

11/01384/DISCHG: DISCHARGE OF CONDITIONS C2, C6 AND C7 OF PLANNING PERMISSION 10/00990/FUL – CONSTRUCTION OF 5 BEDROOM HOUSE (PLOT 5) AT HUNTLY LODGE, THE VILLAGE, ORTON LONGUEVILLE, PETERBOROUGH

VALID: 1 SEPTEMBER 2009

APPLICANT: MR ZED AHMED

AGENT: MR PAUL SHARMAN

REFERRED BY: HEAD OF PLANNING SERVICES

REASON: PREVIOUS DECISION BY MEMBERS

DEPARTURE: NO

CASE OFFICER: MISS L C LOVEGROVE

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## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the proposed roof tiles on the character and appearance of the surrounding area and the setting of a listed building.

The Head of Planning Services recommends that the conditions are **PARTIALLY DISCHARGED**.

## 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)

**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:** The City Council will protect, conserve and enhance the historic environment throughout Peterborough. All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated.

### National Planning Policies

**National Planning Policy Framework (NPPF) Consultation Draft (2011)**

**Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (2005)**

**Planning Policy Statement 5 (PPS5): Planning for the Historic Environment (2010)**

## 3 DESCRIPTION OF PROPOSAL

Under application reference 10/00990/FUL, planning permission was granted by Members for the construction of a detached 5 bedroom dwelling on Plot 5 of the Huntly Lodge Development, Orton Longueville. The permission was subject to a number of conditions and three are the subject of the current application:

**C2 Unless otherwise agreed in writing by the Local Planning Authority, no development (other than foundation works) shall take place until samples of the following materials to be used in the construction of the dwelling have been submitted to and approved in writing by the Local Planning Authority:**

- a) Walling and roofing materials**
- b) Windows and external doors**
- c) Rainwater goods**
- d) Fencing and other boundary treatments**
- e) Driveway surfacing**

**Development shall be carried out in strict 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).

**C6 If the dwelling has not been constructed to slab level by 2 November 2011 then development shall cease until a revised Ecological Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority, and the approved Strategy has been implemented.**

Reason: To ensure survival and protection of important species (a feature of nature conservation importance) and those protected by legislation that could be affected adversely by the development, in accordance with policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

**C7 Prior to first [*sic – the condition should read ‘The dwelling shall not be occupied’*] until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority; the landscaping scheme shall include the following detail (select those appropriate):**

- 1. Means of enclosure (boundary treatment – fences, hedges etc).**
- 2. Planting plans - written specification (including cultivation and other operations associated with tree, shrub, hedge or grass establishment). Full details of every tree, to be planted (including its proposed location, species, size, proposed numbers/densities and approximate date of planting). All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursey Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations.**
- 3. An implementation programme.**

**Any trees, shrubs or hedges (including those shown as being retained) dying within 5 years shall be replaced during the next available planting season by the Developers, or their successors in title, to the satisfaction of the Local Planning Authority. Any replacement trees or shrubs dying within 5 years shall themselves be replaced to the satisfaction of the Local Planning Authority**

Reason: In order to improve the visual amenity of the areas, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

The application now before Committee is to partially discharge condition C2 in so far as the roofing and window materials; fully discharge condition C6; and partially discharge condition C7 in so far as approval is sought for the landscaping scheme which can then go on to be implemented.

The elements relating to walling materials, external doors, rainwater goods, boundary treatments and driveway surfacing (within the plot boundary) have already been discharged under application reference 10/00488/DISCHG.

#### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The application site was formerly a Peterborough City Council education facility accessed from The Village through the neighbouring woodland. The site is enclosed by the Grade II listed wall which surrounded the ‘kitchen garden’ to Orton Hall, situated to the north east of the application site. There are

a number of mature trees contained within the site and to the south is situated a woodland County Wildlife Site managed by the Woodland Trust.

Development has already commenced on Plots 2, 3 and 4 and these dwellings are nearing completion. At present, Plot 5 is currently under construction.

## 5 PLANNING HISTORY

Application Number	Description	Date	Decision
98/00888/R3FUL	Use of whole building for educational purposes (pupil referral unit)	30.09.1998	Permitted
03/00790/CON	Demolition of former school buildings	28.07.2003	Permitted
03/01174/R4OUT	Erection of five dwellings	29.10.2003	Permitted
06/01340/WCPP	Variation of Condition 1 of planning permission 03/01174/R4OUT to allow a further 3 years for submission of reserved matters	20.11.2006	Permitted
06/01688/REM	Erection of five dwellings	22.12.2006	Refused
08/01204/LBC	Widening of existing entrance and infilling of existing openings	31.12.2008	Permitted
09/00789/WCPP	Removal of Condition 8 (ridge height) of planning permission 03/01174/R4OUT to remove ridge height restriction	30.09.2009	Permitted
09/00841/FUL	Proposed Great Crested Newt mitigation pond	25.09.2009	Permitted
09/00913/REM	Construction of 6 bed dwelling (Plot 5)	27.10.2009	Permitted
09/01021/REM	Construction of 4 bed detached dwelling with separate garage (Plot 4)	03.11.2009	Permitted
09/01253/REM	Construction of 5 bed dwelling with games room (Plot 1)	21.12.2009	Permitted
09/01274/REM	Construction of two four-bed dwellings (Plots 2 and 3)	03.03.2010	Permitted
09/01314/REM	Construction of six bedroom house (Plot 5)	12.01.2010	Permitted
10/00498/FUL	Construction of two four-bed dwellings (Plots 2 and 3)	16.06.2010	Permitted
10/00960/FUL	Construction of 4 bedroom dwelling and attached garage (Plot 4)	13.09.2010	Permitted
10/00990/FUL	Construction of 5 bedroom house (Plot 5)	04.11.2010	Permitted
10/01398/FUL	Four-bed dwelling and attached garage (Part Retrospective) (Plot 4)	22.11.2010	Permitted

