

Item No. 01

Planning and EP Committee 1 September 2020

Application Ref: 20/00480/FUL

Proposal: Construction of 1no. detached dwelling house and 1no. detached garage

Site: 21 The Village, Orton Longueville, Peterborough, PE2 7DP
Applicant: Mr Richard Smith

Agent: Mr Richard Garnett
ARC Survey & Design Consultants Ltd

Referred by: **Councillor Casey**
Reason: Neutral call-in: It is important that the amenity of those who reside at neighbouring properties should not be harmed by the proposed new dwelling. In addition, the design of the proposed dwelling should be assessed to ensure it respects the setting it would be located within.

Site visit: 07.05.2020

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 of the existing garden land that serves 21 The Village. There is a nearby property at 21a The Village which is accessed via a shared access drive onto The Village. The surrounding area is predominantly residential in use and character, with the Orton Longueville Conservation Area encroaching into the northern portions of the application site where the access drive meets the public highway at The Village.

Proposal

Permission is now being sought for the erection of a detached dwelling and detached garage to be located within the side garden of the existing dwelling at 21 The Village.

The proposed dwelling measures approximately 15.2 metres in width by 10.1 metres in depth. A dual-pitched roof is proposed. The proposed ridge measures approximately 7.8 metres in height from ground level. The proposed eaves measures 3.7 metres in height from ground level. The proposed ridge lines to the rear projection measures 7 metres in height from ground level. The proposed eaves to the rear projection would measure 4.7 metres in height from ground level.

The proposed detached garage would measure approximately 6.5 metres in width by 6.5 metres in depth. A dual-pitched roof is proposed. The proposed ridge line would measure 4.5 metres in height from ground level. The proposed eaves measures 2.5 metres in height from ground level.

Amendments have been sought from the original plans submitted following Officer's concerns that the proposal would have caused unacceptable harm to the amenity of adjacent neighbours at 21a The Village, to the character and appearance of the site and the surrounding Orton Longueville Conservation Area. These revised plans have been consulted upon with adjacent neighbours and statutory consultees.

The changes comprise:

- A complete revision of the shape and proportions of the proposed dwelling from an L-shaped property with a front extension incorporating an attached garage, to a one-and-a-half dwelling with no front extension and a detached garage.
- Re-siting the revised dwelling in a northerly direction and increasing the separation between the proposed dwelling and No. 21A Village's side elevation from approximately 2.1 metres to 3 metres.

Outline permission was granted in 2017 under planning reference 17/01104/OUT for 'Detached dwelling and adaptations to drives to 21 and 21a The Village to create shared access' (determined 1 September 2017). All other matters were reserved for future approval, however, no reserved matters applications have been submitted since the determination of 17/01104/OUT. This permission expires on 1 September 2020.

2 Planning History

Reference	Proposal	Decision	Date
18/01263/DISCHG	Discharge of condition C4 (Samples of exterior materials) of planning permission 18/00559/HHFUL	Determined	29/08/2018
18/00559/HHFUL	Two storey rear extension and garage to side with room in the roof space	Permitted	05/06/2018
17/01104/OUT	Detached dwelling and adaptations to drives to 21 and 21a The Village to create shared access	Permitted	01/09/2017

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.

National Planning Policy Framework (2019)

Section 16 Conserving and enhancing the historic environment

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning

authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Peterborough Local Plan 2016 to 2036 (2019)

LP02 - The Settlement 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

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 Tree Officer (06.07.20)

No objections: The Tree Officer has no objection to the above site being developed. The Officer does not consider that the construction works will have an adverse effect on any trees or hedges on or adjacent to the property.

The Tree Officer advises that he considers, in landscape terms, that the dwelling and detached garage appear too large on the plot, despite the dwelling having been reduced in depth, it appears to have got wider. The Officer considers the proposed dwelling to be too close to No. 21A and the garage appears to block the frontages of both properties. Therefore, the Officer advises the dwelling/garage should be reduced in size to reflect the size of the plot and the proximity of the neighbouring dwelling and reduce the appearance of over development to free up addition amenity space to the property frontage for suitable and appropriate planting.

Please condition that a full and detailed landscaping scheme is submitted for approval with any future planning consent, to ensure the proposed development is enhanced with landscaping of appropriate scale and structure.

