

11/00256/FUL
& 11/00257/CON: DEMOLITION OF EXISTING BUNGALOW AND REPLACEMENT WITH FOUR BED DWELLING AND DETACHED GARAGE WITH STORE/GAMES ROOM ABOVE AT SEVEN SUMMERS, RUSSELL HILL, THORHAUGH

VALID: 23 MARCH 2011
APPLICANT: KSH DEVELOPMENTS LTD
AGENT: LMC - ARCHITECT
REFERRED BY: COUNCILLORS JOHN HOLDICH AND DIANE LAMB
REASON: OUT OF CHARACTER WITH THE LOCAL AREA ON THE GROUNDS OF HEIGHT SIZE AND SCALE OWING TO ITS POSITION ON THE PLOT

DEPARTURE: NO
CASE OFFICER: DAVE JOLLEY
TELEPHONE: 01733 453414
E-MAIL: david.jolley@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The size, scale and appearance of the replacement dwelling and proposed garage
- The impact of the proposed dwelling and garage on the amenity of neighbours
- The impact of the proposal on the Thornhaugh Conservation Area

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.

Peterborough Core Strategy DPD (2011)

CS10 Environment Capital Environment Capital

Development proposals will only be supported where they make a clear contribution to the aspiration of the Peterborough Sustainable Community Strategy for Peterborough to become the Environment Capital of the UK. As a minimum, all development proposals of any scale must not compromise the ability of the City to achieve such a status.

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: new development should respond appropriately to the particular character of the site and its surroundings, using innovative design solutions where appropriate; make the most efficient use of land; enhance local distinctiveness through the size and arrangement of development plots, the position, orientation, proportion, scale and massing of buildings and the arrangement of spaces between them; and make use of appropriate materials and architectural features.

CS17 The Historic Environment: All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas of high heritage value

Peterborough Local Plan (First Replacement (2005)

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, livable and mixed communities with good access to jobs and key services for all members of the community.

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

Planning Policy Guidance (PPS) 3: Housing

Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed' Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

Planning Policy Guidance (PPS) 5: Planning and the Historic Environment (2010)

The PPS states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. The historic environment is also of immense importance for leisure and recreation.'

'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area.'

'the setting of a building may....often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration....Where a listed building forms an important visual element in a

street, it would probably be right to regard any development in the street as being within the setting of the building’.

‘The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest’.

ODPM Circular 05/2005 “Planning Obligations” Amongst other factors, the Secretary of State’s policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;
- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development);
- iv) fairly and reasonably related in scale and kind to the proposed development; and
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

Planning Obligations Implementation Scheme – The Peterborough Planning Obligations Implementation Scheme (POIS) Supplementary Planning Document (SPD) was adopted on 8th February 2010. Prior to adoption, the POIS was the subject of a 6 week public consultation period between March and April 2009. The POIS sets out the Council’s approach to the negotiation of planning obligations in association with the grant of planning permission. A planning obligation is a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended).

Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city’s growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured ‘wish-lists’, instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area’s economic

performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The 2009 review adds to the programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from EEDA and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such the, City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

3 DESCRIPTION OF PROPOSAL

Permission is sought for the demolition of the existing dwelling under application number 11/00257/CON.

Under application number 11/00256/FUL The applicant proposes to replace the existing dwelling with a two storey four bedroom dwelling and a detached double garage with store/games room above.

The dwelling would be sited 44 metres from the front of the site.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site lies within the Thornhaugh Conservation Area and has been subject to several applications for residential redevelopment over the past 5 years. The site currently consists of a 1.5 storey chalet type dwelling sited centrally within the plot 31 metres from the plot access, at the top of a hill. The site is surrounded by a mixture of dwellings. Numerous period dwellings exist along Meadow Lane, which a stone built and follow the local vernacular. To the north is the Listed Manor House and to the north east and east are modern dwellings, the majority being bungalows. To the south are open fields and the A47 beyond.

The site itself is approximately 75 metres deep by 38 metres at its widest point and is fairly extensively treed, especially to the south at the rear of the site.

