

10/00493/REM: APPLICATION FOR APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF CONSTRUCTION OF 150 DWELLINGS AT LAND SOUTH OF ATHERSTONE AVENUE AND PORTMAN CLOSE, WEST OF GRANGE ROAD AND NORTH OF MAYOR'S WALK (PART OF MAYOR'S WALK ALLOTMENTS), PETERBOROUGH.

VALID: 28 MAY 2010

APPLICANT: MORRIS HOMES LTD

REFERRED BY: CLLR S. DALTON

REASON: DRAINAGE, HEIGHT OF DEVELOPMENT, ACCESS, AND BOUNDARY TREATMENTS

DEPARTURE: NO

CASE OFFICER: AMANDA MCSHERRY

TELEPHONE: 01733 454416

E-MAIL: amanda.mcsherry@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The principle of residential development has already been approved via the grant of outline planning permission. The application seeks approval of the details associated with the construction of 150 dwellings.

The main considerations are:

- The proposed design and layout
- The impact on neighbouring sites
- The impact of the development on trees
- Drainage
- Highway Impacts and car parking

The Head of Planning, Transport and Engineering Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

- DA1** New development should be compatible with or improve, its surroundings in respect of its relationship to nearby buildings and spaces.
- DA2** The density, layout, massing and height of new development must be able to be satisfactorily accommodated on the site, without adversely affecting the character of the area or any neighbouring sites.
- DA11 The vulnerability to crime in new development must be satisfactorily addressed in the design, location and layout of the proposal.
- T1 Development must provide a safe and convenient access to the site
- T10 Development should accord with the car parking standards

LNE9 New development must where reasonably practicable retain and protect the trees that make a positive contribution to the environment and make adequate provision for landscaping of the site.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

PPS1 Delivering Sustainable Development, sets out the planning policies for the delivery of sustainable development.

PPS3 Housing, seeks to secure well designed, high quality housing.

PPG13 Transport, seeks to integrate planning and transport and promote more sustainable transport choices.

PPS25 Development and Flood Risk seeks to avoid inappropriate development in areas at risk of flooding.

3 DESCRIPTION OF PROPOSAL

Outline planning approval for up to 173 residential units on the site, was granted under planning reference 07/01946/OUT.

This is the associated reserved matters application, for the consideration of all of the reserved matters which includes, access, appearance, layout, scale and landscaping. The application was originally submitted to provide 156 dwellings, however due to amendments to the proposed layout, this has been now been reduced to 150 dwellings.

45 of the dwellings on site will provide the 30% on site affordable housing provision. 16 would be built to lifetime's homes standards, which is one more than the 10% required by planning policy.

A local area of play/green space is to be provide on the eastern boundary of the site.

The majority of the properties proposed on the site (125) are to be two storeys in height. 25 of the properties proposed are to be 2.5 and 3 storeys, this accounts for 17% of the total properties on site.

The access to the site would be from the existing Atherstone Avenue roundabout. A tree lined avenue type spine road would provide the main access across the site to the new residential units, but also provides access to the adjacent sports pitches (the existing vehicular access to the pitches is to be stopped up on provision of the new access).

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site covers an area of 4.41 hectares.

The site is located within an established residential area that comprises a mix of post war and modern residential dwellings. The character of the area is predominantly two storey dwellings with some small groups of single storey and three storey dwellings/flats within the immediate and surrounding area. The site itself is bound to the north west by bungalows some of which have accommodation in the roof space (Portman Close) and to the north east by a petrol filling station accessed off Atherstone Avenue, to the west by sports pitches (managed by Netherton Football Association and owned by PCC), to the south by Allotments and to the east by existing residential dwellings on Grange Road and Orme Road.

The loss of allotments was considered at the time of the outline planning application when they were deemed to be surplus to requirements and planning permission was granted. The loss of allotments is not therefore an issue that can be re-considered at the reserved matters application stage.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
07/01946/OUT	Residential development	04.01.2010	Approved

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – No objection – conditions requested in respect of some details of the design and visibility.

