

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

15 November 2022 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 – 15 NOVEMBER 2022 AT 1:30 PM

LIST OF PERSONS WISHING TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
5.1	22/01294/FUL - 5 Fortune Buildings Cowgate Peterborough PE1 1LR	Cllr Jamil	Ward Councillor
5.2	22/00792/HHFUL - 16 Audley Gate Netherton Peterborough PE3 9PG	Cllr Rangzeb Mr Shafiq	Ward Councillor Applicant
5.3	22/01164/FUL - 89A Eastfield Road Eastfield Peterborough PE1 4AS	Cllr Jackie Allen	Ward Councillor
5.4	22/01159/FUL - 85 Eastfield Road Eastfield Peterborough PE1 4AS	Cllr Jackie Allen	Ward Councillor

BRIEFING UPDATE

P & EP Committee 15 November 2022

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	22/01294/FUL	5 Fortune Buildings Cowgate Peterborough PE1 1LR , Retention of a fixed canopy for a period of 3 years – Retrospective

A petition has been received in support of the application, which received a total of 572 signatures between October 2021 and March 2022.

The petition reads:

We the customers of the Pizza Parlour and Music Café submit this petition to support for the construction of the new fixed canopy outside of the restaurant to allow customers to enjoy outside dining.

We do not feel that it impacts on the street scene, or that it is out of character with Cowgate

The fact that the canopy is not retractable is not an issue as all other canopies are out from early morning till late at night.

We also see that this is to support the restaurant during the uncertain climate and realise that it is required to ensure that this restaurant constitutes to thrive and serve the local community.

The issues raised in the petition have already been addressed in the main report.

2 .	22/00792/HHFUL	16 Audley Gate Netherton Peterborough PE3 9PG , Erection of two storey front, side and rear extension and a single storey rear extension
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No further comments.

3 .	22/01164/FUL	89A Eastfield Road Eastfield Peterborough PE1 4AS , Single storey front/side extension to create additional retail unit (Class E)
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During the Committee Site visit, members asked whether the application site was within an area of special licensing controls. As it currently stands, Officers are not aware of any special licensing controls for the application site, however, if there were, this would not prejudice the determination of a planning application, as it would be captured by separate legislation.

Condition C3 requires security measures including a secure pedestrian gate to the proposed side passageway, external lighting and CCTV. This condition will meet the legal tests for planning conditions owing to the nature of the proposals. For example, a side access would be created which would be used by a variety of different and unconnected users, therefore the requirement of additional security measures by way of planning condition is considered to be justified.

A letter of **support** has been received from the Agent, advising the following:

“Thank you for your invitation to attend the next Planning and Environmental Protection Committee meeting on 15th November 2022, it is greatly appreciated. Unfortunately, I will be unable to attend the meeting therefore please find below a statement on behalf of my client, for the proposed plan.

My client, Mr Khalid, would like to propose an expansion by which the undeveloped area of 89A Eastfield Road be built upon. Mr Khalid is the existing owner of properties 89 Eastfield Road and 91 Eastfield Road, which are both to either side of the proposed expansion.

The aim of this expansion is to add to the existing amenities within the community by offering further commercial space, which will give residents in the area a greater variety of retail options, which in turn will improve their quality of life.

The primary nature of this new development will be a grocery store (Class E), with the purpose of offering local residents with more options in where they can shop and what they can buy. My client believes that the undeveloped area can be better utilised for a more positive impact on the local area.”

4 .	22/01159/FUL	85 Eastfield Road Eastfield Peterborough PE1 4AS, Conversion of ground floor dwelling to shop, installation of new shopfront, ground floor rear extension and associated internal and external works
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During the Committee Site visit, members asked whether the application site was within an area of special licensing control. As it currently stands, Officers are not aware of any special licensing controls for the application site, however, if there were, this would not prejudice the determination of a planning application, as it would be captured by separate legislation.

The applicant has questioned the need for condition 4 which requires external lighting and CCTV. They have stated as follows:

“As you’re aware, Paragraph 56 of the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

The Council’s Crime Prevention Design Team advise that CCTV could be installed to help any vulnerability to crime i.e. that this is not necessary in order for the development to be approved. They also do not advise that CCTV should be installed externally. CCTV installed internally cannot be controlled by planning conditions. The area is already covered by CCTV cameras on the opposite side of Eastfield Road, demonstrating that this area is protected by crime prevention measures. The Crime Prevention Design Team have also confirmed that this area is a low risk of vulnerability to crime.

In light of the above, a proposed condition requiring external CCTV to be installed and retained in perpetuity is not considered necessary and reasonable in order for this development to be granted, thus not meeting the tests of NPPF Paragraph 56.”

Having reviewed the applicant’s comments, and in particular the fact that a CCTV camera covering the area already exists nearby, Officers agree that condition 4 does not fit the NPPF tests of conditions and is neither necessary nor enforceable. Therefore, it is recommended that condition 4 be omitted.

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