5 PLANNING HISTORY

Ref	Description	Decision	Closed Date
06/00054/REFPP	Erection of two detached dwelling with garages and parking	DISMIS	23.02.2007
06/00491/CON	Demolition of bungalow	WDN	09.05.2006
06/00879/FUL	Erection of two detached dwelling with garages and parking	REF	03.08.2006
08/00003/CON	Demolition of garage	PER	25.07.2008
08/00004/FUL	New dwelling and detached double garage	PER	25.07.2008
09/01357/DISCHG	Discharge of conditions 2, 3 and 4 pursuant to Planning Permission 08/00004/FUL - New dwelling and detached double garage	COM	18.01.2010
10/00807/DISCHG	Discharge of Condition C2 (materials) of planning permission 08/0004/FUL - New dwelling and detached double garage	COM	04.08.2010
11/00256/FUL	Replacement four-bed dwelling and detached garage with store/games room above	PCO	
11/00257/CON	Demolition of dwelling	PCO	

INTERNAL

Highways – No Objections

Conservation Officer – No objections

These revised proposals have responded positively to my initial comments and those of the case officer and parish councillors. I am prepared to overlook the omission of the parapet wall detail as the overall composition is assured.

Original Comments

The proposal is a reasonable composition which will be lifted by the use of good quality materials, samples of which should be conditioned on any approval. The new dwelling is set further back than the existing chalet bungalow as this enables the retention of the most valuable trees on site and is therefore welcomed. The second smaller cross gable detracts from the main gable jarring slightly. It may have been improved by the use of a parapet and flat roof and setting it back further. Alternatively the two gables could be separated altogether.

The proposed dwelling is set well back from the highway and I am therefore prepared to overlook this detail. The rear elevation is overly complicated, but again as it is not visible from the public realm and does not create unacceptable overlooking to neighbouring properties I do not object. The inclusion of rooflights on the rear roof pitch however does suggest that this space is to be used and a more accurate description would therefore be 2 1/2 storeys.

The triple garage occupies a prominent position within the site in front of the dwelling. The separation distance is appropriate but the proposed hipped dormer is too dominant a feature when seen from the side, both in terms of size and its height in relation to the main roof ridge. A traditional raking dormer would be a marked improvement and would not compromise the clear head height within the roof space. The two rooflights on the rear elevation of the garage are only just over 10 m away from the rear elevation of the neighbouring dwelling (Crayside) and would enable overlooking of both the dwelling and the rear garden.

Archaeology Services – The site falls within an area of historical interest, being located to the south of the 17th century Manor House. Remains associated with the medieval and post-medieval development of the village are likely to survive at this location.

Request trial trenching archaeology condition

Environmental Health – At the time of writing this report no comments have been received.

S106 Officer – No S106 is applicable for this development as this is a replacement for an existing dwelling

Education – Have requested £12,280 for education

Affordable Housing Officer – No objection as this application is for only 1 unit, there is no relevant policy requiring the provision of affordable housing from this planning application.

Landscape Officer – No objection

If a survey is not received prior to the determination of the application please attach standard tree protection, construction method statement and landscaping scheme conditions.

EXTERNAL

Parish – *Comment on revised plans (21-5-2011)*

Objects

The revised plans show a slight reduction in the height of the proposed house and garage but it is still felt that the proposed development will dwarf the surrounding properties and will be out of character with the street scene of this conservation village. As such the Appeal Decision refusal comments, especially point 4, made 8th Feb 2007, remains extant. (See Annex 1).

RECOMMENDATION: That planning be refused

OBSERVATION:

The height of the house has been reduced by 1 metre to 9.3m from 10.3 m. The consent for the existing permission was for 8.6m for the house in a position to the rear of the site, further from neighbouring properties and the road and street scene. A further height reduction is requested which reduces the height to below current permission due to the proximity to existing properties brought about by bringing the property forward on the site. Additionally to further help alleviate the height pressure on neighbouring properties it is requested that the final build height is measured from the lowest level of the house plot, which is the east side, due to the slight slope of the plot.

