furthermore, there is no planning definition of 'refuge space' and Officers considered that this can constitute habitable room space as it does provide refuge in times of flooding.

Notwithstanding the above, it is considered that there would be no material harm caused to neighbour amenity through the creation of bedrooms at first floor (set out below) and it would not be reasonable to restrict the Applicant to single storey accommodation, or remove permitted development rights for the conversion of the roof space to permanent living accommodation given the provisions of the outline permission. In light of the above, it is considered that the current proposal accords with the development approved at outline stage.

The outline permission contains two conditions which are required to be complied with at reserved matters stage, or demonstrated as complied with at this stage: C5 relating to the soft landscaping scheme details; and C15 relating to compliance with the approved Flood Risk Assessment. Each of these matters will be discussed in the relevant sections below, however it is considered that the current submission accords with the requirements of these conditions.

In addition, a number of other conditions were secured which require either compliance prior to commencement of development, or prior to occupation of the development. The Applicant has sought, through the details accompanying this reserved matters application, to discharge some of these conditions as follows:

- C6 - Archaeological evaluation;
- C7 - Provision of fire hydrants;
- C8 - Arboricultural Method Statement;
- C10 - A scheme of access for the development; and
- C13 - Construction Management Plan.

Again, each of these matters will be discussed in the relevant sections below, however it is considered that the current submission accords with the requirements of these conditions.

b) Layout and design

It is considered that the proposed layout of the 5no. dwellings, with their associated garages and access, would have a pleasant and high quality appearance, respecting the village setting of the site whilst making appropriate use of the site. The proposed dwellings would not appear cramped in wider views and would mirror the relatively spacious arrangement of Guntons Road.

The overall layout would result in the internal driveway access serving the dwellings backing on to the existing dwellings along Guntons Road, with dwellings in turn fronting on to this with the exception of Plot 1 which would abut the southern boundary of the site, set approximately 3 metres from the boundary shared with the neighbouring dwelling with its garden beyond to the west. Accordingly, the rear gardens of the proposal would bound the open countryside to the west and

this is considered appropriate to respect the setting of the open countryside beyond.

The dwellings themselves are of a high quality design, whilst retaining an overall bungalow form, albeit in a chalet style. It is considered that the proposal would be unlikely to result in an incongruous or unacceptably prominent addition to the street scene, particularly given the significant 50 metre set back of the dwellings from the highway and existing public realm.

It is noted that objectors have stated that the proposal was approved (at outline stage) on the basis that the dwellings would not be visible from Guntons Road. However, again, this was not included as a condition on the outline permission and as such, Officers consider that it would not be reasonable to insist that this be imposed. Notwithstanding this, it is likely that any form of development would be visible from Guntons Road, regardless of the height of the dwellings given the sparse density of development fronting the highway and the generous gaps between existing dwellings.

It is also acknowledged that objectors consider that the dwellings are far taller than bungalows however Officers are of the opinion that, notwithstanding the large roofscapes of the dwellings, they do have an overall bungalow appearance and would be appropriate within the context of the site.

It is considered that the proposed development is acceptable in terms of the impact upon wider views from Guntons Road, and would not result in unacceptable harm to the character, appearance or visual amenity of the locality. On this basis, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Local Plan (2019).

c) Neighbour amenity impact

As detailed above, most of the proposed dwellings would face towards Guntons Road and the gardens of those dwellings fronting onto the public highway. However given the proposed layout with the access driveway between, the dwellings would be set approximately 40 metres from the rear elevations of all existing dwellings and 20 metres from their rear boundaries. These separation distances are considered sufficient so as to avoid unacceptable and overlooking from the proposed first floor windows (serving bedrooms).

Furthermore, whilst the dwellings would extend to a height of approximately 6 metres (Plots 2 and 3) and 6.5 metres (Plots 4 and 5), and would stand on land which has been raised by 500mm from existing levels (discussed in greater detail below), it is not considered that they would appear unduly dominant or overbearing to neighbouring occupants. The dwellings would undoubtedly be visible to neighbouring occupants, and would result in the loss of existing views over the open countryside to the west. However, in planning terms there is no right to a view, and the impact arising in this regard has already been found acceptable through the granting of outline planning permission. Overshadowing impact would also be limited by virtue of the siting to the west and intervening access road.

