

Item No. 4

Planning and EP Committee 30 July 2020

Application Ref: 20/00599/WCPP

Proposal: Variation of condition C2 (approved drawings) of planning permission 16/02087/HHFUL

Site: Forge Cottage, 10 The Green, Glington, Peterborough
Applicant: Mr David Gregg

Agent: Mr Peter Flavill
Seven22 Architecture Ltd

Referred by: Glington Parish Council
Reason: The principle of the annex is unacceptable and it is tantamount to the appearance of a dwellinghouse. Furthermore, it is a dwelling and there are no other habitable dwellings in this area in the Glington Conservation Area with the proposed finishes.

Site visit: 03.07.2020

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

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site comprises a detached dwelling located within the Glington Conservation Area. The dwelling is served by a large garden forward of its front elevation, which once occupied a detached garage, but which has since been demolished. Within the surrounding area, there are numerous Listed Buildings.

Proposal

Permission is sought to vary Condition 2 (approved drawings) of planning permission 16/02087/HHFUL 'Demolition of existing garage and erection of annex'.

- The amendments to the plans include the alterations of the external materials of the annex. Under the parent planning permission, 16/02087/HHFUL, the materials approved to the annex included smooth render to the walls, to match in colour to the render used on the main dwellinghouse, stone quoins and a reproduction slate roof.

- The materials now proposed include 'Clipsham coursed walling stone' and waney edge large softwood weatherboard to the wall elevations of the annex, with reproduction slates tiles to the roof elevations. The windows and doors would be in aluminium, finished in dark grey (RAL 7016). Black plastic rainwater goods would also serve this annex.

A separate planning application for a different annex, which included a basement, was recently considered by Officers under planning application reference 19/01049/HHFUL. However, further to the applicant being advised that this proposal was not acceptable given that the proposed annex was tantamount, the application was later subsequently withdrawn.

2 Planning History

Reference	Proposal	Decision	Date
19/01467/CTR	T.1 Apple - fallen, remove. T.2 Greengage - dying, remove. T.3 Holly, remove. Replacement trees to be planted nearer to the eastern boundary hedge line.	Permitted	31/10/2019
19/01049/HHFUL	Demolition of existing Garage and replacement with Annex	Withdrawn by Applicant	28/01/2020
16/02087/HHFUL	Demolition of existing garage and erection of annex	Permitted	30/01/2017

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

Peterborough Local Plan 2016 to 2036 (2019)

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.

LP34 - Residential Annexes

Permission for the creation of a residential annex will only be granted if the annex remains in the same ownership as the original dwelling, would not result in the creation of a new or separate dwelling, is ancillary in size and scale, of an appropriate design, has a clear functional relationship to the main house including services/ utilities and does not result in other harm. Detached annexes will only be permitted where it can be demonstrated that the accommodation cannot reasonably be provided through extension of the existing dwelling.

4 Consultations/Representations

PCC Tree Officer (06.05.20)

With regard to the service runs for the electric to the Annex in particular but also the location of the spur from the water main to the Annex on the roots of the trees along the drive, including a Scots Pine, the Silver Birch within close proximity to the proposed Annex and also the tree close to the front, eastern corner of the house, with regards to the electric run directly from the house to the Annex.

Please request details or condition that a plan is submitted to clearly demonstrate that the above service runs will be located outside the root protection area (RPA) of the trees in question - a plan showing the new service runs beyond the RPA's would be sufficient or by way of an Arboricultural Method Statement detailing how the works would be carried out avoiding any root damage, if within any of the RPA's?

With regard to conditions relating to any approval, please ensure we condition a tree protection plan with regard to the above trees, especially the Silver Birch, and a full and detailed landscaping scheme to ensure adequate screening is secured adjacent to the North-East boundary to screen any long views of the Annex from North Fen Road.

PCC Conservation Officer (06.05.20)

No objections: The Conservation Officer advises that the material appearance is a significant improvement over the render and stone quoin appearance.

The waney edge boarding would ideally be substituted for a simpler and more appropriate feather edge, as this is more common for outbuildings in this region.

