

## **Item No. 4.2**

### **Planning and EP Committee 10 March 2020**

**Application Ref:** 19/01466/FUL

**Proposal:** Erection of 2 dwellings, garages and creation of associated access

**Site:** 23 Old North Road, Wansford, Peterborough, PE8 6LB

**Applicant:** Mr Andy Allen

**Agent:** Mr Sam Herring  
Swann Edwards Architecture Ltd

**Referred by:** Wansford Parish Council

**Reason:** Wansford Parish Council has no objection to the plans as they stand and do not entirely support Conservation Officers comments on this application.

**Site visit:** 25.10.2019

**Case officer:** Mr Jack Gandy

**Telephone No.** 01733 452595

**E-Mail:** jack.gandy@peterborough.gov.uk

**Recommendation:** **REFUSE**

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

##### **Site and Surroundings**

The application site comprises a strip of land forward, and in the same ownership, of No. 23 Old North Road, Wansford. The site fronts onto Old North Road and is located within a predominantly residential area. Immediately to the south of the application site is the Wansford Conservation Area. The Grade II Listed Coopers Cottage (No. 19 Old North Road) also lies to the South of the site, separated from the application site by the access driveway to 21 Old North Road. Either side of the main entrance to the site are substantial gate pillars, which are regarded as 'buildings of local historic interest' due to their association to St Peter's Cathedral in Peterborough.

##### **Proposal**

Permission is sought for 2no. two-storey detached dwellings, with detached double garages to the rear, including the creation of two separate accesses from the shared driveway to serve each of the respective dwellings.

Each of the proposed dwellinghouses would be situated behind the existing stone wall that runs parallel with the grass verge and Old North Road. The existing detached garage serving the host dwellinghouse of No. 23 Old North Road would be demolished to permit the construction of the dwellinghouse and the garage on Plot 2 (the southern-most dwelling proposed).

Amended plans have been submitted following comments received from the Conservation Officer, the Local Highway Authority and the Tree Officer with regards to the proposal.

For the remainder of this report, 'Plot 1' refers to the northern-most proposed dwelling and 'Plot 2' refers to the southern-most dwelling proposed.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
19/01470/HHFUL	Single storey rear extension, two storey side extension and attached garage	Permitted	26/11/2019
18/02079/HHFUL	Proposed two storey side extension and single storey front and rear extensions	Permitted	03/04/2019
08/00097/TRE	Fell Tree of Heaven - TPO 10_94	Refused	12/03/2008
07/01162/FUL	Demolition of garage and construction of new triple garage with study area in loft space	Refused	24/04/2008
04/00556/FUL	Two storey rear extension	Permitted	27/05/2004
98/01226/FUL	Two storey front extension	Permitted	06/01/1999
92/P0534	Erection of one dwelling (outline)	Refused	14/09/1992

## **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**

#### **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.

#### **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.

#### **LP08 - Meeting Housing Needs**

Dwellings with Higher Access Standards - Housing should be adaptable to meet the changing needs of people over time. All dwellings should meet Building Regulations Part M4 (2), unless there are exceptional design reasons for not being able to do so (for example, listed building constraints or site specific factors such as vulnerability to flooding or site topography).

#### **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.

## **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.

## **LP19 - The Historic Environment**

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

## **LP29 - Trees and Woodland**

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered.

Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

## **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.

## **LP33 - Development on Land Affected by Contamination**

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

## **4 Consultations/Representations**

### **PCC Conservation Officer (05.11.19 and 16.01.2020)**

Objection: The Conservation Officer objects to the proposal on the following grounds:

The character of the immediate area is defined by the expanse of green verges, continuous stone walling and the generous plots hosting large dwellings, for which this character continues north towards the roundabout. When travelling north from the core of Wansford, the character of traditional buildings fronting the highway ends prior to arriving at the proposal site and merges into low density 20thC spacious character.

The inclusion of two new build frontage dwellings in this position will disrupt this historic form of Coopers Cottage being the final traditional frontage building on the edge of the village.

