

## PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

19 October 2021 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 OCTOBER 2021 AT 1:30 PM**

**LIST OF PERSONS WISHING TO SPEAK**

<b>Agenda Item</b>	<b>Application</b>	<b>Name</b>	<b>Ward Councillor / Parish Councillor / Objector / Applicant</b>
<b>6.1</b>	21/00477/Ful - 17 Crowland Road	Mr Rayner Mr Jarvis	Objector Applicant
<b>6.2</b>	21/00832/HHFUL 40 Westwood Park road	Mr Richard Perkins Mr Sharman	Objector Agent
<b>6.3</b>	21/00335/FUL - Newport Farm, Newport Way, Ufford, Stamford	Mr Dickie	Agent

## BRIEFING UPDATE

**P & EP Committee 19 October 2021**

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
6.1	21/00477/FUL	<b>17 Crowland Road Eye Peterborough PE6 7TP</b> , Proposed workshop, store and replacement hobbies classic car garage

### **Change of recommendation**

After the publication of the Committee Report for the current application, the Agent on 11<sup>th</sup> October 2021 sent an email confirming that the Applicant was willing to sign a unilateral undertaking to close his business at 30 Crowland Road as soon as his premises at No.17 are up and running via the proposal. Given the above agreement Officers would recommend that the recommendation made in the original Committee Report is altered to one of **APPROVAL** subject to the submission of a satisfactory UU which is agreed by the LPA. To ensure a reasonable timeframe, Officers recommend that Members set a deadline of 3 months to submit and agree the UU for the Applicant. In the event that the deadline is not met, then delegated authority be given to Officers to refuse on this basis. As such Members could consider the following recommendation:

*To grant planning permission subject to the recommended planning conditions and the completion of a Unilateral Undertaking to secure the cessation of the existing window tinting use at 30 Crowland Road within a period not exceeding three months from the date of this meeting.*

*In the event that the Unilateral Undertaking has not been completed within this period and the Head of Planning considers that there are no extenuating circumstances which would justify an extension (or further extension) of time, the Head of Planning be authorised to refuse the application on the basis that the continuation of the use at 30 Crowland Road in conjunction with the proposed development would have an adverse impact on highway safety.*

### **Condition alterations**

Officers propose to alter Condition 10 to remove the personal restriction and clarify the relationship between the main use (window tinting) and the ancillary uses. Upon further consideration, it is considered that an amended Condition 10 alongside a new condition 12 would ensure that the permission would still restrict the use to windowing tinting purposes only, ensure that the other spaces within the proposal remain ancillary to that use and prevent sub-division of the space. This would have a similar effect to that of a personal permission.

**C10** - *The space within the building hereby approved labelled 'Workshop', on the approved drawing no.4690/2 shall be used solely for the application of window tint to motor vehicles, and the other spaces within the building hereby approved labelled 'Store' and 'Office' and 'Reception' shall remain ancillary uses for the window tinting use.*

*Reason: In the interest of neighbour amenity, in accordance with Policy LP17 of the Peterborough Local Plan (2019).*

Officers would also adjust the wording of condition 11 by removing 'sub-unit' and replacing with 'space', to avoid any confusion in relation to business units or sub-units. The rest of the condition remains unchanged. Condition 11 to read as follows:

**C11** - *The space within the development hereby approved labelled as 'hobbies (classic cars)' on the approved drawing no.4690/2 shall be only used in conjunction with the occupation of the dwelling known*

as 17 Crowland Road and shall only be used for ancillary purposes to 17 Crowland Road.

