

Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 11 January 2011

**Members Present:**

Councillors – Lowndes (Vice Chair), Hiller, Serluca, Winslade, Ash, Lane and Harrington

**Officers Present:**

Nick Harding, Group Manager, Development Management  
Julie Smith, Highway Control Team Manager  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillors North (Chairman), Thacker, Todd and Burton.

Councillor Winslade attended as substitute.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Members' Declaration of intention to make representation as Ward Councillor**

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

**4. Minutes of the Meeting held on 23 November 2010**

The minutes of the meeting held on 23 November 2010 were approved as a true and accurate record.

**5. Development Control and Enforcement Matters**

**5.1 10/01503/FUL – Construction of 4 bed, 2 storey house with detached double garage – Plot B at The Haven, Second Drift, Wothorpe, Stamford**

The proposed development was a four bedroom house with a detached double garage. The house proposed was of two storeys, consisting of a main block with projecting gable-end features to the front and rear. The proposed dwelling would be about 11.5 metres wide, set 7 metres from the boundary with the neighbouring plot (Cromwell House) and about 3 metres from the boundary with Plot A. The height to the eaves would be about 5.2 metres and the height to ridge about 9 metres.

Access was proposed via a new entrance from Second Drift, which would be shared with the dwelling already previously approved on Plot A.

The application site was part of a plot known as The Haven. The site had already been divided, with the rear part of the garden to be developed as a single dwelling. The front part of the site was split into two plots known as Plot A (a dwelling on Plot A had been approved by Committee on the 12 October 2010) and Plot B (the subject of the current application). The application site comprised an area of about 40 metres deep and 18 metres wide. The front section of the plot comprised an existing verge and hedge line and located behind this would be the garage and shared access and turning area, with the house and garden situated behind that.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of development, the impact on the character of the area and the impact of the proposed development on the amenity of neighbouring dwellings. The planning recommendation was one of approval.

There had been a previous scheme consisting of two dwellings which had been refused and was subsequently appealed against by the applicant. The appeal had been unsuccessful for the reasons highlighted in the appeal decision letter, contained in Appendix A to the committee report.

The Planning Officer gave an overview of the previous refused scheme and highlighted the changes in relation to the current scheme. Members were advised that the houses were much smaller, not so deep and not so wide. The plot was therefore much more spaciouly presented and this was indicative of the settlement form in that area of Wothorpe.

Members were advised that the previous refused scheme, which had been appealed, had received negative comments from the Inspector with regards to the plots having garages at the front. However, it was highlighted to Members that there were other developments along the street with this layout and therefore the current proposal, which comprised a front garage, was considered to be acceptable by officers.

With regards to the design of the property, Members were advised that windows were proposed for inclusion on the side elevation of the property which faced Cromwell House. These windows would be minor and there would also be a side utility door. The windows would be restricted opening and there was also proposed to be a fence erected along the side of the property which would prevent people being able to look out of the windows into Cromwell House.

The site was a sloping site and the property would sit higher than Cromwell House, however given the gap between the two, it was considered that the relationship was acceptable.

Members' attention was drawn to additional information contained within the update report. There had been a written objection received from Councillor David Over, Ward Councillor, stating that the proposed development posed a threat to the character of Second Drift and it was inappropriate for the top half of Second Drift to be made up of near-identical designed properties built in stone. The issue of sustainability as a location had also been ignored and the area had very few and poor quality services.

Members were further advised that condition C9, as highlighted in the committee report, which stated '*prior to occupation of the dwelling a fence shall be erected along the north-west boundary parallel to the side elevation of the dwelling, to a height of 1.8 metres above the internal ground floor level of the dwelling*', could be

interpreted to mean that the entire boundary fence was required to be 1.8 metres in height. This was not the case, therefore if the Committee was minded to grant the application, it was requested that officers be given delegated authority to amend condition C9 to make its meaning more clear.