It is noted that the length of the property has been shortened by 1m on the west end which pulls it slightly further away from No. 6 Meadow Lane. The height of the west section is not known as there is no height shown on the plans. With the further height reduction carried through in proportion on the west and east ends this should help alleviate the current pressure issue on the neighbouring properties.

The height of the garage has been reduced from 7m to 6.25m which is welcomed but the current consent is for a height of 5.5m. With the pressure of this proposed garage on the bungalow to the East, Crayside, reversion to the current permission height is requested. The reduction in length by one parking bay is noted and welcomed.

The removal of the dormer window on the west aspect is noted and welcomed.

NEIGHBOURS

The following comments have been received in relation to the proposal:

- Affect on conservation area
- Affect on listed building
- Impact on local community
- Overlooking/loss of privacy
- Overshadow/loss of light
- Precedent/consistency
- Unacceptable size/scale
- The proposed revised design has not solved the problem of the scale of the development which would still by virtue of its size, uncharacteristic detailing and layout would create an incongruous development that is not in keeping with the surrounding properties and area.
- Design should reflect local vernacular architecture in scale, form, layout, proportions, materials and detailing.
- The ground level of the Seven Summers plot is 0.75 metres higher than the plot of the Shielding. The height, form and massing of the proposed development create an unacceptable perception of overlooking and would be overbearing.
- The fenestration to the rear of the property would permit overlooking in the back garden into the back garden of the Shielding harming the privacy of the occupants.
- The revised proposal has not been designed with minimal impact in terms of good neighbourliness and physical presence.
- The enormous height and scale of the proposed house and garage are completely out of proportion, out of character and incongruous not only with any of the surrounding properties, but also within the village scene as whole. Both the house and garage would dwarf the surrounding properties which are for the most part bungalows to the north and east and it would adversely affect and dominate the listed buildings in Meadow lane to the west.

- The original application from this developer to demolish the existing bungalow "Seven Summers" was rejected on appeal to the Secretary of State. The concluding comments by the inspector state....."I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers." Nothing, in my opinion, has changed.
- House - is huge, and at 10.3m to the ridge and its length up to several metres from the boundaries, it will dominate the site and surrounding properties.
- The Occupant of number 4 Meadow Lane has submitted annotated photographs (Figs 1-5 below) to help visualise the negative impacts of the proposal and states the following:

Figure 1 shows the view from our living room French doors and an outline of the existing and proposed development based on the drawings and site plan provided. The development will significantly affect our outlook, privacy and morning sun and will generally be over-bearing and out of character.

Figure 2 shows the rear of our house from the boundary with Seven Summers and how our living room looks straight at the proposed development. Our recent extension had to be low to fit in with the village and listed building. The height of the proposal is shown for comparison.

Figure 3 shows the heights of the proposed development and the height history of the various applications and permissions. The application heights still far exceed the current permission heights for the house and garage and should be reduced further so that the proposed property is far less dominating of the neighbouring properties and more suited to an infill site within a conservation village.

Figure 4 shows the site plan and the lines taken in creating the image of the proposed development in Figure 1. Also shown is the existing permission property sight line.

Figure 5 shows the site plan for the existing permission property and the sight line to the front-most part which has been added to Figures 1 and Figure 4 for ready comparison.

- The development remains far too high and out of keeping with existing village properties and therefore planning consent should be refused. The new development proposal has been brought forward on the site and now significantly negatively affects ourselves. Additionally the low west end design of the permission property, which helped to minimise the effect of the development and hence gain original permission, has gone and been replaced with a much taller design adding to the visual impact. The height increase from 8.6m to 9.3m exacerbates the negative impact.
- Ideally development should be restricted to the extant permissions or a further significant height reduction to of the proposed property to about 8m should be imposed to limit its dominating effect on neighbouring properties.
- The rear roof has 6 velux windows shown on the plans and a main set of stairs shown accessing the 'loft'. This is clearly a three storey house but no plans have been submitted for the second floor. This was also a feature of the original application and helps explains the necessity for the overall height increase again. The previous consented house had a lower roofline by using roof level dormer design windows, but it was still high. This new application has not only reverted but has further increased height.
- The application states a replacement four bed property. The design allows for the ready provision of five beds on the first floor, all ensuite, with further expansion in the loft area. I understand that the 4 bed label is not significant but as the application is for a 4 bed house to replace the existing 4 bed house with planning permission I thought I would mention it.
- The development is far too high and out of keeping with existing village properties and therefore planning consent should be refused.
- Garage - consented garage was only single level with pitched roof and for 2 cars. This was reduced (from a similar design to the current application in the original application) to the consented application during the previous consultations where complaints over height and privacy of first floor dormer windows were raised. We have not only gone back to square one here but it is now an even larger proposed structure and clearly lends itself to residential