If the applicant is wedded to the waney edge, there is no strong objection. The larch boards should be left to weather or painted black. An orangey light stain colour would be wholly inappropriate.

Plinth in Clipsham stone is supported and will break up the elevation. Roof in Siga Rutland is supported.

Additional comments (22.06.20): This is an ancillary building. A poor decision was made some years ago to allow render. This is a visually softer timber material on a masonry plinth and is something many outbuildings were constructed in historically. There is therefore a hierarchy of materials and a good quality roof covering proposed. I maintain that for an outbuilding 'style' structure, this is an acceptable material and will not compete with other buildings in the vicinity, will be a vast improvement over the permitted render and will sit comfortably within its surroundings. We have to be mindful that there is a previous permission for off white render and efforts have been made to persuade the applicant to implement a more suitable material.

Glington Parish Council (11.06.20)

Objection: Glington Parish Council met on Tuesday 9th June 2020.

This planning application was considered in detail. Members were able to view the plans on the planning portal and noted the comments of the Tree the Conservation Officers.

- We considered the plans and in particular the proposed change to finish by use of Shiplap cladding. We were of the opinion that this would not be in keeping with the principle building to which this dwelling is an annex. We noted the reservations of the tree officer and also noted that the conservation was not opposed to the proposed finish.

- We are of the opinion that the Conservation Officer appears to have ignored the extant Supplementary Planning Document "Peterborough Design & Development in Selected Villages" (2011). Policy PD2 (building detail) refers to materials complementing surroundings; Policy BM1 building materials that affect the character and appearance of the conservation area. Specific to Glington policies, of relevance to this application Glin1, Glin2, Glin3, Glin7 (and Glin10 & Glin12 - albeit these refer to buildings outside the conservation area).

We conclude that the application building is not an outbuilding; it is a dwelling and there are no habitable dwellings in the conservation area with shiplap finish. We therefore oppose the variation of Condition C2 in so far as the finish materials are concerned. Furthermore if officers accept the Conservation Officers observation and are minded to approve the variation to Condition C2, then the matter should be referred to the Planning and EP committee"

If Officers were to permit the variation, the Parish Council would wish to address the Planning and EP Committee on the matter.

Local Residents/Interested Parties

Initial consultations: 6

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No public / neighbour representations have been received from local residents. Glington Parish Council's comments are described above. A site notice was erected opposite the site advertising the development.

5 Assessment of the planning issues

The application seeks to vary condition C2 (approved plans) of planning permission 16/02087/HHFUL. Therefore, the material planning considerations pertinent to this variation are as follows:

- Fall-back position and principle of development
- Design and impact to the character and appearance of the site and the surrounding Glington Conservation Area
- Neighbour amenity
- Highway safety and parking provision
- Trees
- Archaeology

This application would grant a new permission for the development. The planning policy context has changed since the determination of 16/02087/HHFUL, with the adoption of the Peterborough Local Plan (2019). This is therefore a material consideration to the determination of this current proposal. All planning considerations are therefore considered below.

a) Fall-back position and principle of development

The principle of an annex, that is ancillary to Forge Cottage, has previously established following approval of planning application reference 16/02087/HHFUL by Members of Planning Committee (prior to the adoption of the current Peterborough Local Plan 2019). Development has begun on site with the demolition of the garage and therefore the 3 year planning condition to start the works has been met. The Applicants could therefore take as much time as they need to construct the annex.

In 2019, a new planning application (reference: 19/01049/HHFUL) at Forge Cottage was submitted for a completely new and larger annex, which included a basement, but the whole annex was proposed to serve for the special needs of a child of the Applicants. Officers were to recommend this 'new' annex for refusal, given that its appearance was tantamount to the creation of a separate dwellinghouse and contrary to the requirements of Policy LP34 'Residential Annexes' of the Peterborough Local Plan (2019). This application was subsequently withdrawn by the Applicants on personal grounds prior to Planning Committee holding its session.

