



## PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 1 SEPTEMBER 2020  
1.30 PM

VENUE: [Peterborough City Council Youtube page](#)

### SUPPLEMENTARY AGENDA

Page No

**Additional Information**

**3-13**

**Additional Information**

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. Audio-recordings of meetings may be published on the Council's website. A protocol on this facility is available at:

<http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=Protocol%20on%20the%20use%20of%20Recording&ID=690&RPID=2625610&sch=doc&cat=13385&path=13385>

**Committee Members:**

Councillors: G Casey (Vice Chairman), C Harper (Chairman), P Hiller, R Brown, Warren, Hussain, Iqbal, Jones, B Rush, Hogg and Bond

Substitutes: Councillors: N Sandford, Simons, M Jamil and E Murphy

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – [daniel.kalley@peterborough.gov.uk](mailto:daniel.kalley@peterborough.gov.uk)

**CASE OFFICERS:**

Planning and Development Team: Nicholas Harding, Sylvia Bland, Mike Roberts, Janet Maclennan, David Jolley, Louise Simmonds, Amanda McSherry, Matt Thomson, Asif Ali, Michael Freeman, Jack Gandy, and Carry Murphy

Minerals and Waste: Alan Jones

Compliance: Clive Dunnett, Julie Robshaw, Glen More, Andrew Dudley

**NOTES:**

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer, Head of Planning and/or Development Management Manager as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

## PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

1 SEPTEMBER 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.

**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>
5.1	20/00480/FUL - 21 The Village Orton Longueville Peterborough PE2 7DP	Danielle Erridge	Applicant
5.2	20/00729/FUL - Cedar House Sommer Close Thorney Peterborough	Nathan Proctor	Applicant
5.3	20/00480/FUL - 1 Rectory Lane Glinton Peterborough PE6 7LR.	Cllr Holdich  Robert Johnson/John Haste Parish Clerk	Applicant  Parish Councillor

Page Break

## BRIEFING UPDATE

### P & EP Committee 1 September 2020

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1 .	20/00480/FUL	<b>21 The Village Orton Longueville Peterborough PE2 7DP</b> , Construction of 1no. detached dwelling house and 1no. detached garage

A further letter of representation has been received from the occupier of 21a The Village reiterating their objection to the siting of the proposed detached garage in relation to their property and suggesting a route for construction traffic. A photograph has been provided which is included in the Committee presentation.

Orton Longueville Parish Council has the following material observation for the Planning and Environmental Protection Committee to take into consideration when making their decision on this application:

The scale of the development goes against the existing built environment and agrees with Highways in their plethora of objections (access width, visibility splay, distance to junction, land ownership et al).

2 .	20/00729/FUL	<b>Cedar House Sommer Close Thorney Peterborough</b> , Proposed building contractors yard and building
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Additional comments have been received from Councillor Nigel Simons supporting the application:

I fully support this application along with the neighbouring property to the application.  
I understand the officer's predicament in some applications.

I feel this application supporting rural enterprise should be encouraged, the small amount of agricultural land being used is insignificant in my personal opinion.

I hope the committee have had a chance to view the location in person? Which is just off a private road alongside the very busy A47 outside of the village.

I feel farmers are able to build agricultural buildings with no or little planning permission very similar to this application.

So I feel such enterprise in rural areas should be encouraged.

I ask the committee to support this application.

#### Written Statement

**Mr Nathan Proctor** has registered to speak on this application. In the event that the technology fails during his speaking period, a written statement has been prepared. This is attached at Appendix 1.

3 .	20/00782/HHFUL	<b>1 Rectory Lane Glinton Peterborough PE6 7LR</b> , Erection of a single storey detached double garage with attached covered walkway, first floor extension and single storey rear extension with conversion of existing garage
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No Further Comments

2 .	20/00729/FUL	<b>Cedar House Sommer Close Thorney Peterborough</b> , Proposed building contractors yard and building
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Hi my name is Nathan Proctor. We moved into the village of Thorney approximately 5 years ago after purchasing what is now Cedar House, previously an old dilapidated house on the old A47. After purchasing we gained planning permission to demolish the old house and build now our family home in a great location, where we plan to stay.

I am Director/owner of Woodgate Developments Ltd, as is my sister Rachel who has just recently moved to the village. We are mainly a new house building developer, providing new housing in local areas; Peterborough City Council, South Holland, Fenland, West Norfolk. At present the business operates from 2 locations, a small office connected to our parents house, (as the whole family has a building background) and a yard/storage area in Murrow which is shared.