development. The existing permission should be retained and no dormer window permitted in the roof which would look straight into our rear garden and living area.

- The application mentions the previous appeal process to the Secretary of State (where the original application for two large houses was rejected following rejection locally and by PCC) but it does not mention anything about the ruling and the existing bungalow, which ruled, ..."I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers." Demolition of the existing bungalow should be refused until such time that an acceptable proposal be accepted.
- On 23 February 2007 the Planning Inspectorate dismissed an appeal against a previous refusal to grant planning permission for two large houses on grounds, which I believe, still apply to this latest application. This proposed property, albeit just one, is much larger and more prominent than the near-by dwellings and will be detrimental to the conservation area's street scene. Furthermore, the bulky form of the proposed house would result in it appearing as a dominant and unprepossessing modern dwelling, which would intrude into the open backdrop of the listed farmhouse on Meadow Lane (Croft Farm). The facts speak for themselves. The latest submittal for the redevelopment of Seven Summers has a ridge height of over ten metres! I live in the neighbouring property to the east and my ridge height is approximately six metres, as are all of the properties opposite and most in Meadow Lane to the west. Moreover, this new development has a triple garage, on its eastern boundary, that also sits higher than mine does! Subsequent to the dismissed appeal in 2007 a later application for a single and slightly smaller property was approved, but the approval also included retention of the existing bungalow keeping the new-build away from the street scene. This fact, plus the lower ridge height, were important reasons that those of us invited to comment on the application did not object. I accept the site lends itself for redevelopment and to this end, I would find it hard to object to a large-footprint bungalow or even two or three smaller bungalows, even dormer style, but can see no justification for allowing the building of a property so incongruous it is likely to be mistaken for Thornhaugh Hall!

No.6 Meadow Lane is a bungalow and the proposed development is directly behind our property and pushes close to our rear boundary. This close proximity along with the proposed height will overwhelm our rear aspect and overshadow our property, to the detriment of our privacy and morning sunlight.

I request consideration is made to substantially reducing the height of the dwelling that it is pulled further away from our boundary.

The previous proposal was mainly offset from our property and had a single storey pitched roof facing our direction, as opposed to the proposed high gable end, which helped to soften both the proximity and impact.

Councillors

Cllr Diane Lamb

I would like to object to the above planning application, on the grounds discussed at the site meeting; excessive height, overall size, and scale of the property. If you are considering approval of the above application please refer it to the planning committee

Cllr John Holdich

I am still of the view that this application is out of character with the local area on the grounds of height size and scale owing to its position on the plot therefore if you are mindful to approve please refer to committee.

7 REASONING

a) Introduction

There is an extant planning permission for the site, application number: 08/00004/FUL which allows for development of an additional property to the rear of the site (currently the rear garden area of Seven Summers) a new double garage to serve the Seven Summers sited to the front of the property. This application seeks to demolish the existing dwelling and replace with a single 2 and 1.5 storey property.

The existing dwelling is not of any particular character or architectural merit that would warrant protection from demolition. There is therefore no objection to the proposed demolition.

b) Policy context and the principle of development

The site is already developed and the proposal is for a replacement dwelling, therefore it is considered that the principle of development is sound.

The development site is situated within the centre of the village adjacent to Russell Hill.

c) Design, Layout and Impact on the Conservation Area and adjacent Listed Building

Since the submission of the application the proposal has been subject to a revision of a number of elements including a reduction in its overall height and width and a reduction in the size of the garage to the front.