A garage to serve Plot 5 would be sited closer to No.78 Guntons Road than the proposed dwellings and therefore would have a greater impact upon the associated garden. However, it is considered that this has been appropriately sited, set 1.5 metres from the shared boundary and at an angle, such that the impact would be lessened. Given the single storey nature of this garage and the hipped roof form, it is felt that this would not result in an unacceptable degree of overbearing or overshadowing impact.

Plot 5 would be sited such that the proposed balcony to the rear could permit views across towards the rear-most section of the garden serving No.78 Guntons Road. The screen proposed on the submitted drawings is not considered sufficient to prevent undue overlooking however a condition could be imposed to require further details. Subject to this, it is considered that no undue loss of privacy would result to neighbouring occupants.

Plot 1 would be sited perpendicularly to Guntons Road, to the rear of No.90. The garage to serve

this Plot would be sited between, and set approximately 15 metres from the rear elevation of this neighbouring dwelling. Accordingly, the main form of Plot 1 would be set 24 metres from the rear elevation of No.90. As these are back-to-side distances, this level of separation is considered to be sufficient to prevent an unduly overbearing impact to those neighbouring occupants given the one and a half storey nature of the dwelling, and reduce the degree of overshadowing to within acceptable tolerances.

To the south of the site, Plot 1 would be within relatively close proximity to the shared boundary with No.90a Guntons Road - set approximately 3 metres away. However, this neighbouring garden is of considerable length (approximately 60 metres) and the proposal would be sited some 19.5 metres along this garden from the rear elevation of the neighbouring dwelling. It is considered that this relationship would result in an acceptable arrangement to the neighbouring dwelling, and not result in an unacceptable degree of overbearing. The proposal would not overbear the main area of the amenity space, and no render it wholly unusable. Further, whilst first floor rooflights would face towards the neighbouring garden, these would serve an en-suite and landing, secondary habitable rooms. As such, and with obscure glazing to be secured by condition, no undue overlooking or loss of privacy would result.

A condition is considered necessary to require that the southern boundary be made up to a height of 2 metres of close board fencing (and maintained as such thereafter) in order to ensure that unacceptable overlooking of neighbour amenity space is not possible.

It is noted that objectors have raised concerns with regards to the height of the dwellings and the impact that this would have however for the reasons set out above, Officers do not consider that the proposal would result in unacceptable harm to their amenity for the reasons set out above.

On this basis, it is considered that the proposal would not result in unacceptable harm to the amenities of neighbouring occupants and therefore, the proposal is in accordance with Policy LP17 of the Peterborough Local Plan (2019).

d) Amenity provision

The proposed development is considered to provide a high overall level of amenity for future occupiers, with spacious, well illuminated primary habitable rooms and generous private amenity space. The proposal would therefore provide adequate amenity for the living and storage needs of prospective occupiers. All plots provide ample space for cycle and bin storage.

It is noted that the Council's recently adopted Local Plan, through Policy LP8, requires that all new dwellings meet the requirements of Part M4(2) of the Building Regulations (often referred to as Lifetime Homes). However, as the dwellings subject to this reserved matters consent were granted planning permission prior to adoption of this document, this requirement cannot now be imposed.

The proposal is considered to accord with the requirements of Policy LP17 of the Peterborough Local Plan (2019) and Officers have no concern regarding the level of residential amenity provided to future occupiers.

e) Access, parking and highway implications

The proposal is to be accessed via an existing field/garden entrance that also serves to give access to the drain to the rear of the site. This is located between Nos.90 and 88 Guntons Road. The proposed access location was approved as part of the outline planning permission subject to associated conditions, and the more specific details of this access have accompanied this reserved matters submission.

The access is to measure 5.5 metres in width for the first 10 metres, as measures from the edge of the public highway, reducing to 4.5 metres over a distance of 6 metres. The requisite 43 metre vehicle-to-vehicle visibility splays can be achieved and are shown on the submitted plans.

With regards to parking and internal access, the proposal would provide for access to the drain

running to the north of the site, and would provide the necessary turning for all vehicles, including deliveries and refuse vehicles. Furthermore, parking provision would be in line with the Council's adopted minimum parking standards. All dwellings would be provided with a minimum of 2no. parking spaces and visitors parking would also be catered for.

The Local Highway Authority (LHA) has advised that no objections are raised in respect of the access submission however, insufficient detail has been submitted to enable the discharge of condition C10 of the outline permission. This condition requires details of how the access will tie into the existing public highway and no technical details have accompanied this submission. Therefore, whilst the access is accepted, the condition cannot be discharged at this time. It however remains in force and a further condition discharge application will be required.

f) Landscaping

The matter of landscaping is one of the reserved matters subject to this current application. Condition C5 of the outline permission specifies the details that must accompany any landscaping scheme and includes:

- Proposed finished ground and building slab levels;
- Planting plans including retained trees, species, numbers, size and density of planting;
- Details of any boundary treatment; and
- The management and maintenance of the amenity area.