The current planning application, 20/00599/WCPP, seeks to vary the materials of the annex which already has planning consent under 16/02087/HHFUL. This is important as application reference 16/02087/HHFUL was approved and its development has begun on site with the demolition of the garage, which occurred in time before the expiry of 16/02087/HHFUL. As such, this variation of conditions application, 20/00599/WCPP, cannot be refused on the grounds that the annex's appearance is tantamount to a separate dwellinghouse, because the principle of the annex has been accepted under 16/02087/HHFUL and development has already started.

To ensure that the annex is only used for appropriate ancillary purposes, a condition similar to that used for 16/02087/HHFUL is recommended to restrict the building to the use of an annex only that is ancillary to the main dwellinghouse.

The proposed alterations to the appearance of the annex are discussed below.

a) Design and impact to the character and appearance of the site and the surrounding Glington Conservation Area

The dwelling is situated within the Glington 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 conservation areas such as the Ginton Conservation Area. In addition, given the quantity of listed building within the surrounding area such as No. 9 The Green, Balcony House and the Grade I Listed St Benedict's Church, Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to the desirability of preserving listed buildings, their special features and their setting, in accordance with the provisions of the National Planning Policy Framework (2019).

The Conservation Officer advises that the proposed materials, described in Section 1, are acceptable. It is considered that the orange staining to the softwood boards as shown on the proposed plans would be inappropriate and states these should be left to weather or painted black. The Agent however has clarified that the boards would be left to weather to a silver /grey finish from the orange colour. This is considered to be acceptable. The Conservation Officer additionally adds his support to the use of a plinth in Clipsham Stone to break up the waney edge panels and it is considered the proposed roof materials to be appropriate for the annex and surrounding setting.

. Details of all materials have been requested by the Conservation Officer, which is considered to be appropriate, necessary and reasonable to secure under a planning condition to ensure these materials do not adversely impact upon the setting of surrounding designated heritage assets.

Ginton Parish Council are against the proposed materials and additionally advise that the Conservation Officer has not considered the Ginton policies, specifically identified in the Design and Development in Selected Villages SPD (2011). The Conservation Officer has advised that the Ginton-local policies have been considered and this does not alter his view. This view is based on the matter that the annex is an ancillary building and timber materials on a masonry plinth represents a historic method of constructing outbuildings, which would not compete with other buildings in the surrounding area given its scale. It is considered that the softwood boards are acceptable and represent a betterment compared to the rendered finish previously approved within the Ginton Conservation Area. In addition, the scale and form of the building is similar to the outbuilding approved under planning application 16/02087/HHFUL and Officers do not consider the outbuilding impacts upon the setting of the Grade I Listed St Benedict's Church or to other listed properties nearby.

In light of the above, the proposal is 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), Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Design and Development in Selected Villages SPD (Ginton) (2011).

c) Neighbour amenity

Within this residential area, the application site shares its boundaries with the dwellings No. 9 The Green, Balcony House, Yew Tree House and Mouse Cottage.

The proportions of the annex are similar to that approved under planning application reference 16/02087/HHFUL. Officers consider that the proposed annex being set back adequately from the boundaries of the application site, along with the private drive to No. 9A The Green to the north as well as the public highways wrapping around the south and east boundaries of the application site, would ensure neighbouring properties would not be unacceptably impacted upon through overbearing and overshadowing impacts.

It is not considered that the ground floor windows would unacceptably impact upon the privacy of neighbours given the adequate separation and boundary treatments surrounding the application site. The first floor bedroom would gain views across the front garden of Forge Cottage, however, as the annex is proposed to be subordinate to Forge Cottage, this is not considered to be unacceptable. The window to the study would have views across North Fen Road and The Green. However, it is not considered that its proposed location and orientation would not gain clear views into Yew Tree House or to Balcony House given that they are approximately 24 metres away from

the annex.

Notwithstanding the above, this application is focused on the variation on materials to the annex and it is not considered that the proposed variations would adversely impact upon the amenity of surrounding neighbours.

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

d) Highway safety and parking provision

Under adopted parking standards, two parking spaces are required to serve dwellings with two or more spaces.