*Reason: In the interest of the current and future occupier amenity of 17 Crowland Road, in accordance with Policy LP17 of the Peterborough Local Plan (2019).*

Finally, Officers would recommend the inclusion of one further condition which reads as follows:

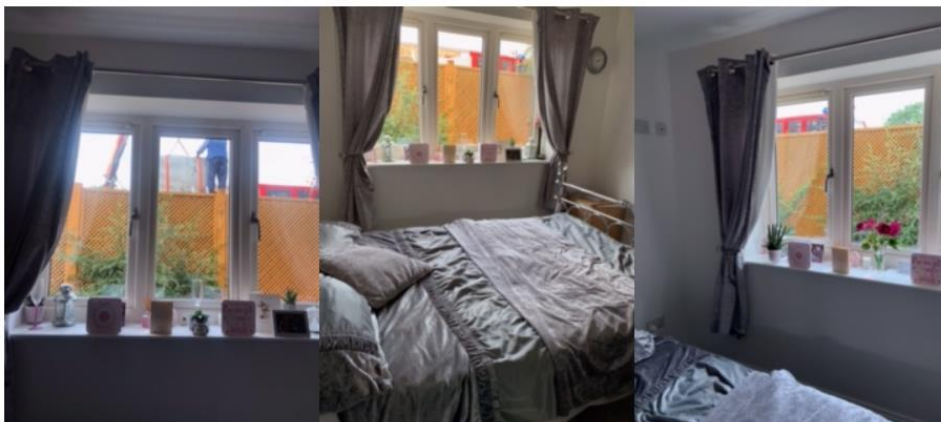
**C12** *The spaces within the building hereby approved labelled 'Store', 'Workshop', 'Office' and 'Reception' on the approved drawing no.4690/2 shall not be sub-divided and no mezzanine floors shall be inserted, without prior written approval of the Local Planning Authority.*

*Reason: In the interest of neighbour amenity and highway safety, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019).*

The removal of the personal restriction from within C10 means that a further condition is required to ensure there is no adverse intensification of the site by way of sub-division, which would not necessarily require planning permission. Sub-division of the development may result in additional parking movements, need for additional parking provision, additional impact on neighbouring properties and impact on the character of the site.

### **Additional Representations**

Further representations have been received from an adjacent neighbour on the grounds that two conifer trees will be lost as a result of the application though the application states no trees will be lost. Photographs showing vintage vehicles visible above the boundary fence when viewed from bedrooms, reception room and patio area at an adjacent dwelling on Green Road. Photograph of delivery vehicle to the existing window tinting business parked on Crowland Road.







6.2	21/00832/HHFUL	<b>40 Westwood Park Road Peterborough PE3 6JL</b> , Proposed two storey and single storey rear extension, loft conversion with the installation of roof lights and alterations to the front porch
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### Revised Drawings

Revised drawings were submitted by the Agent on 4<sup>th</sup> October 2021 by way of addressing inconsistencies in the drawings. A small revision was made to the proposal was made which removes the parapet wall from the proposed single storey ground floor rear extension along the side elevation ('Proposed Elevations' Drawing Number WPR/18/E - Side Elevation 1), which would be a 200mm reduction in height.

Considering the above, the following dimensions should be taken as the final and accurate figures regarding the height of the single storey element of the proposed rear extension:

- The total height of the single storey rear extension shown on the Proposed Ground Floor Plan (Drawing number WPR/15/C) would be 3.2m from natural ground level to the top of the parapet wall
- The revisions submitted on 4<sup>th</sup> October would remove the parapet wall only along the side elevation which would be parallel with the shared boundary with No.42 Westwood Park Road, where the height would be 3m from the natural ground level to the top of the flat roof
- Therefore, the last paragraph in the case report section 1 'Description of site and surroundings and summary of the proposal' should state that the height would be lowered by 200mm and not 300mm.

### Submission by Cllr Mahboob Hussain

Mr Mohammed Imran submitted a planning application for his home with Peterborough Council.

Initially planning officers had 3 recommendations.

- 1) Remove annexe
- 2) Setback extension
- 3) Remove part of ground floor extension

The applicant agreed to the first two points but was not willing to remove part of the ground floor extension as that would negate the whole reason for applying for the planning.

The planning department agreed to grant planning on the basis that if the applicant amended his plans, which he did, apart from the ground floor.

A 14-day consultation period took place & the council agreed to grant planning.