Archaeology – No objection - Previous archaeological evaluation was undertaken on the site and the site was found to have limited archaeological potential. It is therefore very unlikely the development would pose a threat to highly important archaeological remains.

Wildlife Officer – No objection - Biodiversity should be incorporated into the proposal, via a condition.

Landscape/Tree Officer – Objects to the loss of a category A tree on the site. Requires the tree protection details and specific landscape plan.

Drainage Engineer – No objection - Accepts the infiltration drainage strategy proposed subject to a condition over its detailed design. Accepts the deletion of the swale drainage feature adjacent to the entrance road. (Note – the submission of drainage details is a condition on the outline planning permission.

EXTERNAL

Police Senior Architectural Liaison Officer – No objection - It is considered that the layout has considered crime prevention and on the whole complies with Policy DA11. Some comments are made in respect of lighting, and boundary treatments however it is considered that the issues raised can be dealt with by planning conditions.

Environment Agency – Comments awaited.

Anglian Water – No objection.

Natural England – No objection.

NEIGHBOURS

Letters of objection have been received from 19 local residents, a joint letter from residents of Portman Close and a petition with 500 signatures raising the following issues:

- Flooding, particularly due to differing land levels of the site and those surrounding it
- Drainage not adequate
- Overshadowing
- Overlooking and loss of privacy
- Development too close to adjacent properties in Portman Close
- Existing rear boundary fences - development prevents access to them resulting in problems of maintenance and loss of easement – developer should provide own boundary treatments
- Loss of important trees
- Increased traffic and associated congestion and safety problems
- Loss of allotments and important green space amenity area
- Shortage of allotments
- Overdevelopment of site
- Increased crime
- Affect on house prices (not a planning consideration)

- Will disturb peace and quiet
- Should be a maximum of 2 storey high properties
- Too close to cycle path at west
- West boundary should be open and not fenced
- Lack of green play space
- Affect on quality of life of existing residents
- Out of character with area
- Harmful to wildlife
- There should be no access from Orme Road
- Schools in area do not have capacity for the development
- Speeding problems in area
- Increased noise levels
- Building within 10m of boundary with neighbouring sites
- Football club might need to expand in future (not a planning consideration)
- Greenfield land
- Insufficient car parking provision
- Compensation from Council required if the site causes flooding to neighbouring sites
- Pedestrian crossing required at access to the site

COUNCILLORS

Cllr S Dalton raises concerns in respect of drainage, heights of properties, access to site and proposed boundary treatments.

Stewart Jackson MP requests the application be considered by the committee due to the size and scale of this development and the concerns expressed by residents over the last 3 years.

7 REASONING

a) Introduction

The approved outline planning application 07/01946/OUT established the principle of residential development on the site, and that it could accommodate 173 residential units. It also established that the loss of the green space and allotments was acceptable. Therefore, loss of green space and allotments are issues that have already been approved and are not issues that can be considered under a reserved matters application.

b) The proposed design and layout

The outline planning application's indicative layout of 173 units was reliant on a large proportion of the site being apartments. The developer did not feel that a high proportion of apartments on the site would suitably respond to site features, location, current market conditions and local needs and so now proposes a layout consisting of 150, mainly detached, semi detached and terrace style 2,3 and 4 bedroom properties.

The development has a tree lined Boulevard which creates a pleasant streetscene entrance environment. Traffic within the development is calmed by the introduction of right angled bends and limited straight road lengths. Focal buildings have been provided where possible, and the use of corner turned buildings and double fronted buildings where prominent in the streetscene, has improved the visual appearance of the streets by limiting the amount of inactive frontages. The scheme has been designed to be outwardly looking where possible with houses looking on to the open space around the petrol station to the north and the open space to the west. This provides natural surveillance to these open space areas and a better outlook both from and to the houses.