## 6 CONSULTATIONS/REPRESENTATIONS

### INTERNAL

**Conservation Officer** – Objections to the proposed roofing material (Marley Eternit Rivendale) and the submitted landscaping scheme. The faux slate submitted is wholly inappropriate to its setting. The design brief specified substitute Collyweston slate. The roof to the dwelling is large and complicated and the general form, massing and design of this building is such that the only way to create any sense of unity is by use of similar materials and landscaping to the rest of the other plots. With regards to the proposed planting scheme, there is conflict between the two drawings submitted. The trees and shrubs specified on one of the plans are different to the scheme informally agreed at a meeting with all Plot owners and clarification needs to be sought. Furthermore, the drawing does not accord with the requirements of condition C7 which clearly states that species, size, numbers and densities are required. A fully detailed planting schedule should be requested so that the proposals can be properly assessed.

**Landscape Officer** – Objection to the submitted landscaping scheme as per the comments given above by the Conservation Officer.

## **7 REASONING**

### **a) Condition C2 (Materials)**

The proposed window materials (Velfac powder coated to RAL colour 7015 Grey) are acceptable. However, the proposed roofing material is considered wholly inappropriate. The applicant proposes the use of Marley Eternit Rivendale faux slate which has previously been refused by Officers at under delegated powers as part of application reference 11/00488/DISCHG. It is considered that the use of this roofing material would result in a form of development that appears entirely at odds with the established character of the Huntly Lodge development. From the outset and under a site development brief, it has been specified that all properties in this development should be constructed from stone on front facing elevations with mock Collyweston Slate roofing. Whilst it is acknowledged that Members have approved a dwelling to be constructed from buff brick, a further move away from the approved palette of materials would result in a development which appears truly incongruous. The roof of the approved dwelling on Plot 5 is large and complicated and, owing to the general form, massing and design of the dwelling, the only way to ensure that the development does not appear at odds with the neighbouring dwellings is to create a sense of unity by the use of matching roofing materials. The current material fails to achieve this and as such, is considered unacceptable.

Furthermore, Plot 5 is the dwelling closest to the Grade II listed Orton Hall and can readily be seen from both the hotel and the surrounding grounds. It is considered that the proposed faux slate, which has a shiny appearance, fails to respect or reflect the materials (namely natural slate and Collyweston Slate) used in the adjacent listed building and as such, will result in significant harm to its setting.

### **b) Condition C6 (Ecological Mitigation Strategy)**

It is accepted that the dwelling has been constructed to slab level and as such, the full discharge of this condition is supported.

### **c) Condition C7 (Landscaping Scheme)**

Two separate drawings have been received in respect of the landscaping scheme for the approved dwelling as part of this application – one showing the communal turning head and access areas, and one showing the access to the individual dwelling. From the outset it has been critical that the landscaping to the communal areas of this development is cohesive to ensure that the development appears whole and integrates into its sensitive setting. The planting for the communal and access areas has been informally agreed by Officers and all applicants on the Huntly Lodge site have agreed to use this as a basis on which to form the individual planting within their plots up to the boundary walls to the front. However, the second drawing which shows the planting proposed to the access of Plot 5, has failed to meet the criteria required under the details of Condition C7. The applicant has failed to specify a number of details, such as which fruit trees are to be planted, species size and planting density. Without such details the submission for the landscaping of the driveway to Plot 5 cannot be accepted, the landscaping scheme for the communal turning head is accepted. The applicant has requested that the current scheme, without amendment (as requested by Officers), be determined by Members.

## **8 CONCLUSIONS AND RECOMMENDATIONS**

Condition C2 (Materials) – the details submitted with regards to the window materials (Velfac powder coated finish to RAL colour 7015 Grey) are acceptable and the submission element of this aspect of the condition is therefore discharged. Development must be carried out in strict accordance with the approved details. However the details submitted with regards to the roofing material (Marley Eternit Rivendale) are not acceptable and as such, the submission element of this aspect of the condition is not discharged. The Local Planning Authority will only accept the use of substitute Collyweston Slate.

Condition C6 (Ecology Mitigation) – this condition is fully discharged.

Condition C7 (Landscape Scheme) – the details submitted with regards to the landscaping scheme of the access to Plot 5 are incomplete and therefore unacceptable. As such, this element of the condition is not discharged. The details shown on drawing no. 2773P/01A for the landscaping of the communal turning head and access road are acceptable and this element is discharged. Development should be carried out in strict accordance with the approved details.

The Head of Planning Services recommends that Condition C2 of planning permission reference 10/00990/FUL be **PARTIALLY DISCHARGED**; that Condition C6 be **FULLY DISCHARGED**; and that Condition C7 be **PARTIALLY DISCHARGED**.

Copy to Councillors Casey, Goodwin and Winslade

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