The current scheme features a large two storey dwelling with 1.5 and single storey elements to the west and east side elevations respectively. The main two storey body of the dwelling will be 9.26 metres metres high, measuring 5.7 metres at the eaves. This main part of the house is approximately 16.3 metres wide. The 1.5 storey element will be 5.6 metres wide with a dual pitch roof measuring 4.2 metres above ground level and 8.1 metres at the apex. The single storey element to the east will measure 4.0 metres wide, with a dual pitch roof 3.7 metres above ground at the eaves and 6.8 metres at the apex.

The new dwelling will be set back 44 metres from the sites frontage this compares to the position of the existing dwelling 33 metres from the sites frontage. No existing elements of the frontage are liable to change; the access location and low stone wall would appear to be retained as part of the application.

The roof height of 9.26 metres is higher than the majority of the surrounding buildings with exception of the manor house opposite the site to the north, though it is commensurate with other dwellings in the village including the 1960's semi detached dwellings at the south of Meadow Lane and a number of other two storey properties in Thornhaugh.

The significant 44 metre set back of the replacement property will help diminish the scale of the property from the frontage and the Local Planning Authority and Conservation Officer do not consider that the scale of the proposal will harm any of the adjacent listed buildings or the wider conservation area.

The main bulk of the dwelling, the two storey element will be 47 metres from the public road at Meadow Lane. At this distance, though visible from Meadow Lane the impact of the additional height of the proposed dwelling over those of meadow lane will be diminished due to foreshortening. The Photograph (figure 3) supplied as part of the objection received for the occupier of number 4 Meadow Lane is not considered to be an accurate representation of the impact of the proposal for this reason.

The views of the new dwelling between the existing dwellings of meadow lane is not considered harmful to the character of the Thornhaugh Conservation Area, due in part to the foreshortening effect stated above but also that this west facing side elevation is architecturally interesting and will be constructed from high quality materials which will not jar or look out of place when compared to the surroundings. In any event there is extensive tree cover screening the proposed dwelling in the summer months.

The design of the proposed dwelling is considered acceptable in this instance, though the design is not immediately evocative of the best of the local vernacular, the village of Thornhaugh is extremely varied in terms overall character, even when comparing the elements of the listed buildings within the village and it is considered that it would be difficult to produce a modern property of a scale commensurate with the size of the plot which perfectly captured the local vernacular. The chosen design does have some interesting features to the front elevation and it would sit comfortably within the context of the conservation area.

The Local Planning Authority considers the proposed dwelling no more harmful to the character of the Conservation Area than the existing dwelling. The proposal is certainly more appropriate in terms of architectural detailing and material use than the current dwelling on site the applicant proposes replica Collyweston slate and natural Limestone which are in keeping with the local palette of materials.

The garage is 70cm taller and 1.4 metres wider than the garage approved under application number 08/00004/FUL. The size of the proposed garage has been significantly reduced from the initial submission. The height has been reduced by 75cm, the width reduced by 3.3 metres and the depth reduced by 60cm. The front facing dormer and roof lights to the rear have also been removed. The revised garage proposal is only marginally larger than the garage approved under application 08/00004/FUL and the additional scale does not result in harm to the character of the conservation.

Applications 06/00879/FUL and 06/00491/CON refused by the Planning Inspector (Appendix 1) related to the construction of two dwellings, one 10 metres the front of the road and one 10 metres from the rear of the site. The inspector ruled that this arrangement harmed the character of Russell Hill, as plot one was too close to the site frontage and the scale of the dwelling was too large and plot two harmed the character of the nearby Croft Farm Listed Building harming its setting. This proposal is for a single dwelling sited far more centrally in the plot and the Local Planning Authority considers that this overcomes the objections of the inspector.

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene, and is considered to be in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) 2005, PPS1 (2005) and PPS5 (2010).

d) Impact to Neighbouring Amenity

The dwelling being substantially larger than the current dwelling on site is likely to cause some overshadowing of the amenity space of numbers 4 and 6 Meadow Lane, this is not materially harmful enough to warrant refusal as it will only occur throughout the morning. There will be no overshadowing of primary habitable rooms.