Archaeological Officer (14.07.20)

No objections: The City Council's Archaeologist states that the development site is located in an area of archaeological interest, as indicated by chance discovery of metalwork and systematic investigations. In particular, an evaluation and building recording carried out in 1999 at Grange Farm some 100m to the north-west of the proposed development site revealed an extensive system of Late Saxon land parcels. Several shards of pottery were recovered. Ridge and furrow remains associated with the open fields of the parish can also be seen in the Grange Farm area on aerial photographs pre-dating modern development. The Ordnance Survey maps show that the site was probably used as an orchard. Therefore, some degree of disturbance of upper deposits may have been caused by rooting.

The proposed development site may contain Saxon remains. Notwithstanding some degree of disturbance of the upper deposits by ploughing and rooting, deeper features and deposits are expected to survive in reasonably good conditions of preservation.

Since the original submission of the proposal, the extent of groundwork has been scaled down. Therefore, archaeological monitoring is recommended instead of an evaluation by trial trenching (as previously advised).

PCC Peterborough Highways Services (04.05.20 and 21.05.20)

Objection: The Local Highway Authority object to the proposal on the following grounds:

- Land ownership – The situation regarding the land ownership surrounding the access to all the existing and proposed properties should be confirmed. The applicant mentions that upon completion, No. 21 will no longer use this access but the LHA would draw attention to the lack of a viable alternative within the red line boundary. Please seek further clarification on this point as the LHA is concerned that if the applicant does not own the land in question, they would not be able to commission construction work to improve the access to meet the LHA's requirements, thereby this would undermine the whole application.
- Distance to junction - The proposed access is within 10m of the junction to Royal Close and has little to no vehicle to vehicle visibility north towards the junction, the additional access for No.21 would be even closer and would not be acceptable.
- Visibility Splays - The required visibility cannot be achieved to the north towards the junction. The applicant has shown the pedestrian visibility splays but need to provide the vehicle-to-vehicle splays for the access using an X distance of 2.4m back from the edge of highway. There should also not be any obstructions higher than 600mm within the splay. It is the opinion of the LHA that this would be an intensification of use therefore a suitable access needs to be in place for the three dwellings that would access from it.
- Access width - The access is shared therefore needs to be a minimum of 5.0m for a distance of 10m from the edge of the carriageway, then a minimum of 4.5m thereafter to allow two vehicles to pass and to provide a pedestrian access.
- Access on Application form – I would disagree with the application form submitted which states no new or altered access will be required, we feel that an alteration is required for both the new dwelling, No 21 and No 21a.
- DAS & Access to No. 21 – The DAS states once the new access is created No.21 will no longer use this access but, there is no viable alternative highlighted within the redline boundary and this would need to be assessed as part of this application. A new access to No 21 seems to be indicated on the site plans but this is not within the applicant's ownership and is too close to the junction (see previous comments re ownership and visibility).
- Distance from Highway for refuse collection – Current guidance states that the maximum distances residents of single houses, should have to wheel their bins to the collection point is 25m

and the proposed house is over 50m from the local highway.

- Height of Hedge between proposed dwelling and No. 21a – This should not exceed 600mm in height to enable good visibility between the two plots sharing access.

In conclusion, the LHA feel that the historic case is irrelevant as applications are reviewed against current standards. This in mind we recommend refusal as both the current access and the indicative access for Plot 21 are not acceptable in terms of width, visibility and would have an adverse effect on highway safety, therefore the application does not meet the requirements set out under LP13 (Highways Safety) of the Peterborough Local Plan 2016-2036.

No comments received

PCC Pollution Team (13.07.20)

No objections.

Lead Local Drainage Authority (17.07.20)

No objections.

PCC Conservation Officer (15.04.20 and 06.07.20)

First set of comments (15.04.20)

Objection: The Conservation Officer objects to the proposal. The initial comments were as follows:

Substantial discussions were undertaken in relation to this proposal back in 2017 when an outline application was submitted and later approved for a single dwelling in broadly the same position as it is proposed under this application.

The front of the site is within and the proposed building just outside of the Orton Longueville Conservation Area and therefore the host dwelling and its surroundings lend a strong contribution to the streetscene around the green and to the wider Conservation Area. At present the positive early C20 dwelling (21 The Village) has a positive contribution by way of its positive architectural detailing and low density of surrounding development, creating a verdant backdrop to the conservation area when viewed from a number of vantage points across the Green.