25 of the 150 units are to be 2.5 and 3 storey high properties. These are been positioned adjacent to the existing and proposed open space areas to afford a pleasant outlook for residents and to increase the natural surveillance of these spaces. They are positioned in only four locations throughout the

development and are considered would add visual interest and so would compliment rather than harm the visual character of the site or surrounding area. See Section c) of this report for more details.

The design and layout of the site has undergone a number of amendments through the course of the application. The main changes have been a reduction in the total number of units from 156 to 150 units, the introduction of a play area on the eastern side of the site, the deletion of the large rear parking court areas on the north and south boundaries, and alterations of the properties at the entrance to the site to reduce the height and mass of development. It is considered that these changes have improved the design of the scheme and as a result would create a higher quality public realm. All of these changes have been the subject of public consultation.

The character of properties in the surrounding vicinity of the site is a mixture of ages, styles and heights. Therefore it is considered that this proposed development would add to rather than detract from the surrounding character of development. It is considered therefore that the proposed development would be in accordance with Policies DA1 and DA2 of the Local Plan.

c) The impact on neighbouring sites

The application site bounds existing residential development on two of its sides. The rear boundaries of the properties in Portman Close and Isham Road and the side boundaries of the properties on Orme Road and Westfield Road back on to the site.

The existing properties that bound the site on Westfield Road, Orme Road and Isham Road are all two storey properties. However the properties in Portman Close are 2, 1.5, and 1 storey properties.

The outline planning application indicative layout indicated that the development would be accommodated in 2, 3, 4, and 5 storeys high units of residential accommodation. Concerns in respect of the potential impact on neighbouring residents and impact on the character of the area resulted in a planning condition being imposed which restricted the maximum height of development to 3 storeys.

This application proposes 2, 2.5, and 3 storey residential properties. The majority of the properties proposed on site are 2 storey, 125 of the 150 units. The layout has been designed so that it would be the 2 storey properties that are positioned adjacent to existing residential sites. The only exception to this is the north east corner of the site, where plots 102-108 are 2.5 storey however it is not considered any unacceptable harmful impact would result on existing residents, due to the large separation distance and angled relationship between them. The window to window distance between plot 102 and 15 Orme Road is approximately 39m. The windows of plot 108 are set back 10m from the side boundary fence of No.48 Westfield Road and look on to the property's rear garden area at an angle which is considered to be acceptable.

It is considered that the relationship between the new properties on the eastern boundary and the existing properties is acceptable and that no unacceptable impact would result.

The properties in Portman Close rear gardens bound the application site. These properties are mainly 1.5 storeys, however there are some 1 storey and 2 storey properties. The development proposes 2 storey properties along this boundary with their rear gardens bounding on the existing neighbouring rear gardens. With the exception of two plots 38 and 17, where it is proposed that the new houses would be positioned with their side elevations facing the neighbouring sites, and so their side blank gables would be positioned within 2 and 3m of the rear boundary fences. The development would reduce the currently privacy levels of residents in Portman Close, as currently there is no housing development behind them. The properties on Portman Close by today's standards have fairly generous long rear gardens. This together with the separation distances proposed on the application site is considered on balance to result in an acceptable relationship in terms of overlooking and privacy between the sites. The back to back first floor window to window distances between the existing and proposed dwellings are in the range of approximately 25m to 35m. No unacceptable overshadowing is considered would result for the properties in Portman Close.

It is therefore considered that whilst this development would have an impact on existing surrounding residents that this impact could not be considered so harmful as to warrant refusal of the planning application.

d) The impact of the development on trees

A tree survey, arboricultural impact assessment and method statement has been submitted in support of the proposal. This identifies that the proposed development would result in the loss of 8 trees on site. 4 are in a poor condition and so replacement planting is recommended, and this is considered to be acceptable. 1 of the trees to be lost is within a group of trees and so the overall amenity of the tree group would remain broadly unaffected by this loss, and so again replacement planting in place of its loss would be considered to be acceptable.

The layout proposed would also result in the loss of two category B trees, one in reasonable the other good condition. The Landscape Officer does not raise objection to their loss and the arboricultural report considers the visual amenity could be replaced within a reasonable timescale through replacement planting.

