

**Application Ref:** 24/00107/OUT

**Proposal:** Outline application for a 3no. bedroom Chalet bungalow with separate access driveway with all matters secured except landscaping

**Site:** 25 Nansicles Road, Orton Longueville, Peterborough, PE2 7AS  
**Applicant:** Mrs Judy McLennan

**Agent:** Mr Wayne Farrar  
 A&S Designs

**Referred by:** **Cllr Heather Skibsted**  
**Reason:** The application is not considered contrary to Policy LP16 and LP17 of the Peterborough Local Plan (2019).

**Site visit:** 06.03.2024

**Case officer:** Connor Liken  
**Telephone No.** 07551 060899  
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**Recommendation:** **REFUSE**

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

**Site and Surroundings**

The application site is located within the Orton Longueville area, situated within a residential area bordering the Orton Longueville Industrial and General Employment Area 11 to the immediate south. The site itself is characterised by a moderate sized detached dwelling, constructed in a tan buff brick, brown concrete interlocking roof tiles and white UPVc windows and doors. The front area has been block paved allowing car parking for 2 vehicles and includes a large driveway to the North side of the plot providing access via double gates to the rear garden area. The rear garden is mainly lawn with a large summer house to the South boundary. The Eastern boundary to the rear makes up hard surfaced area featuring sheds & a greenhouse. Beyond the Eastern boundary fence is a woodland garden area in the ownership of 24 Talbot Avenue and beyond the Southern corner are a number of large industrial buildings.

**Proposal**

The application seeks the benefit of outline permission for the erection of an '3no. bedroom Chalet bungalow with separate access driveway with all matters secured except landscaping'.

**2 Planning History**

Reference	Proposal	Decision	Date
23/00316/OUT	Proposed 3-bedroom chalet bungalow with access, appearance, layout and scale secured and landscaping reserved	Refused	24/05/2023
12/00492/HHFUL	Construction of two storey side extension - Revised Application	Permitted	15/06/2012
11/01861/HHFUL	Construction of two storey side extension	Permitted	11/01/2012

### **3 Planning Policy**

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

#### **National Planning Policy Framework (2023)**

**Section 2 – Achieving sustainable development**

**Section 4 – Decision-making**

**Section 5 – Delivering a sufficient supply of homes**

**Section 8 – Promoting healthy and safe communities**

**Section 9 – Promoting sustainable transport**

**Section 12 – Achieving well-designed beautiful places**

**Section 15 – Conserving and enhancing the natural environment**

#### **Peterborough Local Plan 2016 to 2036 (2019)**

##### **LP01 - Sustainable Development and Creation of the UK's Environment Capital**

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

##### **LP02 - The Settle Hierarchy and the Countryside**

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

##### **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**

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

##### **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.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

#### **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.

#### **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.

## **4 Consultations/Representations**

#### **PCC Peterborough Highways Services**

Objection – The proposed development requires further demonstration that acceptable highway access can be achieved.

#### **Tree Officer**

Objection – Arboricultural Impact Assessment required.

#### **Orton Longueville Parish Council**

Recommends approval.

#### **Open Space Officer**

No objection.

#### **Archaeological Officer**

No objection.

#### **PCC Pollution Team**

No objection.

#### **Cambridgeshire Fire & Rescue Service**

No comments received.

#### **Waste Management**

No comments received.

#### **Local Residents/Interested Parties**

Initial consultations: 5  
Total number of responses: 3  
Total number of objections: 1  
Total number in support: 2

During the course of the consultation period, three representations were received. A summary of which can be found below.

- No objection, however it should be noted that the mature trees in the rear garden of No.24 Talbot Avenue are not to be felled.
- Clarification on the new separate entrance and additional parking.

**Councillor Heather Skibsted:** Consider looking at this application from the viewpoint that Nr and Mrs Cooley have fostered children within PCC for decades and wish to continue to provide a stable home for a disabled young person in their care going forwards, and to combine this with their need to downsize. As such they are providing a valuable service for the city and that this should be taken into consideration.

Policy LP16 – The proposal would respect the local pattern of development and has been designed to take into account the requirements of the size and scale relative to adjacent properties. The proposal would be compliant with all criteria.

Policy LP17 – The design and rotation of the property provides clear design consideration for the privacy of nearby neighbours. There would be no loss of amenity space to No.25. It should be noted that there would be no overlooking, overshadowing or overbearing impacts. The proposal would be compliant with all criteria.

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

The application proposes an outline planning application with all matters secured except landscaping.

The main planning considerations are:

- Principle of development.
- Design and impact upon the character and appearance of the surrounding area.
- Neighbour amenity.
- Highway safety.
- Trees.
- Other.