The advice given at outline stage by Mr Daley in 2017 was that it would be possible to site a modest dwelling in this area, substantially set back and in a positive 1.5 storey cottage style development. More recent discussions outlined the parameters here, which were essentially re-iterating the importance of a positive design of modest scale, in the same form as was previously suggested.

The proposed plans unfortunately fail to implement such a positive result as was discussed and would not sustain and enhance the character, appearance and significance of the conservation area. The building is of a confused design which appears to result from the wish for increased floorspace dictating the outward appearance and giving the distinct impression of cramped and shoehorned development, rather than allowing the shape and size of the plot to guide the design sympathetically.

The dominant garage block with accommodation above, steps off the front in an overpowering and dominant manner. The dormers are substantially too large and disproportionate for a 1.5 storey dwelling. The large unrelieved garage door further diminishes character.

The above style of building introduces a quality of form and appearance that would sit well within its constrained curtilage, whilst not detracting from the positive backdrop the existing site has on the adjacent conservation area.

I shall re-iterate my previous advice that if a garage is proposed, a modest standalone timber clad construction may well be acceptable if sited away from the proposed house.

The NPPF contains a general presumption in favour of sustainable development, but development is not considered sustainable if it causes harm to heritage assets. The site makes a positive contribution to the character of the Orton Longueville Conservation Area and development would have a detrimental impact on its special character. The NPPF seeks new development to make a positive contribution to the character and appearance of a Conservation Area, (including within its setting) and that which would harm should be refused. The proposal is not consistent with national and local policy for the historic environment.

The proposed development will harm the significance of the Conservation Area and the listed building through inappropriate development within their setting, contrary to paragraph 195 196 of the NPPF that would also neither preserve nor enhance the character or appearance of the Conservation Area, contrary to Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act. The proposal would also be contrary to Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

In my opinion, the harm caused by the proposal on designated heritage assets triggers the “strong presumption” against granting permission and the harm is not exceeded by the limited public benefits of the proposal.

The development will not preserve or enhance the character and appearance of the Longueville Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) nor accord with Policy LP19 of the Peterborough Local Plan (2019) and the National Planning Policy Framework (Heritage considerations)

Additional comments (06.07.2020)

The proposal has been amended and revised plans have been submitted to mitigate the concerns raised over the original application.

The form of the building has been revised to that of a symmetrical three bay, 1.5 storey dwelling. The forward projection incorporating a garage and accommodation above has been removed. The garage is now proposed as an ancillary standalone structure.

The dwelling is of a form and appearance that is much improved from its earlier appearance.

The dormers are still oversized and dominant of the roof slope and will arguably be the most visible feature, being sat high up. The correct type of dormer would be a two light dormer that is subservient to the three light windows below, showing the clear hierarchy of floor levels. This is an important issue as oversized dormers can be deleterious to the over design. Lead faced dormers are generally a much subtler way of incorporating dormers into the roof slope. Render tends to emphasize their presence in a light colour that catches the eye. Lead also weathers well, whereas render discolours quickly.

The rear elevation is dominated by two projecting gables, however these are not seen from any view and therefore I have no objections to this being used as a way to enable larger first floor accommodation.

The garage is large, but the fact that it is separated from the house reduces massing substantially. It will remain quite nestled within its surroundings, which is positive. A more appropriate garage door would make a substantial improvement upon the outward appearance.

From a heritage consideration, subject to the dormers being amended there is no substantial objection.

It is considered that the work will preserve the character and appearance of the Orton Longueville Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with the

Peterborough Local Plan (2019) and the National Planning Policy Framework (Heritage considerations).

Orton Longueville Parish Council (23.04.20)

Orton Longueville Parish Council has no material observations to make on this application.

Local Residents/Interested Parties

Initial consultations: 13

Total number of responses: 4

Total number of objections: 3

Total number in support: 0

Four letters of representation have been submitted. These include three letters of objection from one neighbour and one letter from the Applicant. The comments raised are as follows:

First round of consultation

- No. 21 is owned by the applicant yet is not shown as 'blue edged land' in the submission.
- The house has a footprint and massing far larger than envisaged in the outline approval. A better relationship between the present houses (21 & 21A), and the new house, will be achieved if the present garden land at No. 21 formed part of the development site.
- These issues are picked up in sections 2-4 below, but generally it is the case that a generous garden remains to No. 21 at the cost of harm to No. 21A. A large house like this can only be accommodated by squeezing it far too tightly to No. 21A. There is scope for another approach here.
- Many properties in the area have generous gardens. They are set apart from each other, helping to create very pleasant open character.
- Permission was granted on this application site for a detached house (17/01104/OUT). This permission was intended to achieve a modest 1.5 storey cottage style building.
- Please see the Conservation Officer's observations at the time. His views are still relevant, particularly: the proposal is an overdevelopment with adverse impact on the outlook of 21A; a single storey building would be less immediately visible; a front garage was discouraged given Conservation Area impact, and a small one-and-a-half storey building would reduce the unwanted sense of 'dense grain'.
- Recent removal of vegetation has opened views. A large house will be even more dominant than anticipated by the outline approval.
- The development does not measure well against the key issues that informed an outline approval. It is not subordinate to the adjacent houses and it is as a result harmful to the character of the area.
- The Officer's report on 17/01104/OUT recognises "...provided that it is not located behind 21a The Village will not materially impact the amenity of the occupiers of this dwelling".
- The present proposal has done very little to avoid harming the eastern outlook from No 21A. It is an obtrusive structure detrimental to the amenities of No. 21A. The following harm is noted:
 - Harm to the front of No. 21A: The front projection of the new house projects forwards 5m near a first-floor bedroom window at No. 21A. Although the new roof trails away from the bedroom view, the ridge (at 4.66m high) will be only 7.36m away. The effect will be one of obtrusiveness relative to No 21A, and a building to building relationship out of character with this otherwise very open neighbourhood.
 - Harm to the rear of No. 21A: The designer of the new house recognises the value of the space between buildings in its relationship with No. 21 to the east of the application site. They offer a minimum 7.952m gap between the new house and to No. 21 to the east. However only a very narrow space remains of 0.873m - 2.027m from the boundary to 21A to the west.
 - The rear projection of the new building extends 4.66m beyond the rear of No. 21A in close quarters. This will give rise to undue enclosure of the rear of No. 21A and runs counter to Local Plan policy aims to maintain a reasonably open character.
- It does seem possible to reduce the harm with a redesign that reflects upon the following ideas:
 - i. Reduce the footprint to more closely reflect the illustrative outline scheme with no forward

garage

- ii. Move the new house away from the common boundary with No. 21A (there is space on the eastern side).
- iii. Address the harm to the back garden that results from a two-storey projection beyond the rear of No 21A, by moving it away from the boundary and reducing its rearward projection.

Second round of consultation

- We suggest your planning judgment to secure appropriate access arrangements should not be swayed by what seems to be, in part, unduly strident advice from your Highways colleagues. We suggest their views need to be moderated by Conservation Area issues.

- We have also read the applicant's riposte to the highways officer's comments. My client's driveway is referred to, but its importance as an attractive driveway to her house at 21A is marginalised. Consequently I would like to make the following key points on the overall access issue.

- We agree with the applicant that the access should not be 4.5 metres wide as required by Highways. This sort of width should be reserved for modern housing estates, not a modest access to a property on the edge of a conservation area.

- If we have understood it right, Highways wants a 4.5 metre wide access. If you insist on this, then please note that would require cooperation from my client as it may then impinge on rights of access to their land - we believe there is a shared ownership of the left hand hedge to the access as seen in the photo over page.

- In a possible attempt to appease the Highways officer, the applicant states that the hedge in between 21A and the proposed house can easily be removed or reduced in height (to 600mm), to secure vehicle to vehicle visibility. It is however unclear the extent of change Highways are promoting. We therefore stress we object in the strongest terms to removal, or other reduction, of any further hedging. Much has been removed already.

Final round of consultation

- We see that the rear part of the new house does not extend past the rear of No 21A. That is a significant improvement and is appreciated. However, we reluctantly still maintain an objection to an element of the scheme as explained below.

- The garage element is placed close to the common front boundary to No 21A. Although it is a smaller structure than shown in the first application it is still a large imposing building in context. This is because it is close to the front garden and windows of No.21A. It will also appear particularly dominant as viewed from the front 1st floor bedroom window.

- Although a single storey building, it does in this position result in detrimental enclosure to the outlook from No.21A. This is visually harmful to the present open character of this housing cluster, and to some degree the character of the area when looking from the road back towards the house.

- We can see that the applicants have tried to align the structure to minimize its impact, but this cannot offset the visual imposition outlined above.