The proposed dwelling will not result in any direct overlooking into primary habitable rooms. Clearly there will be views possible into the private amenity space of neighbours but these are oblique views and not considered materially more harmful than the overlooking possible from the current dwelling which has windows on all 4 sides at 1st floor level.

The dwelling at risk of overlooking the most is Crayside to the north. Some views into the rear of Crayside will be blocked by the proposed garage others by the substantial 2.0 metre hedge which surrounds the garden of Crayside. In any event the current dwelling is closer to Crayside and has windows on two aspects looking into the garden. Therefore the proposal is not considered to be any more harmful than the existing situation. The window to window distances between dwellings increase by at least 5 metres as a result of this proposal and therefore any perceived additional impacts are considered acceptable.

The revised design which has removed the window and rooflights and reduced the height of garage has removed any impact from the occupants of Crayside and as stated above the garage is only marginally taller than the garage approved under 08/00004/FUL. This additional height will not have any impact upon the amenity of the occupiers of Crayside and is not considered likely to be overbearing.

The proposal is not considered to be overbearing to the occupants of any of the surrounding dwellings. The occupants of number 4 and 6 Meadow Lane will be closest to the new dwelling, number 6 being the closest 16.5 metres from the 1.5 storey element of the dwelling and 23 metres from the main two storey bulk of the house. These rear to side separation distances of 16.5 metres (to the 1.5 storey element) are considered at the limit of acceptability for a rural location and there is no doubt that the bulk of the new dwelling will be clearly visible from the windows and amenity space of numbers 4 and 6 Meadow Lane and that this represents a huge change to the current open aspect to the rear of these properties. However the right to a view is not a valid reason for refusal and the proposal is considered to be on balance acceptable with regards to the dwellings relationship to the dwellings of Meadow Lane.

The indicative appearance of the dwelling submitted by the occupier of number 4 Meadow Lane will be attached to the committee presentation to allow members to view the submission. However the Local Planning Authority is of the opinion that it is extremely difficult to ascertain the accuracy of this diagram and that limited weight should be given to the consideration of the diagram.

The proposed dwelling will have no impact upon the occupants of the Shieling, even when the change in height between the two plots is taken into account. The separation distance between the front of the Shieling and the two storey element of the proposed dwelling is approximately 22 metres, at this distance the dwelling is not considered to be overbearing though the Local Planning Authority accepts that it will be clearly visible to the occupants of the Shieling, from both their dwelling and amenity space but this is not a valid reason for refusal.

e) **Highway Safety**

The local Highways Authority has raised no objection to the proposal and has not requested any conditions to be appended to the permission.

f) **S106**

No S106 is required for the proposal as it will be a single replacement dwelling

g) **Archaeology**

The Archaeology Officer has responded by stating that medieval and post medieval remains are likely to survive in this location and it is proposed to put a trial trenching condition on the permission if the application is approved.

h) **Other Matters**

Numerous objections have been received in relation to the application, many have been answered in the sections above, but those which have not been dealt with specifically shall be addressed below:

The objection relating to the 3 storey element is not considered a material consideration in the determination of the application. The roof height has been lowered by 1.0 metre which will restrict the space within the roof. However were the roof to be converted to habitable space at a later date this would have no additional impacts upon the character of the area or the amenities of the occupiers of neighbouring dwellings.

The occupant of the Shieling has stated that the rear fenestration of the proposal permits views into their private amenity space. It may be possible to see limited oblique views from the windows of the proposed dwelling but this is not considered to be materially harmful or severe enough to warrant refusal. These views will be restricted by virtue of the internal layout of the proposed dwelling, especially in regards to the upper garden room.

The occupier of number 4 Meadow Lane has stated in their representation that their own recent extension had to be kept low to fit in with the character of the listed building and the village. This is indeed the case but the existing listed building, number 4 Meadow Lane is a modest building on a far smaller plot and the extension to number 4 would have to have been of a smaller scale in order for it to relate properly to the existing buildings on the site. The two proposals are not directly comparable; the application site is far larger with no existing listed building constraining its design.