Mr Marshall, an objector and local resident, addressed the Committee. In summary the concerns highlighted to the Committee included:

- Development at The Haven was not opposed as long as it did not alter the unique character of Second Drift
- The application was overdevelopment and speculative building
- The two main objections to the proposed property on Plot B were the damage to the local character and the appearance of the area and the adverse effect on the neighbouring properties
- The application was against Local Development Plan Policies DA1 and DA2
- The proposed property would only be 4 metres away from the house at Plot A, which had previously been approved for development
- Apart from the reduced hedge at the front of the proposal, all trees and shrubs had been removed to create the impression of a wider space, and with the close proximity of the properties there would be little opportunity to replace them
- The mass of the development on Plot B had increased from that which had been proposed and rejected. In order to be consistent, surely this application should also be rejected?
- The garage had previously been integral and it was now an external building, this could lead to further attempts to add living accommodation over the top of the garage
- Although the width and depth of the property had been reduced, the habitable area had been increased
- The height of the house was of serious concern. The plans showed enough space for a loft development to be incorporated at a later date. The existing Haven property had a much lower roof ridge, therefore why did the current proposal have to be so high?
- The dwelling most affected would be Cromwell House. It had already lost its privacy to the house at the rear of the site
- The incline of The Drift in conjunction with the proposed height of the dwelling would mean that Cromwell House would be towered over
- The Lyllandi hedge at Cromwell House would not provide suitable screening, as previously suggested, as the owners of the property did not wish for the hedge to grow much more
- The proposed dwelling would have a ground floor which would look onto the terrace of Cromwell House
- The reduction of privacy experienced by Cromwell House was felt to be completely unacceptable and it was disappointing that planners did not recognise this fact

Mr John Gibbison, the applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The initial idea for further executive homes at Wothorpe had come from a meeting held in 2009 between the Interim Head of Planning Services, a small group of developers and Barker Storey Matthews. The brief had been to find locations for prestigious executive properties within the Peterborough area. The Haven had been one location discussed at the meeting

- A letter had been received in October 2009 from the then Principal Planning Officer agreeing to the removal of the existing front house at The Haven and replacing it with two properties, along with a rear property which had already received planning consent at the time
- Subsequent concerns had been highlighted with regards to the scheme and that had resulted in the refusal and subsequent appeal
- With regards to the current application, all issues had been addressed in the committee report by the Planning Officer and the proposal was consistent with the provisions of the Development Plan
- The Planning Officer had advised that previous concerns over the development had been satisfactorily addressed and the proposal maintained the semi-rural character of the area
- The property was 2000 square feet and the previous proposal had been 2600 square feet
- With the slope of Second Drift, all of the properties along the road stepped. The proposed dwelling would therefore be no different
- The Planning Officer had clarified that the total of three high quality houses in natural stone with slate roofs would not be detrimental to the character of the area

Following a question to the Planning Officer with regards to whether having a garage located at the front of the property was normal, Members were informed that having garages located at the front of properties was not a common design feature in the area, however it had been found acceptable to have garages at the front of recent developments and therefore there was no justification for moving away from what had been previously acceptable. Consistency was required.

Following debate, Members commented that it appeared that the revised application addressed the Planning Inspectors concerns to a satisfactory degree. The proposal was an attractive modest house, which would replace a non-attractive property.

A motion was put forward and seconded to approve the application, with delegated authority being given to officers to amend the wording of condition C9 to make its meaning more clear. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C8 as detailed in the committee report
2. The delegation to officers to revise condition C9
3. If the S106 has not been completed within 2 months of the date of this resolution without good cause, the Head of Planning Transportation & Engineering Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

**Reasons for the decision:**

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

- The site was within the settlement boundary
- A dwelling could be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- A suitable level of amenity could be provided for residents, including access and parking

- The proposed dwelling would not affect the character of the area to an unacceptable degree
- The applicant had made provision to meet the infrastructure needs arising from the development

The proposal was therefore in accordance with Policies H16, T1, DA2, DA6 and IMP1 of the Peterborough Local Plan 2005 (First Replacement).