The existing dwellinghouse to the rear of site has more than two bedrooms, but existing parking and turning arrangements are available adjacent to the existing main dwellinghouse. Furthermore, as the annex is an addition to the main dwelling and not be used as a separate, independent dwelling, there is no requirement to provide additional parking on-site as there is no increase in demand in policy terms.

Notwithstanding the above, the pending application is for the change in materials. It is not considered that the proposed alterations in materials would adversely impact upon the parking provisions of the site.

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

e) Trees

Further to the determination of Section 211 application reference 19/01467/CTR, approval was granted to remove the apple tree which had fallen and a holly tree. Under the current situation, there is an existing silver birch that is situated close to where the annex would be constructed.

Under the determination of 16/02087/HHFUL, the then-Tree Officer raised no objections to the works. However, the current Tree Officer for 20/00599/WCPP advises that as a result of the services and utilities feeds that would serve the annex, an arboricultural method statement and tree protection plan should be conditioned to ensure the root protection areas of the Silver Birch and Scot's Pine are not adversely impact upon the root protection areas of these trees. Additionally, the current Tree Officer recommends additional landscaping to screen the annex from North Fen Road, primarily to its north east boundary.

Whilst the comments of the Tree Officers are noted, Members are advised of the fall-back position that the site occupies. The Applicants can construct the annex approved under reference 16/02087/HHFUL without providing any additional details on root protection or landscaping and development has started with demolition of the garage. Although there would be benefits in securing the additional details, Officers cannot secure these matters under this variation of conditions application.

Notwithstanding the above, as the fall-back position of an annex has been accepted and that the pending application is for the change in materials, it is not considered that the proposed material alterations would adversely impact upon the existing trees on-site.

On the basis of the above, the proposal is considered to be in accordance with Policy LP29 of the Peterborough Local Plan (2019).

f) Archaeology

The City Council's Archaeologist has advised that the site contains no known heritage assets and therefore it is advised that a programme of archaeological work is not essential.

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

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 character and appearance of the site and the surrounding area would not be adversely impacted upon by the proposed development, 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) and Design and Development in Selected Villages SPD (Glinton) (2011).
- The proposal would not unacceptably impact upon the amenity of surrounding neighbours, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- Acceptable parking and turning space would be retained on-site, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- Trees on-site would not be adversely harmed by the proposed development, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon any significant buried assets, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

7 Recommendation

The Executive Director of Place and Economy recommends that Amendment to an existing Planning Permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- Location Plan 1:1250
 - Proposed Site Plan (Drawing number 020-P01)
 - Proposed Floor Plan (Drawing number 020-P02)
 - Proposed Elevations (Drawing number 020-P03)

Reason: For the avoidance of doubt and in the interests of proper planning.

- C 2 Notwithstanding the provisions of the Part 1 Class A, B, C and E of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the permitted annex other than those expressly authorised by this permission or those expressly authorised by any future planning permission.

Reason: In order protect the amenity of the adjoining occupiers and the visual amenity of the area, in accordance with Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act (1990) (as amended), Policies LP16, LP17 and LP19 of the Peterborough Local Plan (2019) and Design and Development in Selected Villages SPD (Glinton) (2011).

- C 3 The annex hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as Forge Cottage, 10 The Green and shall not be occupied , leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling and this development is only acceptable as ancillary accommodation in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 4 No above ground development shall take place until samples of all external facing materials including softwood boards, coursed walling stone, roof tiles, windows, doors and rainwater goods to be used have been submitted to or inspected on site by the Local Planning Authority's conservation officer, or representative and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to preserve the special architectural and historic character of the Glington Conservation Area; in accordance with the provisions of 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) and Design and Development in Selected Villages SPD (Glington) (2011).

- C 5 Windows and doors shall be inset from the exterior elevation by 50mm.

Reason: In order to preserve the special architectural and historic character of the Glington Conservation Area in accordance with the provisions of 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).

Copies to Ward Councillors Hiller and Holdich

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