- We are pleased the revised access to the new house is now independent of the driveway to No 21A (it was previously a shared driveway along part of its length). This allows some protection of privacy.

- In the event permission is approved, we ask that a condition is imposed requiring all construction traffic to only use this new access in the interests of preventing obstruction, privacy and reduction of possible nuisance.

- It is also suggested to remove permitted development rights to install windows to the side elevation. This will be necessary to prevent privacy loss outside planning control from the possible addition to the main house of side windows facing No. 21A (unless obscure glazed).

Comments raised by Applicant (in response to objections submitted)

- I have never suggested removing the hedge that they show in their picture and I have not suggested reducing this section of hedging in height either. Indeed there would be no reason to do so. It is not this area that would have any vehicle to vehicle visibility issues. The area where two vehicles may approach the same point is further up this lane.

- At the point in question I have a fence (on my own land) that could be reduced in height if absolutely necessary. There is also limited hedging in this area (the point I previously made)

largely due to the growth of said hedge having been suppressed by overgrown Leylandii for many years. I do not believe the situation as it stands would require any modification for the visibility between the new property and No. 21A however bow to the guidance of the LHA.

- My current application has sought to maintain the hedge, contrary to the application approved in 2017 which would see this hedge halved in width to create a second parallel lane across the front garden of No. 21. This would have a far greater impact on the Conservation Area and those living locally including I would suggest the pleasant approach to No. 21A. This plan would also require a reduction in height to the hedge in the photo as the parallel lanes would have some inter visibility issues. I have trimmed said hedge on numerous occasions to maintain height and shape and removed a considerable amount of ivy from within that was gradually killing off the yew. This has left some gaps that will take a while to fill however I suggest that this is far better in the long term than allowing the whole hedge to be killed off as had happened in other areas of the boundary.

- Access for two properties (21 and 21A switching to the new property and 21A) is wholly viable without any changes to either the lane owned by 21A or the open grassed area to the front of No. 21. This is a quiet part of the village with minimum traffic and the road from which it is accessed is rarely used as it does not logically lead anywhere

Councillor Casey

I write, with a neutral view, with regard to planning application 20/00480/FUL, which proposes a new dwelling adjacent to No. 21 Village.

Further to speaking to both the Applicants and residents that have objected to the proposal, I wish for the application to be called into Planning Committee for determination. I believe it is important that the amenity of those who reside at neighbouring properties should not be harmed by the proposed new dwelling. In addition, the design of the proposed dwelling should be assessed to ensure it respects the setting it would be located within.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact to the site and the surrounding Orton Longueville Conservation Area
- Highway safety and parking provision
- Neighbour amenity
- Occupier amenity
- Trees
- Archaeology
- Contamination

a) Principle of development

The application site falls within the settlement boundary of the urban area of Peterborough. There are no national or local policies that preclude residential development upon brownfield land, i.e. previously developed land, which this site represents. This proposal is not considered to conflict with the requirements of Policy LP2.

In addition, outline planning consent for a dwelling was previously granted in September 2017. This consent remains extant until 1st September 2020.

The principle for a dwelling is therefore accepted, subject to the following material planning considerations.

b) Design and impact to the site and the surrounding Orton Longueville Conservation Area

The north-most areas of the application site fall within the Orton Longueville Conservation Area. Under Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), as such special regard must be paid to the desirability of preserving or

enhancing the character or appearance of conservation areas or their setting, such as the Orton Longueville Conservation Area.

Although the Orton Longueville Conservation Area cuts into the northern portions of the application site, the proposed dwelling would fall outside of the Conservation Area. The host dwelling, No. 21 The Village, is considered to have a positive contribution to the Conservation Area through its architectural detailing and the low density of development that surrounds it. Positive views of the site are obtained from the street scene and the green directly north of the application site.

For reference, the neighbouring dwelling 21 The Village has an approximate ridge height of 7 metres from ground level. The eaves lines to the front elevation of the property measures approximately 5.4 metres in height from ground level. For 21A The Village, the ridgeline of the property measures approximately 7.8 metres in height from ground level. The eaves to the front elevation measures approximately 5.3 metres in height from ground level. The eaves lines to the garage, below the roof dormer, measures approximately 6.3 metres in height from ground level.