The layout however also results in the loss of a Silver Maple category A tree, this is a tree of high quality and amenity, which offers valuable amenity to an area. The Landscape Officer objects to its loss and considers the layout should be re-considered to try and retain it. The arboricultural report identifies the trees quality and importance, but considers the tree has potential to become quite large which makes it difficult to incorporate into a residential layout.

New planting is proposed as part of the proposed development, particularly by the creation of a new tree lined boulevard entrance feature on the access road of the site, and on the new on site play area.

The loss of the category A tree is regrettable, however on balance it is considered the provision of housing, including affordable housing, outweighs the amenity benefits of retaining this tree. Therefore subject to suitable replacement planting, Planning Officers consider the tree loss to be acceptable.

e) Drainage

The site falls within Floodzone 1 in accordance with the Environment Agency records, which means there is low probability of river and sea flooding, and so is a zone where all land uses would be appropriate. As this site is greater than one hectare the flood risk assessment (FRA) submitted with the application needs to consider the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run off.

The FRA concludes that : a) the site is not affected by flooding from any nearby watercourses or surface water sewers, and b) it is also very unlikely that the site would be affected by groundwater flooding.

Soakaway tests have been undertaken which show that infiltration techniques for the disposal of surface water from the development should be viable. It is therefore proposed that the site will be drained for surface water using source control infiltration techniques.

Use cannot be made of the surface water sewer system as Anglian Water have stated that the only available surface water outfall is to the existing sewer in Mayors Walk. This is some distance from the site and the maximum flow rate is 5 litres per second. Due to the high attenuation volumes that would be generated if the site were to discharge to this point, and also the associated site raising required due to minimum pipe gradients, this option was discounted.

It is therefore proposed that different types of infiltration techniques are used for a range of area of the site, which will ensure that surface water run-off is controlled as far as possible at source with no additional impact on surrounding infrastructure. The infiltration techniques proposed include permeable paving in private drives and parking court areas, and cellular infiltration structures under the Local Area of Play on site and on Council land adjacent to the site. Subject to the detailed designs of these

drainage measures which are to be secured by means of a planning condition, the Drainage Engineer raises no objection to the proposal.

f) Highway Impacts and car parking

The principle of access being gained from the roundabout on Atherstone Avenue has already been established via the Transport Assessment (TA) submitted with the approved outline planning permission that was for 177 dwellings. The current application is supported by a Transport Assessment update, based on 156 dwellings, to review whether the conclusions reached under the original transport assessment would change as a result of this latest development.

The Local Highway accepts the findings of the TA, which concludes that the highway network surrounding the site can accommodate traffic generated by the development without adverse impact on highway capacity or safety. They consider the single vehicle access to the site from the fourth arm from Atherstone Avenue/Gresley Way roundabout would achieve satisfactory vehicular access to the site.

The site is accessible by sustainable travel modes such as public transport, walking and cycling. The scale and nature of the development proposed are such that no significant or adverse impacts on the use of the pedestrian, cyclist or public transport networks, infrastructure or services are likely to occur in the surrounding area.

The concerns of residents in respect of traffic congestion have been considered, however in this instance the findings of the Traffic Assessment and the opinion of Highway Officers is that the highway network can safely accommodate the additional traffic generated of this development.

The car parking provision for the development proposed is considered to be acceptable, in accordance with Policy T10 of the Local Plan.