These new proposed facilities are much needed now to take the business further, as the existing facilities are not adequate, and being this close to home will be a massive advantage to me with the day to day running of the company. I am happy to accept any tie with the proposed to the existing dwelling Cedar House, and we plan to maintain the high standard on the proposed as the existing. We have a great transport link here, especially as we try and develop/build exclusively in local areas, and again would be a massive help to progress the company to the next level.

Our business currently employs people from local surrounding villages/towns, and we purchase as much as we can locally within the business. This new facility will allow us to expand and have the opportunity to employ more local people to work from this central location.

We have a plan to keep the new proposed in keeping with the existing house where possible with materials, and have a good landscaping scheme in place on the proposed scheme. The new facility will be accessed from the old A47 which we believe is more than capable. We have support from our only neighbour Sommer Barns and our local councillor and thank them both for their support.

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**Written representation by applicant, owner of 21 The Village, Orton Longueville.**

26 Aug 20

Dear Sirs

Thank you for taking the time to consider our planning application relating to the above address. We very much hope to be able to attend the Zoom meeting however, as instructed, have produced this short representation in the event of unforeseen connectivity issues.

Our proposal has been amended four times since it was initially submitted and thus the Case Officer's final report contains extracts from documents both for and against various proposals. Even as individuals who are intimately familiar with and only concerned about this particular case, we found the chronological order of events in this document hard to follow. The proposal as it stands today is now supported by the Conservation Department and recommended for approval by the Case Officer with only one objector (Ms Sproul) as detailed below. The following is a brief chronology of our application which will hopefully provide additional clarity.

Our planning application was submitted on 01 Apr 20. It was initially for an L Shaped, 1 ½ storey, 5 bedroomed property, drawing on design characteristics from numerous other properties within the Orton Longueville Village, both within and outside the Conservation Area. Of note, contrary to information contained within initial council responses, our current property (No.21) and the proposed property are wholly outside of the Conservation Area. This fact has now been corrected on more recent responses.

Despite the plot being set back nearly 30m from the highway, and the proposed property nearly 60m, our initial proposal received a significant amount of opposition from the Conservation Officer. Although not agreeing with many of his issues, we nonetheless modified and reduced the proposal three times in order to try and gain his approval. However, it appeared that he simply did not like the L shaped design and would only accept a 1 ½ storey double fronted cottage with detached garage in the corner of the plot. As such, we submitted a fourth revision which is the proposal you have before you today. As you can see this is for a 1 ½ storey double fronted cottage with detached garage in the corner of the plot.

All council departments responded to the initial (L Shaped) proposal however, not all have provided revised responses taking into account the significant changes to our proposal and our various correspondence over the last five months. Some of our correspondence has been published on the council planning portal and some has not.

Please consider the following three paragraphs as a summary of our application:

**Conservation.** The Conservation Officer did not support the L Shaped proposal however now supports the current proposition.

**Highways.** The LHA officer raised a number of concerns and questions regarding the L shaped proposal. These were largely misunderstandings in the absence of a site visit or based on factually incorrect information. We sent a document on 05 May 20 addressing all of the points raised, and again offered a site visit to clarify / discuss. No acknowledgement of our response has been received from the Highways Dept. Their initial response has not been corrected or updated to reflect the revised plan. No site visit has taken place to our knowledge. However, the Planning Department Case Officer has visited the site and is content there are no highways related issues preventing approval of our current proposal.

**Matrix Planning Limited.** There has only been one objector to any of our proposals. This is Matrix Planning Limited on behalf of Ms Sproul, who owns and lives in the adjacent property, 21A The Village. Ms Sproul was also the only objector to the outline planning that was approved by the council in 2017.

Matrix have submitted three separate objections although only one relates to the revised application you have in front of you today. Their latest submission objects to the location of the garage and makes requests regarding a legal right of way and permitted development rights. **The Case Officer has not supported any of these requests in his recommendation and we request that the committee do not support them either.** More detail on each request and the reasons not to support are contained in the Annex to this document.

Our own property (21 The Village) is considered by the Conservation Department to have heritage value. The council's Conservation Officer is content that our revised proposal does not detract from this.