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

The application site falls within the settlement boundary of the City of Peterborough. Together with Policy LP03 (Spatial Strategy for the Location of Residential Development), development is steered towards areas with existing and best access to services and facilities, helping reduce the need to travel.

As such, the principle of a single dwelling situated within the City of Peterborough can be considered acceptable in principle, subject to satisfactory assessment against the following

matters.

## **b) Design and impact upon the character and appearance of the surrounding area.**

### Policy Context

The National Design Guide was adopted in 2021, The National Planning Policy Framework (2023) makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide illustrate how well-designed places can be achieved in practice.

Matters of context are discussed within Paragraphs 38-49 of the National Design Guide (2021), however, Paragraph 43 is most pertinent, which states, 'well-designed new development is integrated into its wider surroundings ... it is carefully sited and designed, and is demonstrably based on an understanding of the existing situation. Patterns of built form ... inform the layout, grain, form and scale [and] the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development.

### Discussion

The outline planning permission is for a 3-bed chalet bungalow with access, appearance, layout, and scale secured with landscaping reserved. The submitted plans show the proposal is modest in size and scale in relation to No.25 Nansicles Road, with a proposed footprint of 85sqm which is 0.8sqm greater than No.25. Officers' note that the proposed construction materials are unclear, as brickwork and render is proposed with no detailing on the type and colour, however roof tiles and windows are to be of similar construction to the surrounding area. However as appearance, layout and scale are not included for consideration, these are details that can be dealt with at reserved matters stage.

The proposed development by virtue of its siting and design (i.e. a 3 bed chalet bungalow) would fail to respect the established pattern of development and character of the surrounding area, resulting in a form of development which would appear hemmed in and incongruous. The proposal, therefore, would result in overdevelopment of the site and have unacceptable harm to the character, appearance, and visual amenity of the surrounding area. Constructing a new dwelling within the rear garden of No.25 would go against the clear pattern of development and building line of the existing dwellings situated either side of No.25, alongside the resulting plot size would be out of context within the surrounding area.

It should be noted that the Member call-in request outlines that the development would be compliant with Policy LP16, contrary to Officers' view. It is clear that the proposed back land development would go against the clear building frontages along Nansicles Road, due to the back land location. In the Officers' view, landscaping details would not be a reasonable solution to mitigate against this. Whilst Officers understand the roof pitch has been reduced by 0.50m and the pitch from 42 degrees to 35 degrees to reduce overshadowing, this was not a problem identified within the previous application and as stated previously, the exact scale and appearance would be determined at reserved matters stage.

Section 12 of the National Planning Policy Framework (NPPF, 2023) seeks to achieve well-designed places. Specifically, paragraph 134 states that development that is not well designed should be refused, with significant weight applied to local design policies and supplementary planning documents. Footnote 52 makes reference to the National Design Guide, which details those one of the ten characteristics of well-designed places is 'context'. It is not considered that the proposed dwelling would respect the context of the surrounding area given its proposed siting.

As such, the proposed development would be contrary to Policy LP16 of the Peterborough Local Plan (2019) and Paragraph 139 of the NPPF (2023), and the National Design Guide (2021).

### **c) Neighbour amenity.**

Based on recent appeal decisions, Officers take the view that the proposed access route to the proposed development would not unacceptably impact upon the amenity of the occupants of No.23 and No.25 Nansicles Road. Under APP/B2002/W/20/3258291, the inspector deemed that whilst there would be increased vehicular movements along the side of the host and neighbouring dwelling, the movements associated for a residential use would not cause harm to the living conditions of the neighbouring dwellings. Additionally, APP/Q0505/W/21/3289046 and APP/N1350/W/21/3288824 make note that movements associated with a back land residential development would be low gear, and the noise from engines, closing door and disturbance from headlights would be deemed normal for site within a residential context.

However, the impact to the future occupiers would still stand. Due to the mature trees along the south-eastern boundaries there would be a severe loss of the availability of natural daylight to the proposed development, resulting in darkening of the application site. The first floor habitable rooms would each be served by a single rooflight, which in itself would be unacceptable. Whilst outlook to the outdoors / sky would be visible from certain angles in the bedrooms, there would be no main outlook and which would create a harmful sense of enclosure. Therefore, habitable rooms on the first floor would be shadowed with poor outlook, creating a poor level of amenity. Additionally, the lawn area to the east would be permanently overshadowed, with likely overshadowing to the other amenity space for large parts of the day.