Further to design amendments to avoid overdevelopment of the site and adverse harm to the Orton Longueville Conservation Area, the revised one-and-a-half storey dwelling proportions are now considered to be appropriate against its adjacent neighbours and within its protected setting. The dwelling would not detract from No. 21 The Village given its proposed siting being further south and adjacent with No. 21B, the dwelling to the west. The rear projection, with two gables, is considered to be acceptable given that it cannot be seen from the surrounding public realm.

The Conservation Officer advises that the dormers need to be scaled down to avoid over-dominating the roof slope, but given the significant improvement in appearance, this matter on its own is not considered to be unacceptably harmful to the character and appearance of the site and surrounding Conservation Area. Full details of materials to be used in the construction of the development are to be secured via a planning condition.

Although the proposed garage is of a size that can accommodate two cars, it is considered that it would remain subservient to the proposed dwelling, especially given that the garage would be detached from the proposed dwelling. Material details for the garage, including the garage door, shall be secured through a planning condition.

The Local Planning Authority has a duty under paragraph 190 of the National Planning Policy Framework (NPPF) (2019) to identify and assess the significance of any heritage assets that may be impacted upon by a proposal to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. The revised plans were formed following comments from the Local Authority's Conservation Officer, who recognised the positive contributions of the Orton Longueville Conservation Area, which is further detailed in the Orton Longueville Conservation Area Appraisal (2017). The advice provided enabled revisions to the proposed dwelling's appearance and proportions to be produced, with additional matters to be secured under planning conditions, without unacceptable harm to the significance of the Orton Longueville Conservation Area. The proposal is considered to accord with the requirements of Section 16, specifically paragraphs 189 to 193, of the NPPF (2019).

In addition to the above, the proposal is considered to accord with Policy LP16 of the Peterborough Local Plan (2019) and Policy LP19 of the Peterborough Local Plan (2019).

c) Highway safety and parking provision

Under the adopted parking standards, two parking spaces are required to serve dwellings with two or more bedrooms. Two parking spaces are proposed to serve the proposed dwelling and the development meets this requirement.

The Local Highway Authority has raised a number of matters. One particular concern was land ownership. Previous land searches to the land forward of No. 21 The Village, have not identified

landowners, which the Local Highway Authority advise is concerning because if the applicants do not own the land, they would not be able to commission the works to meet acceptable highway standards. However, in planning terms, notices have been previously raised in the local press identifying the previously proposed development in order to seek out any comment from possible owners to no avail and ownership has been investigated by solicitors. The Applicants advise that they maintain this land at present, which is considered reasonable given that their existing property is adjacent to it and they have an established right of way across the land which is not contested.

The proposed access is adjacent to the access serving No. 21 The Village. The Local Highway Authority has raised concerned that the access serving No. 21 The Village is new and thus consent should have been obtained. From visiting the site and observing aerial imagery, the linear gravel drive serving No. 21 The Village is relatively new, but the Applicants advise that the right of access is already existing. Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows of the construction of hard surfaces without planning consent. If the driveway is over 5 square metres in area, this would need to consist of materials that allow for on-site drainage. It is considered that the gravel driveway would meet this requirement.

Overall, it is not considered that the additional dwelling would adversely increase traffic levels to warrant a 5 metre widened access for the first 10 metres. The access roadway is private and not a through road and it would only serve two dwellings (the proposed dwelling and No. 21A The Village), thus it is not considered that adverse levels of vehicular movements would result from the proposed development. Furthermore, such a widened access would negatively impact upon the Orton Longueville Conservation Area. Visibility splays are provided and shall be secured by condition.

Finally, the Local Highway Authority recommend that the existing hedge should not exceed 0.6 metres between the proposed dwelling and No. 21A The Village. Objections has been received from neighbours with regards to the reduction of this hedge. Although vehicles would not be moving at great speeds in this access, visibility is essential to avoid any risk of contact between vehicles entering / leaving the proposed dwelling and No. 21A The Village. As such, the hedge would need to be no higher than 0.6 metres for the first 2.4 metres from the entry gate into the proposed dwelling. This matter can be secured through a planning condition.

Contrary to the Local Highway Authority's objections, it is considered that, subject to relevant and necessary planning conditions, on balance that the proposal would be acceptable in relation to highway safety and on-site parking. On this basis, the proposal is considered to be in accordance with Policy LP13 of the Peterborough Local Plan (2019).

d) Neighbour amenity

The application site lies adjacent to 21 and 21A The Village.

