

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 19 FEBRUARY 2019 AT 1.30PM

1. Procedure for Speaking
2. List of Persons Wishing to Speak
3. Briefing Update

**UPDATE REPORT &
ADDITIONAL INFORMATION**

PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

MPs will be permitted to address Committee when they have been asked to represent their constituents. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 19 FEBRUARY 2019 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
5.1	18/01907/FUL – 38 Grimshaw Road, Peterborough	Cllr Joseph Richard Olive	Ward Councillor Objector
5.2	18/02078/HHFUL - 3 Mafit Road, Ailsworth, Peterborough	Ian Baugh	Objector

BRIEFING UPDATE

P & EP Committee 19 February 2019

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
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1	18/01907/FUL	38 Grimshaw Road Peterborough PE1 4ET , Change of use of land at rear of garden from undefined to garden use and brick built outbuilding to store tools and garden equipment - (retrospective)
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Five additional representations have been received following publication of the Committee Report. These are as follows.

i) Letter of objection received 8th February 2019

- This is direct contradiction to the Council's own biodiversity policy. The proposal irreparably damages a small but important piece of semi-natural habitat that forms an important screen between properties in Grimshaw Road and the playing fields belonging to the Thomas Deacon Academy.
- The presence of numerous native animal and plant species means that this proposal should not be permitted, as it damages their habitat and prevents free movement throughout the corridor.

Officers consider that these matters have been sufficiently covered in the Committee Report.

ii) Letter of objection received 16 February 2019

- The land currently creates an important wildlife habitat and is a corridor connecting to other habitats. It has been undisturbed for at least 60 years and is home to a large variety of plants and animals. Residents would like to see this haven preserved.

Officers consider that the above matter have been sufficiently covered in the Committee Report.

iii) Letter of objection received 16 February 2019

- The application does not meet the requirements of CS16 - Urban Design and the Public Realm which say "Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents."
- It does not see the requirements of PP02 - Design Quality - Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area;
- The building is of an appalling standard and is an eyesore. It isn't watertight and isn't even built plumb. It does not fulfil the basic requirements it has supposedly been built for.
- The resident has been asked to provide hedgehog holes. This means the building is not even rodent proof. This renders it unsuitable for the storage of children's toys.
- The building is not appropriate for the bottom of a garden in a sensitive suburban context.
- The building is not an inoffensive wooden shed, sensibly situated within the applicant's boundary. It is an aggressive and unpleasant encroachment.
- The application should have been refused from the outset given that the application form was completed unsatisfactorily. Questions 10 (Trees and Hedges), 11 (Assessment of Flood Risk) and 12 (Biodiversity and Geological Conservation) are equally incorrect.
- The Biodiversity Checklist has not been completed properly. This is either through total lack of understanding, or carelessness. In either case the applicant should have been asked to submit it properly completed before the application was accepted as a valid application. The correct answers to questions 2 3 4 and 6 are all Yes. The applicant has answered No in all cases.
- The applicant has not completed the Application Form correctly. In (his) answer to 6, the section which asks about: "A proposed use that would be particularly vulnerable to the presence of contamination" the applicant has said No. As the site is a water course, the answer should be 'yes'. There are indications in the way the form has been completed (orchid for orchard) (motor

for mortar) that the applicant has not received the level of support they clearly needed in completing it.

- The applicant has claimed that the finish is “brick, red in colour”. This is untrue. Grey breeze blocks are very much in evidence.
- Drainage from the roof and the roof itself are both substandard.
- The retrospective wall does not conform to existing boundaries or fencing styles.
- Given the position of the proposal along the ditch, it represents a structural hazard , possible requiring the school to shrink its own boundary to secure the safety of children. This is unacceptable.
- The shed represents a major obstruction not just to the flow and passage of water, but to the passage of people doing the necessary upkeep and works on the banks of the ditch through riparian responsibilities.
- The proposal is unacceptable: it fails to fit in with the urban design improvements which the council is committed to. The application fails completely in its understanding of and relationship to the sensitive natural and social environment it sits within.

A table was provided by the above objector which shows comments added to comments already received by the Council. These have been attached to **Appendix D**.

In response to the above, Officers consider the following:

- The design and materials of the retrospective proposal has been considered within the Committee Report.
- The principle of the proposed change of use to residential land is acceptable given that the application site is within the settlement boundary of Peterborough.
- Whilst the applicant considered within their application form that there is not tree, wildlife or drainage implications within their application form, these material considerations have been considered by relevant Officers who have commented on the application.

iv) Letter of objection received 17 February 2019

- The application is retrospective and is based on a development that has been partially made on unregistered land and is unlawful. Granting planning consent would set a bad precedent.
- The application relates to a location where there are special nature requirements and if it is allowed to proceed it would severely hamper if not destroy the habitat of local wildlife that has been hitherto carefully maintained.
- The drainage report submitted is apparently incorrect and needs reconsidering.
- The application is in general ill-considered and not meretricious.

The Wildlife Officer and Drainage Officer have advised that they have no objections to the application, providing that the applicant complies with the planning conditions.

v) Nine attachments (a block plan and eight additional photographs) were submitted with by a resident who is to speak at the Planning Committee, who is objecting to the application. These photographs have been attached to **Appendix E** of the Update Report.

Some of the above matters have been covered with the Planning Committee Report. However, other matters are clarified below.

i) The Wildlife Officer advised in writing on Monday 11th February 2019 that he does not consider bats would be adversely affected by the proposal. There are no bat roosts directly affected and no lighting scheme is proposed. The amount of tree removal is not significant for bats. The native planting scheme should provide adequate mitigation.

2	18/02078/HHFUL	3 Maffit Road Ailsworth Peterborough PE5 7AG , Demolition of existing ground floor rear extension and construction of replacement ground floor rear extension, first floor rear extension, cladding of external walls and replacement of roof tiles
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Additional representations/objections have been received:

- An email has been received from Janice Kendrick who is acting on behalf of Mr and Mrs Baugh, no.5 Maffit Road, advising the red edge is not shown correctly on the site plan. Janet was advised to forward a Title Plan. No Title Plan has been forwarded. In the absence of any evidence, to the contrary officers have to accept the application details as submitted.
- Several documents have been submitted by no.5 Maffit Road which show diagrams and figures of potential overshadowing. These are attached in full under Appendix A. The issues have been discussed in the report. Officers have no further comments to make.
- The neighbour at no.5 Maffit Road has submitted further comments highlighting that there are some inaccuracies in the committee report. With regards to point 2 relating to the separation distance between the two properties, the distance has been checked and is correctly stated in the report. With regards to the last point regarding trees the agent has advised that some pruning to overhanging branches may be required which can be done without planning permission as the trees on the boundary are not protected. No tree removal would be required. All other comments are covered in the committee report. A copy is attached in full under Appendix B
- Comments from the applicant dated 11.02.19 are attached in Appendix C.