8 CONCLUSIONS

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

By virtue of size, scale, design, materials and appearance the proposal is considered to preserve and enhance the character and appearance of the Conservation Area and street scene.

The proposal is not considered to create an overbearing form of development that would detract neighbouring amenity by way of loss of light or privacy and is on balance acceptable in this regard.

The existing bungalow is of no architectural merit and it does not contribute positively to the Thornhaugh Conservation Area

The proposal is considered to be in accordance with Policies CS1, CS13, CS14, CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies H16, and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010) and the Maxey Conservation Area Appraisal (2007).

9 RECOMMENDATION

The Head of Planning, Transport and Engineering Services recommends that these applications are **APPROVED** for the following reasons:

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 design of the dwelling is considered of appropriate size, scale and design and will preserve and enhance the character, appearance and context of the conservation area
- the proposal is not considered to form an unacceptably overbearing form of development that will create a detrimental loss of light, privacy or outlook to neighbour occupiers
- the proposal is considered to provide satisfactory off-street parking and would not result in a highway safety hazard
- The existing bungalow is of no architectural merit and it does not contribute positively to the Thornhaugh Conservation Area

Hence the proposal accords Policies CS10, CS13, CS14, CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies H16, and T10 of the Peterborough Local Plan (First Replacement) (2005), Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010) and the Maxey Conservation Area Appraisal (2007)

Conditions

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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 CS16 of the Peterborough Core Strategy (Development Plan Document) 2011.

C3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been 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 CS16 of the Peterborough Core Strategy (DPD) 2011.

C4 The development shall not commence until details of all boundary walls and fences have been approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, in accordance with the approved details.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy (Development Plan Document) 2011.

C5 The dwelling shall not be occupied until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policies U1 of the Peterborough Local Plan (First Replacement).

C6 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Human Health and Controlled Waters, in accordance with Policies DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).

C7 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of:

i. archaeological field evaluation works (trial trenching) in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority; and

ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with policy CS17 of the Peterborough Core Strategy (Development Plan Document) 2011.

C8 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until the following detail has been submitted to and approved in writing by the Local Planning Authority:

- No works or development shall take place until a Tree Protection Plan has been carried out (As per section 7.1 BS5837-2005) and has been agreed in writing with the Local Planning Authority.
- No works or development shall take place until an Arboricultural Method Statement has been carried out (As per section 7.2 BS5837-2005) and has been agreed in writing with the Local Planning Authority.
- No trees that are being shown as being retained on the approved plan shall be cut back in any way without the prior written consent of the Local Planning Authority. All pruning works approved shall be to BS 3998- 2010 Recommendations for Tree Work.
- If any retained tree as shown on the approved Plans is damaged or removed during the development phase, a revised scheme and implementation timetable will be submitted for approval by the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

C9 Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be

carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details:

Proposed finished ground and building slab levels

Planting plans including retained trees, species, numbers, size and density of planting

An implementation programme (phased developments)

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 the Peterborough Local Plan (First Replacement).

- C10** Before the development hereby permitted is first occupied, the proposed window(s) in the 1st floor west facing side elevation shall be obscure glazed to British Standards 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 and shall subsequently be retained as such.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C11** Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions; shall be constructed other than as those expressly authorised by this permission or those expressly authorised by any future planning permission.

Reason: In order to protect the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C12** The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

Copies to Councillors J Holdich OBE, D Lamb



Appeal Decision

Site visit made on 8 February 2007

by Terence N Povey BA BArch MA FRTPI Architect

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date: 23 February 2007

Appeal A Ref: APP/J0540/E/06/2026186

Site address: Seven Summers, Russell Hill, Thornhaugh, Peterborough PE8 6HL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by Mrs Helen Hick (KSH Developments Ltd) against the decision of Peterborough City Council.
- The application ref: 06/00878/CON, dated 7 June 2006, was refused by notice dated 3 August 2006.
- The works proposed are the demolition of the existing dwelling.

Decision: I dismiss the appeal.