The dwelling at No. 21 The Village is located approximately 10 metres north of the site of the proposed dwelling. Against the proposed dwelling's proportions and it's siting, it is not considered that the proposed dwelling would be adversely overbearing to this neighbour. Furthermore, shadowing from the proposed dwelling would fall across only a limited portion of the rear garden during late afternoon periods. Such shadowing would not cover a significant proportion and thus a useable garden would be retained for the occupiers of No. 21 The Village. Finally, it is not considered that an adverse loss of privacy would occur. The proposed ground floor east-facing windows are secondary and their views would be screened by a beech hedge. The proposed first floor en-suite would be fitted with obscure glazing, to be secured through a planning condition. It is not considered clear, direct views from the window openings to the principal front elevation would be obtained that adversely harm the privacy of the occupants of No. 21 The Village.

No. 21A The Village, the adjacent dwelling to the west, is approximately 3 metres from the proposed dwelling's siting. This distance is considered to be sufficient to avoid a terracing impact

with the neighbour and it is not considered that the proposed dwelling would appear unacceptably overbearing to its two storey neighbour. The proposed rear elevation is near level with the rear elevation to No. 21A The Village and therefore it is not considered that there would be any adverse shadowing that would impact upon the use of the neighbouring dwelling or garden. One side elevation window is proposed to serve a bathroom, but this is proposed to be obscure glazed, which shall be secured through a planning condition.

With regards to the detached garage, this would be visible from the first floor bedroom that is served by the dormer to the front elevation of No. 21A The Village. The impacts, however, are not considered to be unacceptable. The proposed garage would be erected approximately 5.7 metres from the dormer window. From plans previously approved at No. 21A The Village (planning reference P0816/89), the centre of the dormer window measures approximately 4.5 metres in height, which is the same height as the proposed garage. With the sloping roof elevations, it is considered that no adverse overbearing or shadowing impacts would impact upon this room. It is considered that the proposed garage's siting, orientation and dual-pitched roof shape allow the neighbouring first floor bedroom to still retain both a generous outlook across its driveway as well as being able to obtain natural light provisions.

In light of the above, the proposal is considered to be in accordance with Policy LP17 (Part A) of the Peterborough Local Plan (2019).

e) Occupier amenity

The proposed dwelling is considered to be spacious and all the habitable spaces would be provided with windows to serve both natural light. Bin storage is provided on site and the rear garden is considered to be of an acceptable size for the use and enjoyment of future occupiers.

Water efficiency: The proposed dwelling 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.

On the basis of the above, the proposal is considered to be in accordance with Policy LP17 (Part B) and LP32 of the Peterborough Local Plan (2019).

f) Trees

The Tree Officer raises no objection to the proposed scheme and it is not considered that the proposed development would adversely impact upon any trees in immediate proximity to the site. The Tree Officer has recommended details of a landscaping scheme to be submitted that is to scale with the layout of the site. This is considered reasonable to secure under a planning condition.

Whilst the Tree Officer has raised his own concerns to the design and layout of the site, the revised proposal is not considered to be unacceptable, as explained in Section b) above.

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

g) Archaeology

The City Council's Archaeologist advises that there is evidence within the surrounding area of Saxon remains and therefore there is potential that remains could be buried and present within the application site. As such, an archaeological written scheme of investigation (WSI) is therefore recommended.

During consideration and determination of the previous planning application, reference 17/01104/OUT, the Archaeologist recommended trial trenching approaches. However, it appears

this was mistakenly not conditioned by the then-Case Officer working on this application. It isn't correct nor appropriate to repeat the error as the Archaeologist has provided a professional view that archaeological could be buried in this location. Trial trenching is not requested by the Archaeologist, but a written scheme of investigation (watching brief) is now requested. It is considered reasonable to secure such the submission of such via a planning condition.

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

h) Contamination

No objections have been raised from Pollution Control. For the avoidance of doubt however, a planning condition is recommended to ensure any unsuspected contamination, if found during construction work, is dealt with appropriately.