The prominence of the existing large dwelling within its plot will still be evident. As such the proposal to incorporate two frontage dwellings will significantly confuse this defining shift in character, especially when sited incongruously within the front garden of a large and commanding dwelling, that benefits substantially from its large and spacious plot. This inappropriate relationship will be exacerbated by the sunken ground level of the proposed dwellings, the proposed extension of the host dwelling, as well as the detached garages of clearly modern form and appearance of both proposed properties.

The density of the proposed development, will appear cramped and be at significant odds with the existing character of the site. Additionally, the verges and stone wall will be severed and a substantial amount of vegetation, trees and soft landscaping which have a particularly positive benefit to the character and appearance of the approach to the conservation area will be lost.

*Impact on the setting of the Grade II listed Coopers Cottage:*

Historically the Grade II Listed Coopers Cottage (No.19) formed the last building within Wansford. Although development during the 20thC has sprawled northward, No.23 and beyond marks a definite shift change in character, which is all the more significant in the ability to read and appreciate the stages in which the settlement has evolved. The low density character of dwellings set in large and densely landscaped plots maintains a feeling of the village petering out and exiting the settlement.

When travelling south, the open, spacious and verdant character allows Coopers Cottage to take prominence as a listed building and also be reflective of the historic edge of settlement position. The Wansford Conservation Area Appraisal highlights the ‘imposing appearance of Coopers Cottage (19 Old North road)’ when descending into the village. The imposition of the two proposed dwellings would interfere with this view and undermine the historic grain of development as well as detract from the listed building’s setting.

*Impact upon Locally Listed Building*

The existing piers at the entrance to the plot are Locally Listed and there is therefore a presumption in favour of their retention. It is noted that their significance is derived from their historical association with Peterborough Cathedral and their contribution to the street scene rather than their precise location.

As the proposal is to relocate them within the site, remaining on the highway there is therefore no objection to this element of the proposal. Conditions however would have to be placed on any permissions to ensure their re-siting as permitted and a method statement regarding how the posts are to be moved.

**Additional comments (received 16.01.20):** The Conservation Officers agree that there is a clear difference in character between the east and west sides of the Old North Road in the vicinity of No.23. The east side is characterised predominantly by bungalows constructed post WW2, whilst the west after the Grade II Listed Coopers Cottage is or pre-war large ad hoc dwellings situated on generous verdant plots.

There is a presumption that as the two areas have distinct characters, they should be treated as distinct character areas. As it is accepted that the two sides of the road have two distinct characters, the Conservation Officer advises that justification is required as to why the east character should be imposed upon the west.

It should be noted that the exclusion of a site from a conservation area, does not by default mean the site does not have heritage significance. Merely it is not considered to be of the specific or sufficient quality to merit inclusion. In addition, the external setting and approach of a conservation area is considered to have a material impact upon how the asset is appreciated, which is a material consideration. As such, the negative impact upon the approach and a 'positive' setting is considered detrimental to the significance of the heritage assets.

Coopers Cottage setting has to an extent been compromised due to inappropriate adjacent development. As such there is increased emphasis on retaining the existing significant element of its setting. Clearly inappropriate development, for which there is agreement with regards No.17A, should be used as an example to avoid repeating rather than justification for further inappropriate developments which impact upon the heritage assets setting. If not a detrimental ratchet affect will ensure with regard to the significance of heritage assets.

#### **Wansford Parish Council (17.10.19 and 14.01.20)**

No objections: In the light of the Parish Council Meeting on 14th October, the preliminary response would be in favour of the houses being moved further away from the road, raising their ground level to that of the road and reducing the pitch of their roofs making them more consistent and in character with the rest of buildings along the road. There are still reservations before the final recommendation can be made.

Updated comments (14.01.20): Wansford Parish Council have no objection to the plans and do not entirely support the Conservation Officer's comments on this application. If refusal is recommended, then Wansford Parish Council require this application to go before Planning Committee.