A detailed soft landscaping scheme has been submitted which is broadly accepted. The landscaping would comprise replacement and additional tree planting across the site, amenity grassed areas and a strengthened hedgerow to the western boundary. However, Officers and the Council's Tree Officer, consider that the hedgerow along the western boundary of the site requires further strengthening than that which has been shown. Accordingly, a further condition is considered necessary to require further details of this.

With regards to the hard landscaping elements of C5, full details of the proposed finished ground and building slab levels have been submitted and these are accepted (also discussed in greater detail below). Details of boundary treatments have been submitted however these are not yet accepted, as the boundaries to the east and south require additional height and/or replacement. Again, a further condition is considered necessary to secure the details of this.

Whilst it is accepted therefore that the current reserved matters submission does not fully address the requirements of C5, Officers are of the view that a refusal on this basis could not be sustained at appeal.

g) Flood risk and drainage

As part of the outline planning permission, a Flood Risk Assessment (FRA) was submitted and approved. Compliance with this was secured by way of a condition (C15) which specifically requires that the dwellings be set no less than 500mm above the existing ground level, and that flood resilience measures be incorporated to 300mm above the finished floor levels.

Whilst not specifically required to be demonstrated through this reserved matters submission, the issue of finished site levels is material to the appearance of the development which is sought.

The scheme as originally submitted was unclear as spot heights had not been included within the plans detailing floor levels. This was rectified by the Applicant and following receipt of revised plans, the Environment Agency, removed their initial objection. However, Officers were of the view that the revised plans did not accord with the wording of the condition, in so far as some floor levels were not 500mm above the existing levels. The Applicant had taken an average of the height of the ground beneath the slab and set the floor levels 500mm above this. Therefore, it was considered that the levels were not truly 500mm above.

Further revised plans have been received to rectify this, and Officers are now content that the submitted scheme would ensure that the proposed dwellings comply with the element of the FRA.

Associated with the matter of levels, is how surface water run-off from the site will be dealt with. At outline stage, following Committee overturn of Officer recommendation, no drainage scheme was approved or secured. Whilst therefore not a requirement of the current application, Officers are concerned that the submitted site levels could result in altered overland flows and result in off-site flood risk. Principally, this relates to a 'low spot' that would be created within the access road, adjacent to No.88 Guntions Road, which could flood in periods of intense rainfall.

The Flood and Water management SPD (2019) states that when raising ground levels, it is important that consideration is made for surrounding properties and what changes the new land height may have in diverting flood flows, influencing land drainage or preventing safe access for neighbours during a flood event. This is further reinforced through the comments of the Lead Local Flood Authority (LLFA), who have advised that a drainage scheme should be submitted at this time to determine that the proposed site levels do not increase flood risk.

This matter remains outstanding at the time of writing this report. A drainage scheme has been submitted by the Applicant, which has been assessed by the Lead Local Flood Authority who have confirmed that they are broadly satisfied with the proposal. However, Officers have sought final clarification from the LLFA that the proposal would not result off-site flooding and a response is awaited. An update will be provided to Members within the Briefing Update Report.

h) Other outline conditions

As set out in Section 1, the current application also seeks to discharge a number of other conditions imposed upon the outline planning permission.

Condition C6 requires the submission and approval of a scheme of Archaeological investigation. This has been submitted, and the archaeological evaluation undertaken and report. The submission is accepted by the Council's Archaeology Officer and Officers consider that this condition may be fully discharged.

Condition C7 requires the submission of a scheme for fire hydrants to be submitted and approved. Whilst the Fire Service has been consulted on several occasions, they have failed to provide comment on the details submitted. Unfortunately this is not an uncommon situation and Officers consider that it would be unreasonable to refuse to discharge this condition on the basis that the consultee has failed to provide comments. As such, the submission element of this condition may be discharged.

Condition 8 requires the submission of an Arboricultural Method Statement. A Statement has been submitted and the Council's Tree Officer accepts its contents. As such, the submission element of this condition may be discharged.

Condition 10 requires the submission of a scheme for the access for the development. As set out above, access proposals have been submitted and the Local Highway Authority has stated that there is insufficient detail contained within the submission and as such this condition must remain in force.