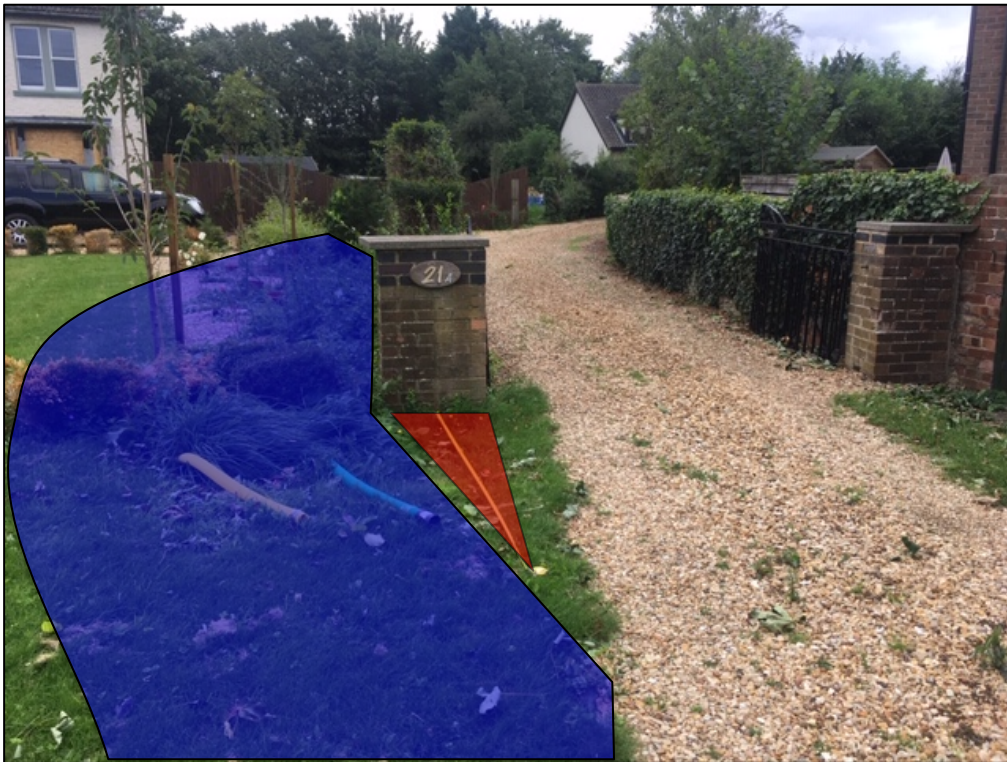
*'It is considered that the work will preserve the character and appearance of the Orton Longueville Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with the Peterborough Local Plan (2019) and the National Planning Policy Framework (Heritage Considerations).'*

**The Case Officer has recommended approval of our final proposal and we request that the committee supports his recommendation. We do however request that the committee considers minor amendments to conditions C8 and C13 as follows:**

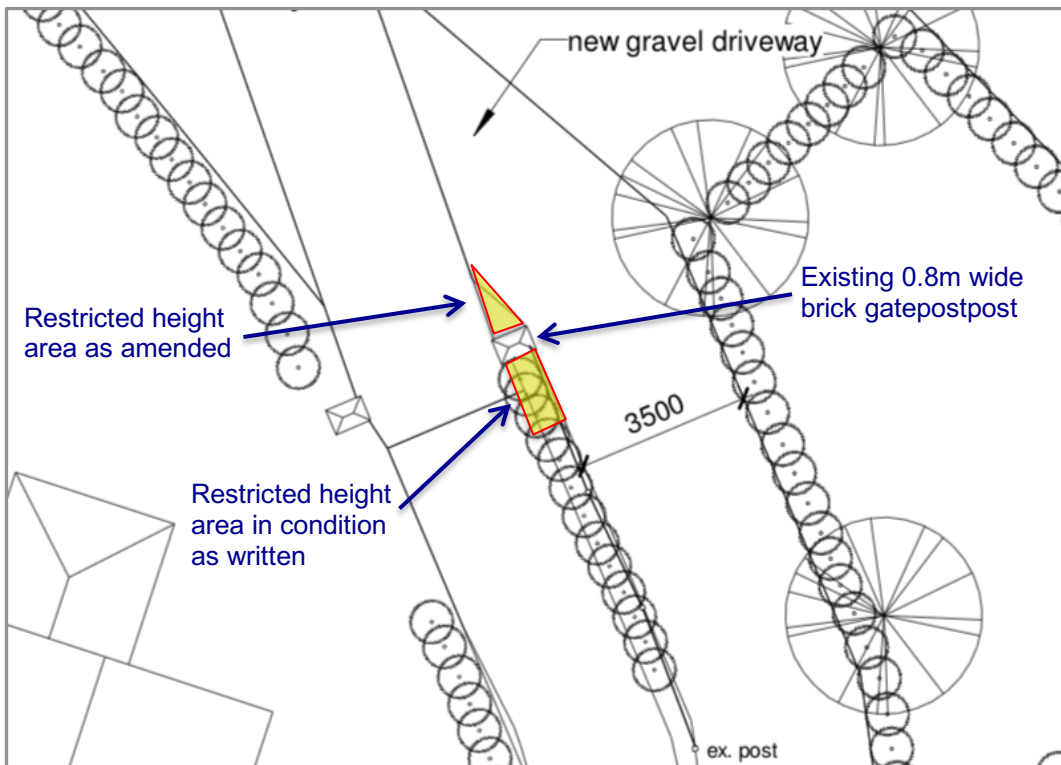
C8 This condition relates to hard and soft landscaping. We request that the last item in the list of three is removed from reserved matters, namely 'Details of any boundary treatment'. Drawing P101 Rev E already provides this detail. As shown, the plot is contained on the East by an existing beech hedge, on the South by an existing close boarded fence, on the West by an existing chain link fence and on the North again by continuation of the same chain link fence. The Northern section is in a state of disrepair due to the removal of a fallen tree however the majority of the concrete posts are still in position. This fence will be reinstated as shown on the aforementioned drawing. Planting already exists to the North West side of this fence, again as shown. There is no requirement for any temporary fencing during construction and thus the detail requested has already been submitted.