#### **Archaeological Officer (17.12.19)**

No objections: The proposed development site and surrounding area (at a 250 metre radius) contains no significant heritage assets. Therefore, on the basis of available evidence and given the proposal, a programme of archaeological work is not justified.

#### **Lead Local Drainage Authority (23.12.19)**

No objections.

#### **PCC Peterborough Highways Services (14.01.20)**

The Local Highway Authority raise the following matters:

- The access must be hard surfaced in a bound material for 10m from the edge of the carriageway, the section within the highway must be bituminously surfaced in accordance with the PCC Estate Road Construction Specification under a S184 license (heavy duty).
- The new access is shown to have 45° splays at its junction with Old North Road. This is unnecessary and would not be permitted by the LHA as part of the S184 license. If these splayed areas were intended to provide the vehicle-to-pedestrian visibility splays they are not in the correct location.
- Vehicle-to-vehicle visibility splays of 2.4m x 43m are required on both sides of the new access.
- Vehicle-to-pedestrian visibility splays of 2m x 2m are required on both sides of the new vehicular access (free from any obstructions over 600mm in height). This will affect the positioning of the wall piers, as these splays cannot be located within the highway boundary.
- On-plot turning will be required for each dwelling, the turning for the southern plot does not appear to be useable for vehicles parked outside the garage.
- Any access gates must not open outwards.

**PCC Pollution Team (14.01.20)**

No objections: Following the consideration of the information submitted, this section has no objections to the development and makes the following comments:

Condition: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

**Waste Management (23.12.19)**

No objections.

**PCC Tree Officer (22.10.19) and (09.01.20)**

Objection: The Tree Officer has concerns with regard to the proposal and the impact on existing trees/hedging on site. The Tree Officer is not prepared to agree to the submitted AIA or the present scheme to develop the frontage of this site.

**Updated comments (09.10.19):** Objection: An updated AIA Plan showing the trees, particularly the TPO'd Tree of Heaven T.1 in relation to the new proposed layouts is required to replace 'Drawing ref: 3857.Wansford.SwannAIP' provided with the AIA and shown as Appendix B, as the proposed construction/development in this area has changed significantly.

There are a number of concerns with regards to the submitted info/plans. Please can you confirm that you are happy to accept the plan showing the section through the proposed site, especially with regard to the 'Street' Section A-A, as the ground level does not 'appear' to reflect what must be happening at ground level adjacent to the proposed houses/garages or are the houses/garages part below 'finished' ground level?

With the above in mind, please can a detailed plan of the existing and proposed ground level changes together with the proposed construction/development within the RPA of the above tree be secured for consideration.

Together with the above plan, please request that a revised and more detailed AMS is submitted with regard to the proposed construction/development within the RPA of the above tree, for consideration.

At this point, there is objection to the proposal given the concern that the proposed changes in levels and construction within the RPA of the above tree will have a significant and long term detrimental effect on the trees future health and stability.

*Note: revised AIA, AMS and TPP were not provided at that time of the amended plans being submitted. These have now been submitted and at the time of writing, the Tree Officer has been consulted on these revised documents and their comments are awaited. It is intended that the Tree Officer's comments on these revised documents shall be provided as part of the update report.*

**Peterborough Civic Society (09.10.19)**

Objection: Peterborough Civic Society object to the proposal on the following grounds:

- The proposal is considered to be over-development by the proposed by reason of the proposed northerly house excessively crowding the retained trees, both dwellings being too close to the front of their plots and being on excessively constrained plots.
- The heavily greened west-side of Old North Road provides a distinctive and enhancing entrance to the Conservation Area whose 'gateway' is strongly and uniquely marked by the Cooper's House

at No 19. The retention of clear views of the flank as well as the front of this property is essential if the character of this Conservation Area approach is to be safeguarded.