g) Miscellaneous

The following concerns were also raised by residents:-

- Existing rear boundary fences – It is Morris Homes' intention to erect new boundary fencing adjacent to the existing boundary treatments of neighbouring properties. PCC as landowner has investigated whether adjacent properties have a right of easement, and concluded that they do not. However this is a legal issue outside the remit of planning. Access for maintenance of any boundary treatments, again is a legal issue that will need to be agreed between residents and the developer Morris Homes.
- Increased crime – There is no evidence to support that fact that new residential developments would adversely increase crime levels in an area, and the Police do not raise any objections to the proposal.
- Will disturb peace and quiet – The outline planning permission previously granted, accepted the compatibility of new residential development on the site, adjacent to the existing residential development and open space areas. The details of this application do not change this, and so it is not considered that the development would unacceptably impact upon the peace and quiet of existing residents.
- Harmful to wildlife – The requirement for an ecological strategy was conditioned on the outline planning application. In addition to this the Wildlife Officer raises no objections to this proposal subject to ecological enhancements secured by means of a planning condition.
- There should be no access from Orme Road – No access is proposed from Orme Road
- Schools in the area do not have capacity for development – A financial contribution towards education provision was secured by a S106 planning obligation under the outline application to meet the educational needs of the development.
- Increased noise levels – The noise levels associated with new housing developments is considered to be compatible with the noise levels of existing residential developments.
- Pedestrian crossing required at access to the site – A pedestrian refuge is proposed in the middle of the Boulevard at the access to the site to facilitate pedestrian crossing. This is acceptable to the Highway Engineers and in accordance with the road safety audit that has been undertaken.

8 CONCLUSIONS

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The amendments to the layout and design of the development have enhanced the visual appearance of the scheme and provided a better quality public realm and environment for residents. This is in accordance with Policies DA1 and DA2 of the Peterborough Local Plan (First Replacement) 2005.
- Whilst there would be an impact on the current privacy and amenity enjoyed by neighbouring sites, on balance it is not considered to be so harmful as to warrant refusal of the planning application. It is therefore considered the development is in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005.
- The development would result in the loss of one high quality category A tree. This loss has to be balanced against the need to provide housing and affordable housing. Therefore subject to suitable replacement planting, to compensate for its loss, it is considered in this instance to be acceptable.
- It has been demonstrated that surface water drainage can be provided using modern/innovative infiltration techniques.
- A safe and convenient vehicle access to the site would be provided and the highway network could accommodate the traffic generated by the development without any adverse impact on highway capacity or road safety. This is in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to the following conditions:

- C1 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C2 The roads and footways that serve any occupied dwelling shall be made up to the final/Wearing course level within 18 months of that dwelling first being occupied or in any case within 24 months of the development commencing or by an alternative date to be approved by the Local Planning Authority.**
Reason:
- C3 The areas of open space and the equipped play areas shall be completed as approved and available for use within 24 months of the commencement of development or by an alternative timescale to be approved by the Local Planning Authority.**
Reason:
- C4 Prior to the commencement of the development hereby approved details of the access works to the roundabout on Atherston Avenue including a Stage 2 Safety Audit shall be submitted to and approved by the Local Planning Authority. The access junction shall be constructed in accordance with the approved plans prior to the occupation of any of the dwellings.**
Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Peterborough Local Plan (First Replacement) 2005.
- C5 Prior to the commencement of the development hereby approved plans showing pedestrian visibility splays of 2.0m x 2.0m at the junction of shared access with the**

'adoptable' roads and 1.5m x 1.5m visibility splays at the junction of single accesses with the 'adoptable' roads shall be submitted to and approved by the Local Planning Authority. The splays shall be provided before occupation of the dwellings and shall be kept free of obstructions over a height of 600mm.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Peterborough Local Plan (First Replacement) 2005.

C6 Prior to the commencement of the development hereby approved plans showing vehicle visibility splays of 2.4m x 33m at the junction of all shared accesses with the 'adoptable' roads and all 'adoptable' road junctions within the site shall be submitted to and approved by the Local Planning Authority. The splays shall be provided before occupation of the dwellings and shall be kept free of obstructions over a height of 600mm.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Peterborough Local Plan (First Replacement) 2005.

C7 Prior to the commencement of the development hereby approved, plans showing all private shared access with minimum widths of 5m shall be submitted to and approved by the Local Planning Authority. The accesses shall be constructed in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Peterborough Local Plan (First Replacement) 2005.

Copy to Councillors S. Dalton, Arculus, and M. Dalton

This page is intentionally left blank