Appeal B Ref: APP/J0540/A/06/2026182

Site address: Seven Summers, Russell Hill, Thornhaugh, Peterborough PE8 6HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Helen Hick (KSH Developments Ltd) against the decision of Peterborough City Council.
- The application ref: 06/00879/FUL, dated 7 June 2006, was refused by notice dated 3 August 2006.
- The development proposed is residential development of two detached dwelling houses with associated garages and parking.

Decision: I dismiss the appeal.

Reasons

1. The appeal site is located within the Thornhaugh Conservation Area. The conservation area encompasses numerous old stone buildings which flank the main village street, Russell Hill, and Meadow Lane. Many of the buildings are houses of modest size and scale with steeply sloping roofs covered with the local Collyweston stone slates. In contrast, the Manor House and The Old Rectory are much larger and imposing stone houses, and the parish church to the east of the appeal site is an ancient structure dating from the 12th century. Despite the presence of a few modern dwellings, it is clear to me that it is the traditional architecture of the old buildings that gives the conservation area its special architectural character and appearance.
 2. Dealing first with Appeal A, the appeal site is presently occupied by a modern house of nondescript appearance. Unlike other modern dwellings nearby, it is set well back from the road behind a large front garden which appears as a pleasant space within the street scene. Despite being a reasonably substantial house "Seven Summers" is not built of stone and its lack of distinctiveness means that it does not make a positive contribution to the intrinsically traditional character and appearance of the conservation area.
-

3. Paragraph 4.27 of Planning Policy Guidance 15 states that consent for the demolition of buildings which make no contribution to a conservation area's character or appearance should not be given unless there are acceptable plans for redevelopment. Accordingly, I now turn to the merits of the proposed scheme for replacing "Seven Summers" with two new dwellings. The houses would comprise large, five bedroom properties located at either end of the site. I acknowledge that the houses would have stone walls and that their designs incorporate some local architectural details such as mullion windows and dormer windows with stone gables. On the other hand, however, the main gable walls of the houses, which are a prominent feature of the designs, would be ill-proportioned and ungainly, unlike the elegant gable walls of the old stone houses.
4. At present there are pleasing views looking up Russell Hill across the open front garden of Seven Summers towards the historic houses in Meadow Lane and The Manor House. The proposed scheme would result in the tall and bulky house on plot 1 being set close to the road, destroying most of the garden space and intruding into these views. Although I do not consider that it would be so close as to overshadow the neighbouring dwelling to the east, the house would be much larger and more prominent than the nearby modern dwellings; with its wide, poorly-proportioned gable wall, it would in my opinion appear as an insensitive and incongruous new feature which would be detrimental to the conservation area's street scene.
5. The house on plot 2 would be located at the southern end of the appeal site and would not generally be visible in terms of views from Russell Hill. It would be erected adjacent to an existing house, The Shieling, and it seems to me that this house could be overlooked by the east-facing bedroom window and the balcony of the proposed dwelling. However, since there would be a distance of over 20 metres between the two houses I have concluded that the loss of privacy which might be suffered by occupiers of The Shieling would not be so significant that on its own it justifies dismissing Appeal B. The house on plot 2 would also be adjacent to Croft Farmhouse, a listed building. While I do not find that the proposed dwelling would overlook this old house, it would be visible in terms of easterly views from Meadow Lane looking towards the farmhouse and its outbuildings. In this context the large and bulky form of the proposed house, together with its poorly-proportioned gable and chimney stack, would result in it appearing as a dominant and unprepossessing modern building which would intrude into the existing open backdrop of the listed farmhouse.
6. I therefore find that the proposed development would serve to harm rather than to preserve or enhance the character and appearance of the conservation area, and also to harm rather than preserve the setting of the listed farmhouse. Thus, the proposal conflicts with the provisions of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and development plan policy CBE3. Having regard to paragraph 4.27 of Planning Policy Guidance 15, I conclude that because the redevelopment scheme would harm the conservation area it is unacceptable; consequently consent should not be granted for the demolition of "Seven Summers".

Terence N. Povey

INSPECTOR