Condition 13 requires the submission of a Construction Management Plan (CMP). A CMP has been submitted and is broadly considered acceptable by Officers, the LHA and Council's Pollution Control Team. However, Officers do not accept the proposed long working hours requested. As such, a new condition is recommended that restricts construction hours to 8:00 - 18:00 Monday to Friday and 08:00 - 12:00 Saturday.

i) Other matters

In response to those objections received but not specifically discussed above:

Missing plans - Objectors stated that there was no information uploaded to the public access pages in relation to 4 of the 5 proposed dwellings. This is incorrect, these details are on page two

of the public access pages.

Conflict with plans submitted at outline stage - An objector has stated that Plot 5 is not in the same position as the plan submitted under application 17/01902/OUT and specifically, that the dwelling would be closer to the rear of No.76 Guntons Road. The layout submitted at outline stage was indicative only, with the matter of layout reserved for later consideration. As such, this earlier layout holds no weight in the determination of this application.

Unaware of development at time of house purchase - An objector has stated that they have recently purchased a house and were not made aware that there was an approved development to the rear of their dwelling. This is not a material consideration in the determination of the application.

Development should be restricted to elderly people - An objector has stated that the proposal were approved on the basis of the development being for the Applicants elderly parents and the remainder of the development was for other elderly residents. Whilst it was accepted at the outline stage that bungalows would serve a specific market and cater for the elderly population, this was not secured by condition and there is no planning framework to insist upon this. Outline planning permission was granted for 5no. open market dwellings.

Boundary treatments - An objector has stated that the existing chain link fence is insufficient. As stated above, a condition is to be appended to the permission requiring that southern boundary be made up to a height of 2 metres of close board fencing in order to ensure that unacceptable overlooking of neighbour amenity space is not possible.

Access privacy issues - The objector also states that refuse/emergency and private vehicles will be an invasion of privacy. The location of the access is considered to have been approved by way of the site location plan of the outline application and as such, the principle of development in this respect is considered to have been found acceptable, with only the detail approved under this application.

Public open space - Objectors have stated that the original indicative plans showed an area of open space which is no longer part of the proposal. The scheme is too small to require on-site provision of public open space in accordance with the Council's adopted open space standards. The layout submitted at outline stage was indicative only, with the matter of layout reserved for later consideration. As such, this earlier layout holds no weight in the determination of this application.

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 principle of development is sound and the proposal will not unacceptably harm the character of the area, the amenity of the occupiers of neighbouring dwellings, or highway safety; in accordance with policies LP01, LP2, LP13, LP16, LP17, P28 and LP32 of the Peterborough Local Plan 2019.

7 Recommendation

The case officer recommends that:

1. Reserved Matters approval is **GRANTED** subject to the following conditions; and
2. Conditions C6 (archaeology), C7 (fire hydrants), C8 (Arboricultural Method Statement) and C13 (Construction Management Plan) of outline planning permission reference 17/01902/OUT are either discharged in part, or replaced in accordance with the following conditions:

C 1 The development hereby approved shall be carried out in accordance with drawings:

BN/17/D
BN/20/C
BN/21/B
BN/18/D
BN/16/D
BN/09/C
BN/10/C
BN/07/C
BN/08/C
BN/13/C
BN/14/C
BN/12/C
BN/11/C
BN/19/D
BN/22/B
BN/23/A
BN/24/B
BN/04/C
BN/06/B
BN/05/B

External Levels 07-0135-003 P5
Fire Hydrants 07-0135-007 P4
Highways Entrance 07-0135-005 P1
Access and Section 07-0135-006 P1
External Works 07-0135-004 P3

Reason: For the avoidance of doubt.

C 2 No development other than groundworks and foundations shall take place until samples/details of the following materials to be used in the external surfaces of the dwellings hereby granted consent have been submitted to and approved in writing by the Local Planning Authority:

- Walling (samples);
- Roofing (samples);
- Windows and doors, including garage doors and rooflights (details);
- Lintels and cills (details);
- Rainwater goods (details); and
- Balcony railings and privacy screens (details).

The samples/details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number, and samples shall be made available for inspection on site. 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 LP16 of the Peterborough Local Plan (2019).

C 3 Notwithstanding the submitted plans and the provisions of condition C5 of outline planning permission 17/01902/OUT, prior to first occupation of any dwelling hereby granted consent, a scheme of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall ensure that the boundary treatment(s) to the southern and eastern boundaries of the application site, shall be no less than 2 metres in height.