It is accepted that the design and orientation of the proposal has considered the privacy of nearby properties. It should be noted that there would be a loss of amenity space for the host dwelling however, adequate provision would still be made available. Nonetheless, the principle of back land development would not be supported in the context of the application due to the typical large rear gardens for all properties.

Officers note that bin storage facilities are provided within 30m of the public highway and cycle storage available to the south.

As such, the proposed development would be contrary to Policy LP17(b) of the Peterborough Local Plan (2019).

### **d) Highway safety.**

Access is to be provided by creating a new and separate driveway that would use part of the existing drive for No.25 and extend past the rear elevation.

The Local Highways Authority have objected to the outline planning permission. The new access shown has very little detail therefore the LHA are unable to provide a succinct assessment on the highway matters. A fully dimensioned drawing showing the existing and proposed site access with the associated vehicle to pedestrian visibility splays (1.5m x 1.50m on both sides of the access) is required. In addition, the new access would need to be 3.50m wide to provide both vehicular and pedestrian access to the new dwelling. It is noted that the existing access is 3.40m in width.

In addition, the application must include the proposed parking arrangement for the existing and proposed dwelling and demonstrate vehicular turning. As the existing dropped kerb is located directly to the front of No.25, this existing dropped kerb is to be proposed to be extended from 2.85 to 5.20m however this extension would overlap the dropped kerb for No.23, bringing the total to 11.50m, of which would not be acceptable. A dropped kerb for the full width of the host dwelling would not be supported by the LHA.

As such, the proposal is considered not be in accordance with Policy LP13 of the Peterborough Local Plan (2019) and Chapter 9 of the National Planning Policy Framework (2023).

## e) Trees

Policy LP29 of the Peterborough Local Plan (2019) clearly states that planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees found on-site or off-site. As the south-eastern boundary of the site is dominated by large conifer trees (which are not highlighted on submitted site plan(s)) within felling distance of the proposed site then adequate consideration, in the form of a completed Arboricultural Impact Assessment (BS5837:2012) and British Standard 5837 Tree Survey. With the relevant information not submitted, Officers are not able to assess the impact of the development on the surrounding trees.

As such, the proposed development is considered not to be in accordance with Policy LP29 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework (2023).

## f) Other

The PCC Pollution Control Team have no objection to the submitted proposal.

The PCC Archaeological officer has stated that the proposed development site and surrounding area contain no known buried remains. Given the small scale of the proposal, the archaeological implications are deemed to be negligible.

The applicant has submitted NHS documentation in respect of the needs of two of the occupiers of the existing dwelling. Having taken this information into account, the harm identified to character and appearance and living conditions, as well as the failure of the applicant to address highways safety and arboricultural concerns, are cumulatively considered to outweigh the medical circumstances cited in support of the proposed development.

## 6 Conclusions

The proposal is unacceptable having been assessed in light of all material 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 Outline Planning Permission is **REFUSED**

- R 1 The proposed development by virtue of its siting and design would fail to respect the established pattern of development and character of the surrounding area, resulting in a form of development which would appear hemmed in and incongruous. The proposal, therefore, would result in overdevelopment of the site and have unacceptable harm to the character, appearance, and visual amenity of the surrounding area contrary to Policy LP16 of the Peterborough Local Plan (2019), Section 12 of the National Planning Policy Framework (2023) and the National Design Guide (2021).
- R 2 The proposal, by virtue of its siting and design would unacceptably impact upon the future occupier amenity due to the adverse levels of overshadowing to the amenity areas and eastern elevation of the proposed development. Additionally, the first-floor habitable rooms would be subject to darkness and poor levels of outlook. As such, the proposal is unacceptable and contrary to Policy LP17 of the Peterborough Local Plan (2019).
- R 3 The applicant has failed to demonstrate that safe and convenient access can be achieved from the public highway, as the submitted plans do not show a fully dimensioned drawing

showing the existing and proposed site access with the associated vehicle to pedestrian visibility splays (1.5m x 1.50m on both sides of the access), a 3.50m wide access width and a proposed parking arrangement which demonstrates vehicle turning. As such, the application is considered to be contrary to Policy LP13 of the Peterborough Local Plan (2019) and Chapter 9 of the National Planning Policy Framework (2023).

- R 4 The applicant has failed to demonstrate that the proposed development would not cause harm to nearby existing mature trees. Insufficient information has been submitted to assess the impact of the development on the existing mature trees to the southeast of the site, by way of adequate consideration in the form of an Arboricultural Impact Assessment (BS5837:2012) and British Standard 5837 Tree Survey. As a result, the applicant has failed to demonstrate that the proposed development could be undertaken without causing harm to existing trees. As such the proposed development is contrary to Policy LP29 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework (2023).