## **Local Residents/Interested Parties**

Initial consultations: 10

Total number of responses: 4 (2no. Wansford PC and 2no. responses from the public)

Total number of objections: 2

Total number in support: 0

Two letters of representation have been received from the public. One letter objects to the proposed development, whilst the other takes a neutral stance on the proposal. The following matters are raised:

- The proposed development site borders the Wansford Conservation Area and the current scheme would have an overbearing, detrimental effect on the character and setting of the Conservation Area.
- The two houses would occupy green / open space to the west side of Old North Road which currently enhances the views of the Conservation Area. Infilling these open spaces will have a direct adverse effect on the Conservation Area.
- No. 19 Old North Road is a Grade II listed heritage asset. The construction of Plot 2 would have a direct detrimental effect on the character, setting and views of this heritage asset.
- It is considered that the proximity, elevated position (compared to No. 19 Old North Road), design, style, appearance and scale of the two plots would harm the setting of the heritage asset - are not in keeping with the vernacular of the CA - which they will have a significant impact on.
- Concerned over windows (south-elevation) overlooking the garden of No 19. It is requested that Officers account for the fact that a previous application made by No. 19 Old North Road to include windows in this property on the north gable were rejected on the grounds of "overlooking" this application site. Consistency should reject the current design or any future proposal which includes south facing windows with direct views over No. 19 Old North Road.
- The proposed development would effectively render the existing substantial house (recently the subject of an application to significantly increase its size) as "back land development" with two out of character speculative houses built in the front garden.
- Is there a need for these houses in the LPA's allocation?
- When the previous owner lived at 23 Old North Road Wansford, they wanted to convert the existing garage but as there was no drainage near to this building, it was agreed they could use the drainage on land serving No. 21 Old North Road as it was close to the garage.
- The owner of No. 21 Old North Road advises that a deed of easement was set up with a clause that only the existing buildings in 2010 were entitled to use this drainage.
- Therefore, there is uncertainty if the proposed houses would use the existing drain. The current owner of No. 23 Old North Road has been informed but no reply has been received.

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

The main considerations are:

- Principle of development
- Design and impact to the character and appearance of the site and the adjoining Wansford Conservation Area (CA) and designated heritage assets
- Highway safety and parking provision
- Trees
- Neighbour amenity
- Occupier amenity
- Lifetime homes and water efficiency
- Contamination
- Archaeology

### **a) Principle of development**

The application site falls within settlement envelope for the village of Wansford. Policy LP2 advises that development proposals within village envelopes are supported in principle. There are no national / emerging policies that preclude development. As such, the principle of development is supported. Nevertheless, the proposal is not considered to be acceptable for the following reasons.

### **b) Design and impact to the character and appearance of the site, the adjoining Wansford Conservation Area (CA) and designated heritage assets**

The application site adjoins, but is not within, the Wansford Conservation Area. Under Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), special regard must be paid to the desirability of preserving or enhancing Conservation Areas. Furthermore, the application site is adjacent to the Grade II Listed Building, Coopers Cottage (No. 19 Old North Road). Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard be paid to ensuring that development preserves or enhances the character, appearance and fabric of Listed Buildings. This is further emphasised within the National Planning Policy Framework (2019) which requires that significant weight be placed on the need to preserve heritage assets.

Between the application site and the public highway is a large, continuous grass verge, with a stone wall separating this verge from the private front garden of No. 23 Old North Road. The Conservation Officer advises that this differs from the character to the south of the site, where traditional buildings front the highway, compared to the low density 20th Century spacious character on-site. The side elevation to Grade II Listed Coopers Cottage is visible when travelling southwards along Old North Road and this is considered to sit positively within this setting.

The two detached dwellinghouses that are proposed would be situated behind the existing stone wall. This proposal diverts away from this open, spacious character of the western side of Old North Road and the surrounding properties and it is considered that the development would appear cramped and incongruous with the spacious character of the surrounding area. The Conservation Officer advises that this would be exacerbated further by the extant planning permissions approved at No. 23 Old North Road to extend this dwellinghouse towards the proposed rear elevation of Plot 1.