## **5.2 10/01202/LBC & 10/01258/FUL – Conversion of barn to 3 bed dwelling with separate garden area at Elms Farm, Great North Road, Wittering**

The proposal was to create a self contained three bedroom property from the conversion of a listed barn / outbuilding. This would require the insertion of a first floor and balcony, the removal of part of the internal dividing wall, insertion of internal room partitions, re-location of the metal animal drinking bowl and two roof lights to the east and west roof elevations.

The site was an isolated former farmstead accessed from the south bound A1. The site included the listed building, Elms Farm, and a number of barns in various states of repair. The barn subject to the application was curtilage listed.

The application site was a cart barn, slightly rectangular in plan, of symmetrical appearance with a hipped pantile roof. It was an open cart barn/byre (east and west elevations) with a central dividing wall providing internal shelter of just over 3 metres. The southern side wall was jointly the common boundary wall of Elms Farmhouse. The northern side wall had an opening which had a three way metal animal drinking trough making this also accessible from the crew yard. The cart barn had typical supporting cast iron posts under large timber lintels (east and west elevations). The building was in very poor condition having had partial roof collapse and was showing signs of other structural failure. In summary, this was a simple and subservient agricultural outbuilding in the former crew yard flanked by principle farm barns and implement buildings.

The wider area was characterised by the presence of the principal barns set around a crew yard in a 'C' shaped configuration with an additional barn to the west of the application site effectively creating a closed circle of barns, with the application site lying in the centre, ancillary to the larger barns.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that previous listed building consent had been granted for the range of barns to be brought into residential use. The main issues for consideration were the impact of the development upon neighbouring dwellings, the impact on the character of the site as a whole and on the listed buildings, the level of amenity offered to the occupants of the proposed property, the vehicular access to the development, the limited level of amenity proposed for the dwelling, parking provision on site and the insufficient separation distance between dwellings. The planning recommendation was one of refusal for both the listed building consent application and the planning application.

The current barn was a listed building of very simple structure and poor condition, and the proposed conversion works would require considerable adaptation of the building. The view of the Conservation Officer was therefore that the level of works required would be excessively intrusive and detrimental to the relatively simple character of the building. The proposed construction proposed a mezzanine to create a first floor level and this was the main concern of the Conservation Officer.

The proposal would be subjected to a lack of privacy due to the surrounding land being very open and the car park serving the property would be located a considerable distance away from the dwelling. This was highlighted as being out of keeping with planning policy.

Members' attention was drawn to additional information contained within the update report and it was highlighted that there had been comments received from Highways expressing concern at the amended car parking arrangements for the dwelling.

The Planning Officer further advised Members that contained within the committee report, 'reason for refusal R2' was a repeat of 'reason for refusal R4', therefore if the Committee was minded to refuse the application it was suggested that reason R2 be deleted.

For clarification, Members were advised that with regards to the listed building application, there was only one reason for refusal highlighted. This was because only considerations around listed building design and works matters could be taken into account. No other matters could be looked at when dealing with listed building applications. With regards to the wider planning application, both the design and structural issues, as per the listed building consent, and all other material planning considerations could be taken into account.

After debate, a motion was put forward and seconded to refuse the listed building consent. The motion was carried unanimously.

**10/01202/LBC - RESOLVED:** (Unanimously) to refuse the application for listed building consent, as per officer recommendation and:

1. The reason R1 as detailed in the committee report

A motion was put forward and seconded to refuse the application for the conversion of the barn to a 3 bed dwelling with separate garden, and to delete 'reason for refusal' R2 as highlighted in the committee report. The motion was carried unanimously.

**10/01258/FUL - RESOLVED:** (Unanimously) to refuse the application, as per officer recommendation and:

1. The reasons R1, R3 and R4 as detailed in the committee report

#### **Reasons for the decision:**

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

- The proposal would significantly harm the character and appearance of the simple barn building and the building should remain subservient in appearance and use to the adjacent principal barns
- The proposal did not provide a convenient area of amenity space with reasonable privacy
- The dwelling would harm the amenity of the occupiers of the neighbouring dwellings and it would suffer from unacceptable levels of overlooking and overbearing
- The parking area proposed was too far from the proposed dwelling and was not likely to be used for the purposes of parking

1.30pm – 2.20pm  
Chairman

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