In light of the above, the proposal is considered to be in accordance with Policy LP33 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 principle of development is acceptable.
- The character and appearance of the site and the surrounding Orton Longueville Conservation Area would not be adversely harmed by the proposed development, in accordance with Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policy LP16 of the Peterborough Local Plan (2019) and Policy LP19 of the Peterborough Local Plan (2019).
- Acceptable parking and highway safety measures would be secured, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- The proposal would not cause adverse harm to the amenity of surrounding neighbours, in accordance with Policy LP17 (Part A) of the Peterborough Local Plan (2019).
- The impacts of the proposed development to surrounding neighbours would not cause unacceptable harm to their amenity, in accordance with Policy LP17 (Part B) of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon any protected trees, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon the drainage of the site, in accordance with Policy LP32 of the Peterborough Local plan (2019).
- The proposed scheme would not disturb any significant buried heritage assets, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

7 Recommendation

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

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

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

- C 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Existing Location Plan and Site Plan (Drawing number E001, Revision B)
- Proposed Site Plan (Drawing number P101, Revision E)
- Proposed Site Plan (Drawing number P105, Revision C)
- Proposed Elevations and Floor Plan (Dwelling) (Drawing number P102, Revision F)
- Shadow Study (Drawing number P104, Revision D)
- 3D Views (Drawing number P103, Revision D)
- Proposed Elevations and Floor plan (Detached Garage) (Drawing number P107, Revision A)

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

- C 3 No development other than groundworks and foundations shall take place until details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling (details or render (dwelling) and cladding (garage));
- Roofing;
- Cills and lintels;
- Windows and doors;
- Roof lights; and
- Rainwater goods.

The samples/details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details and thereafter retained as such.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policies LP16 and LP19 of the Peterborough Local Plan (2019).

- C 4 Before the development hereby permitted is first occupied, the proposed window serving the first floor en-suite to the east-facing elevation and the proposed first floor bathroom to the west-facing elevation, shall be fitted with obscure glazing to a minimum of Pilkington Level 3 and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is 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 interests of protecting the privacy of adjacent neighbours, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C 5 The detached garage hereby permitted shall not be occupied or used at any time other than for purposes incidental to the residential use of the dwelling hereby permitted and it shall not be occupied, leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling because of its design, scale and location and therefore this development is only acceptable for incidental uses, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 6 Prior to the first occupation of the dwelling hereby permitted, the area shown for the purposes of parking and turning on the drawing 'Proposed Site Plan (Drawing number P105, Revision C), including the detached garage hereby permitted, shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.

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

- C 7 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with Policy LP33 of the Peterborough Local Plan (2019).

- C 8 No development shall commence on site unless and until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Existing and proposed finished ground and building slab levels
- Planting plans including species, numbers, size and density of planting
- Details of any boundary treatment (including temporary fencing to secure neighbouring gardens during construction)

The approved hard landscaping scheme shall be carried out prior to the occupation of the dwelling, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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 visual amenity of this area, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan (2019).

- C 9 No development shall take commence, including an exploratory ground works or excavation, unless and until a programme of archaeological work, including a Written Scheme of Investigation (watching brief), has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To mitigate the impact of the scheme on the historic environment when preservation in situ is not possible, in accordance with paragraph 189 of the National Planning Policy Framework (2019) and Policy LP19 of the Peterborough Local Plan (2019). This is a pre-commencement condition to ensure that no groundworks harm potentially important buried heritage.

C10 Notwithstanding the provisions of Part 3 Class L 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), the development hereby permitted shall be a residential dwelling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) only.

Reason: The site is not capable of providing the necessary parking or access requirements for a small-scale house in multiple occupation, in accordance with Policies LP13 and LP16 of the Peterborough Local Plan (2019).

C11 The development hereby permitted shall achieve the Optional Technical Housing Standard of 110 litres of water usage per person per day.

Reason: To minimise impact on the water environment, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C12 Prior the first occupation of the dwelling hereby permitted; to which they relate, pedestrian visibility splays shall be provided on both sides of the access shown on the drawing 'Proposed Site Plan' (Drawing number P101, Revision E). The splays shall measure 1.5 metres x 1.5 metres, measured up the side of the access and along the back edge of the highway from where the access joins the public highway. The visibility splays shall thereafter be retained and kept permanently clear of all obstacles above 600mm in height.

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

C13 The hedge situated between the dwelling hereby permitted and No 21A The Village, shall be no higher than 0.6 metres from ground level for the first 2.4 metres from the entrance gate to the dwelling hereby permitted as shown on the drawing 'Proposed Site Plan' (Drawing number P101, Revision E). The hedge shall be thereafter be retained and kept permanently clear of all obstacles above 600mm in height.

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

Copies to Cllrs Casey, Skibsted and Walsh

This page is intentionally left blank