Additional to the above concerns, the Conservation Officer considers that the proposed dwellinghouses would disrupt the historic setting of the adjacent Listed Building, Coopers Cottage, which acts as the final traditional frontage to the village edge. Whilst development during the 20<sup>th</sup> Century has sprawled northward, the host dwellinghouse, No. 23 Old North Road, presents a change in character, which is considered to be significant in the ability to read and appreciate the stages in which the settlement of Wansford has evolved over time. The character of the area is defined by low density dwellinghouses set in large plots and this open layout allows Coopers Cottage to take prominence as a listed building and also be reflective of the historic edge of settlement position. The Wansford Conservation Area Appraisal highlights the 'imposing appearance of Coopers Cottage' when descending into the village. The development of the two proposed dwellinghouses would significantly interfere with this view when coming into the village and undermine the historic grain of development as well as detract from the Grade II Listed building's setting.

The gate piers, with their historical association to Peterborough Cathedral are proposed to be retained, but relocated on the site to a position either side of the new vehicle access proposed for No.23 and Plot 1. Given that their significance derives from Peterborough Cathedral and not their location, the Conservation Officer raises no objection to their relocation on the site. A method statement would need to be secured to detail how the relocation of the gate piers would be achieved without any damage to them.

Overall, Officers share the concerns of the Conservation Officer, that the proposed development of the two dwellinghouses would represent a cramped and incongruous development that would significantly impact upon the character and appearance of the site and the surrounding area, the setting of the Wansford Conservation Area and the Grade II Listed Building, Coopers Cottage.

On the basis of the above, the proposal is deemed to be unacceptable and it is not considered to be in accordance with Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and Policies LP16 and LP19 of the Peterborough Local Plan (2019).

### **c) Highway safety and parking provision**

Under adopted parking standards, two acceptably-sized parking spaces are required to serve dwellings with two or more bedrooms. Appropriate turning, access and visibility are also matters that need to be secured to ensure highway safety. The proposal would utilise the existing site access to serve the proposed dwelling at Plot 2. A new access would be created approximately 12 metres north of this, which would serve Plot 1 and No. 23 Old North Road.

Vehicle visibility splays (measuring 2.4 metres x 43 metres) have not been shown on the plans for either access, but given the separation that the existing verge provides between the highway carriageway and the application site, it is considered that acceptable visibility could be provided for vehicles exiting either access in a forward gear.

Pedestrian visibility splays within the site have been requested by the Local Highway Authority, but given that there is no footway adjacent to/within the existing grass verge and that there is an existing footpath to the East side of Old North Road, Officers do not consider the application of these splays to be essential in this instance.

The Local Highway Authority advise that the new access is shown to have 45° splays at its junction with Old North Road. They advise that these are unnecessary and would not be permitted by the LHA as part of the S184 license. However, for the basis of planning, the removal of these splays can be secured through the submission of an amended plan approved under a planning condition, given that Officers consider appropriate vehicle visibility splays can be achieved.

The Local Highway Authority also considers that the turning area for Plot 2 appears to be unusable for vehicles that may be parked outside of the garage. Officers consider that turning can be acceptably provided on site for vehicles to enter and leave the site in a forward gear. The width and depth of the turning area is considered to be sufficient to avoid moving vehicles impacting upon parked vehicles as well as any boundaries or upon the proposed dwellinghouse and garage.

Finally, the Local Highway Authority requests that any gates that are erected across the access must not open out towards the public highway. This matter can be secured under a planning condition if the proposal is approved.

In light of the above, the proposal is considered to be in accordance with Policy LP13 of the Peterborough Local Plan (2019).

### **d) Trees**

There are a number of trees within and adjoining to the application site. In particular, there is the 'Tree of Heaven' near to the front elevation of No. 23 Old North Road which is protected under a Tree Preservation Order.

Arboricultural information was submitted within the original proposal, including an arboricultural impact assessment (AIA), an arboricultural method statement (AMS) and tree protection plan (TPP). The Tree Officer raised concern that the proposed garage to serve Plot 2 would be sited

within the root protection area of this tree, along the concern that the beech tree to the top of the banked area would be unacceptably harmed by the garage to serve Plot 1.