The approved boundary treatments to the eastern boundary of the site shall be implemented prior to first occupation of any dwellinghouse, and all other boundary treatments shall be implemented prior to first occupation of the dwellinghouse to which they relate.

Reason: In order to protect and safeguard the amenities of adjoining and future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C 4 Notwithstanding the provisions of Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or means of enclosure shall be erected within the site unless expressly authorised by this consent or any future planning permission.

Reason: In order to protect and safeguard the amenity of the area and neighbouring occupants, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

- C 5 Notwithstanding the provisions of condition C5 of outline planning permission reference 17/01902/OUT, the soft landscaping scheme shown on drawing numbers 05B and 06B, with the exception of the hedge along the western boundary of the site, shall be carried out no later than the first planting season following occupation of the dwelling to which it relates, or final occupation of the final dwelling for any communal landscaping.

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 the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan (2019).

- C 6 Notwithstanding the submitted plans and provisions of condition C5 of outline planning permission reference 17/01902/OUT, prior to first occupation of any dwelling hereby approved, a scheme for the strengthening of the hedgerow along the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The hedgerow planting shall take place in accordance with the approved scheme and prior to first occupation of the first dwellinghouse.

Any plants forming part of the approved hedge strengthening scheme that die, are removed or become diseased within five years of the implementation of the 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 plants dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan (2019).

C 7 The areas shown on the submitted drawings/plans, including those within garages, for the parking of vehicles shall be made available for that use prior to first occupation of the dwelling to which they relate. Visitor parking spaces shown on the submitted plans shall be made available for that use prior to first occupation of the last dwelling. Thereafter, those areas shall be retained solely for the parking of vehicles in connection with the dwelling to which they relate, or the parking of visitors in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C 8 The areas shown on the submitted drawings/plans for the manoeuvring and turning of vehicles shall be made available for use prior to first occupation of the dwelling to which they relate. Thereafter, those areas shall be retained solely for the manoeuvring and turning of vehicles in connection with the development hereby approved in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C 9 Notwithstanding the provisions of condition C13 of outline planning permission reference 17/01902/OUT, the development hereby approved shall be carried out in accordance with the submitted Construction Management Plan (dated 11.04.19) with the exception of the hours of construction contained therein.

No construction, including deliveries to the site, shall take place outside the hours of 8:00 to 18:00 Monday to Friday and 08:00 to 12:00 on Saturdays. No construction or deliveries shall take place on Sundays or Public/Bank Holidays.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers and in the interests of highway safety, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019).

C10 The surface water drainage scheme shown on drawing numbers 07-0135-008 Revision P01, 07-0135-006 Revision P03, 07-0135-002 Revision P03 and contained within the document 'Surface Water Drainage Calculations' (dated 11 June 2019) shall be carried out in full prior to first occupation of the dwelling to which it relates or first use of the shared access/driveways, whichever is applicable.

Reason: To ensure that the development is not at unacceptable risk from or poses unacceptable flood risk elsewhere, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C11 Notwithstanding the submitted drawings/plans, no development other than groundworks/foundations shall take place in respect of Plot 5 until details of additional privacy screening to the rear balcony have been submitted to and approved in writing by the Local Planning Authority. The privacy screening shall be installed in accordance with the approved details prior to first occupation of the dwelling.

Reason: In order to protect the amenities of neighbouring occupants, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C12 Before the development hereby permitted is first occupied, the rear windows of Plot 1 serving en-suite and landing shown on drawing number BN/17/D shall be fitted with obscure glazing to a minimum of Pilkington Level 3 and non-opening unless those opening parts are more than 1.7 metres above the floor level in the room in which they are installed. The obscure glazing shall be continuous and shall not incorporate any clear glazing features. It shall subsequently be retained as such in perpetuity.

Reason: In the interest of residential amenity; in accordance with policy LP17 of the Peterborough Local Plan (DPD) 2019.

C13 Notwithstanding the provisions of Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (Amended) No domestic enlargements shall be undertaken.

Reason: To preserve the character of the area; in accordance with policy LP16 of the Peterborough Local Plan (DPD) 2019.

C14 Notwithstanding the provisions of Part 1 Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (Amended) No windows shall be inserted into the front roofslopes of plots 2-5 or to the rear of plot 1.

Reason: To preserve the character of the area; in accordance with policy LP16 of the Peterborough Local Plan (DPD) 2019.

Copies to Councillors: Steve Allen. Richard Brown. Nigel Simons

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