I obliged apart from one condition which they reconsidered & agreed to approve the planning with a 14-day consultation period with the neighbours.

The applicant has given way on everything apart from the ground floor.

He has been both reasonable & co-operative throughout the process.

Therefore, as I see it, the main stumbling block is the ground extension.

In view of all the changes & compliance by Mr Imran and the commitments provided by the officers, I suggest that we honour our word & grant planning to the applicant.

6.3	21/00335/FUL	<b>Newport Farm Newport Way Ufford Stamford</b> , Construction of a single dwelling house
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### Conditions

**Condition 12** has been updated to include removing permitted development rights for the installation of openings on the north elevation of the dwelling, facing properties on Newport Way:

*Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, C, D, E and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be constructed other than as those expressly authorised by this permission or those expressly authorised by any future planning permission.*

*Further, notwithstanding the development hereby permitted, planning permission shall be required for the installation of any first floor openings on the north elevation.*

*Reason: In order to protect the character of the area and the amenity of neighbouring occupiers, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).*

An additional condition is also required to be attached with respect to the implementation of the surface water drainage scheme:

### **Condition 15 (Surface Water Drainage)**

Prior to the first occupation of the dwelling hereby permitted, the surface water drainage scheme, as illustrated on Drawing JDA/2020/800/DRAINAGE.001A (Proposed Drainage and Lighting), shall be implemented in full, and thereafter retained and maintained as such in perpetuity.

Reason: In the interest of mitigating surface water, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

### Representation

**5x letters of representation** have been received raising the following additional planning related matters, which are not originally discussed within the Committee Report.

Concerns have been received with respect to the **removal of asbestos**, however, this is addressed within the main Committee report and the removal of asbestos is covered by the Health and Safety Executive.



Concerns have also been raised with respect to the **provision of a level pedestrian access** from the corner of Newport Way to the application site, over a shared gravel access road, however, this was originally sought by the Local Highway Authority in relation to the Class Q application, as they considered this would result in a betterment, however, this was not essential to make the development acceptable, and Officers are minded that the level pedestrian access would be situated over a shared gravel access, which may have multiple land owners and interested parties and may otherwise be difficult to achieve. Overall, there is a safe vehicle and pedestrian access to the application site from the public highway.

A letter of representation has also raised concerns with **surface water flooding** in relation to neighbouring properties. This information was relayed to the Council's Drainage Officer, who responded, advising that the development would result in a betterment in terms of surface water drainage, overland flow routes and the drainage arrangements that currently exist.

The proposed drainage and lighting drawing (JDA/2020/800/DRAINAGE.001) illustrates that the new Driveway, immediately adjacent to the building, would be of a permeable paved construction and multiple soakaways would be installed with additional attenuation. As such, it is considered that the overland flows from the site would be mitigated through the use of permeable paving, and the proposals of the development would provide significant surface water drainage improvements to the site.

In relation to the concerns regarding the insufficient drainage and the condition of the gravelled highway, leading to the application site, residents are encouraged to report these concerns via Peterborough Highways Services 'FixMyStreet'.

A letter of representation also queried **why the barn was originally granted planning permission for conversion**. Under Part 3, Class Q of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended), there is provision to change the use of an agricultural building to residential, providing the prior approval process is followed.

A letter of representation has queried **why the curtilage of the Class Q approval was smaller than the curtilage proposed as part of this FUL plans application**. With respect to Class Q applications, specifically the conversion of agricultural building to residential under the prior approval process, Officers typically seek to ensure the curtilage around the dwelling is tightly drawn. As the application has been forthcoming as a full application, the curtilage was re-drawn by the Applicant so that future occupiers would be afforded a garden. Officers consider the garden area to be more in keeping with the size and scale of the dwelling.

For the avoidance of any doubt, this does not set a precedent for future residential development within the site, and conditions have been attached which would restrict permitted development rights for extensions and outbuildings. Simply put, the Applicant, Agent or Successor in Title would be required to apply for planning permission to undertake such works, and these would be considered on their own merits.

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