Amended plans have been submitted, moving the garages outside of the root protection area of the Tree of Heaven and the beech tree. At the time of the amended submission, revised AIA, AMS and TPP were not provided at that time. These have now been submitted and at the time of writing, the Tree Officer has been consulted on these revised documents and their comments are awaited. It is intended that the Tree Officer's comments on these revised documents shall be provided as part of the update report.

#### e) Neighbour amenity

The host dwellinghouse, No. 23 Old North Road lies to the west of the proposed dwelling of Plot 1. Cooper's Cottage (No. 19 Old North Road) and No. 21 Old North Road are adjacent to the southern boundaries of the application site. Nos. 12 - 24 Old North Road are east of the application site and lie on the opposite side of the adjoining public highway.

No. 23 Old North Road benefits from an extant planning permission, under reference 19/01470/HHFUL, for the construction of a 'single storey rear extension, two storey side extension and attached garage'. The proposed garage and two storey rear extension would be readily visible from the rear elevation of the dwellinghouse proposed on Plot 1. Views from the proposed first floor rear bedrooms of Plot 1 would be into the existing first floor bedroom of No. 23 Old North Road. Officers consider that even if the proposed extension of No. 23 Old North Road was developed as per the proposal approved under planning reference 19/01470/HHFUL, the revised ground floor living space and 'bedroom 1' of No. 23 Old North Road would still be in clear view from the first floor bedrooms of Plot 1. Officers consider therefore that the proposal for the development of plot 1 would unacceptably impact upon the privacy that the occupiers of the primary habitable spaces to No. 23 Old North Road would expect to enjoy.

With regards to the relationship between the proposed dwellinghouses, Plot 1 has no windows facing south to Plot 2. Although Plot 2 has north-facing windows to its side elevation, this is not considered to have an adverse loss of privacy. Furthermore, the two proposed dwellinghouses would be separated by the shared access road, which is considered to help avoid any adverse overbearing impacts as well as unacceptable levels of overshadowing across Plot 1's rear garden. Officers therefore do not consider that the proposed dwellinghouses would have any adverse impact upon the amenity of each other.

The boundaries to Nos. 19 (Cooper's Cottage) and 21 (Carradale) Old North Road would abut the southern boundaries of Plot 2. Given that the proposed dwellinghouse would lie to the north of the neighbouring properties, it is not considered that the proposal would cause adverse overshadowing across the neighbouring sites. Furthermore, the sizeable plots around these neighbouring dwellings, along with the 20 metre separation distances from the proposed dwellinghouse are considered to be adequate to avoid unacceptable overbearing impacts. There is one proposed south-facing, first floor side elevation window to Plot 2. However, this window would serve an en-suite bathroom, which is not a habitable room and one that can be secured, by condition, to be glazed with obscure glass to avoid any loss of privacy.

It is not considered that the properties that lie on the opposite side of Old North Road to the East would be unacceptably impacted upon by the proposed development. The front-facing first floor rooms to the proposed dwellings would gain some views of the front garden and parking areas to these dwellings, but as the front elevations of these neighbouring dwellinghouses are over 20 metres away from the proposed dwellinghouses, it is not considered that the proposal would unacceptably impact upon the amenity of these neighbouring properties.

In light of the above, given the unacceptable loss of privacy that would impact upon the occupiers to No. 23 Old North Road, from the development proposed on Plot 1, the proposal is considered to

be unacceptable and contrary to the requirements of LP17 (Part A) of the Peterborough Local Plan (2019).

#### **f) Occupier amenity**

The primary habitable spaces, including the lounge, kitchen, dining area and bedrooms are considered to be of an appropriate size for their use. The rear gardens to both plots are, on balance, considered to be acceptable to positively contribute to the amenity of future occupiers. Bin storage space would be available without encroaching into the proposed parking areas.

On the basis of the above, the proposal is considered to be in accordance with Policy LP17 (Part B) of the Peterborough Local Plan (2019)

#### **g) Lifetime homes and water efficiency**

Policy LP8 requires that all new dwellings comply with Part M4 (2) of the Building Regulations. The proposed dwellings appear to comply with this requirement. There are acceptable clearance around all of the bed spaces and ground floor sanitation facilities are provided. There is a porch to the front of the dwelling to provide a covered access. Sufficient clearance is provided to the principal private entrance. The widths to the internal corridors are greater than the minimum requirement of 0.9 metres to provide sufficient circulation for movement within the dwelling.

Finally, both properties would need to accord with the Optimal Technical Housing Standard of 110 litres per person per day, as defined in Building Regulations G2, to ensure efficient water usage. This matter can be secured under a planning condition.

In light of the above, the proposal is considered to be in accordance with Policies LP8 and LP32 of the Peterborough Local Plan (2019)

#### **h) Contamination**

Pollution Control Officers have raised no objection to the proposed development, but recommend the submission of details of a scheme of dealing with any unacceptable contamination which may be discovered during the construction phase of the development. This is considered to be reasonable be secured under a planning condition.

On the basis of the above, the proposal is considered to be in accordance with Policy LP33 of the Peterborough Local Plan (2019).

#### **i) Archaeology**

The City Council's Archaeologist has advised that there are no significant heritage assets within the surrounding area. As such, there is no requirement to secure a programme of archaeological work for the proposed development.

On the basis of the above, the proposal is considered to be in accordance with Policy LP19 of the Peterborough Local Plan (2019).

#### **Other matters**

- Drainage covenants: Covenants tied to properties and their utility services are not a material planning consideration. Such are covered under separate legislation outside the planning remit.

## **6 Conclusions**

The proposal is considered to be unacceptable having been assessed in light of all material planning considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

## **7 Recommendation**

The Executive Director of Place and Economy recommends that Planning Permission is **REFUSED** for the following reasons:

- R 1 The proposed dwellinghouses, by virtue of the principle, scale and design, would unacceptably impact upon the character and appearance of the site and the surrounding area as well as the Wansford Conservation Area and the Grade II Listed Building, Cooper's Cottage (No. 19 Old North Road). The proposed dwellinghouses would appear crammed in on the site against the open, low density setting of dwellinghouses that lie to the west side of Old North Road and north of Cooper's Cottage. Furthermore, the proposal would have a significant impact upon the setting of Cooper's Cottage, which would undermine the buildings prominence as the historic village edge and detract on how the building is appreciated when travelling southwards along Old North Road into the village. Accordingly, the proposal is considered to be unacceptable and is not in accordance with Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policies LP16 and LP19 of the Peterborough Local Plan (2019).
- R 2 The proposed dwellinghouse on Plot 1, by virtue of its design and siting, would adversely impact upon the amenity of the occupiers to No. 23 Old North Road. This is specifically in relation to the view from the rear facing windows within the first floor bedrooms, which would have views into No. 23 Old North Road's habitable space via the east-facing windows. This would consequently cause an unacceptable level of a loss of privacy to the occupiers of No. 23 Old North Road. Accordingly, the proposal is contrary to Policy LP17 of the Peterborough Local Plan (2019).
- R 3 The proposal is insufficient to determine the impact of the proposal to trees on-site and immediately off-site. This is specifically in relation to the Tree of Heaven, protected under a Tree Preservation Order and the development's impact to its root protection area, as well as the development's impact to unprotected trees and the harm that would be received from the Plot 1 development. A revised Arboricultural Impact Assessment is essential, but it has not been received and commented upon by the Tree Officer, therefore the principle of development is unacceptable. Accordingly, the proposal is contrary to Policy LP29 of the Peterborough Local Plan (2019).

(NOTE: REASON 3 FOR THE REFUSAL MAY BE REMOVED OR AMENDED FOLLOWING THE RECEIPT OF THE TREE OFFICER'S REVISED COMMENTS IN REGARD TO THE REVISED AIS, AMS AND TPP)

Copies to Councillor Lamb