C13 This condition refers to a restriction in hedge height to 0.6m for the first 2.4m of driveway between the access for 21A The Village and the proposed property. The hedging in question is on 21A's side of the boundary. This condition, as written, presents a possible 'ransom strip' type situation by imposing a planning condition not in control of the applicant. The highways safety concern is mitigated anyway by the proposed plan without imposing conditions on the aforementioned hedge height.

The existing access lane to number 21A and the new access lane being created are split by an existing brick gate post as shown on drawing P101 and highlighted below. This gate post is 0.8m wide. With the existing and new lane running parallel and approximately 1m apart as they pass this post, a 2.4m clear zone is easily and already achieved as the two lanes gradually merge together as shown in red on the image below. There is no existing or planned planting in this area. The condition would therefore be amended to state that there will be 'no planting above 0.6m for the first 2.4m of the separation of the two lanes' or words to that effect, or the condition removed completely as it is already achieved by the proposed scheme.



Existing and proposed lane (blue) with 2.4m clear zone shown in red



Existing and proposed lanes, plan view

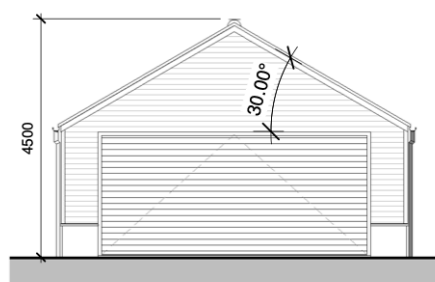
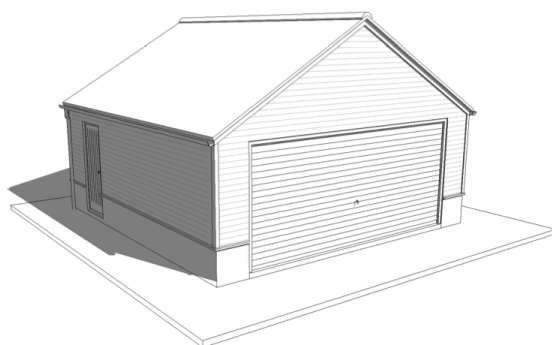
**Garage size and location****Objection by Matrix Planning Ltd**

The garage element is placed close to the common front boundary to No 21A. Although it is a smaller structure than shown in the first application it is still a large imposing building in context. This is because it is close to the front garden and windows of No.21A. It will also appear particularly dominant as viewed from the front 1<sup>st</sup> floor bedroom window.

Although a single storey building, it does in this position result in detrimental enclosure to the outlook from No.21A. This is visually harmful to the present open character of this housing cluster, and to some degree the character of the area when looking from the road back towards the house.

We can see that the applicants have tried to align the structure to minimize its impact, but this cannot offset the visual imposition outlined above.

*Please note if the garage element is removed and the land used as front garden or parking, we have no objection.*

**Applicant response**

The location of the garage is significantly further from the shared boundary than number 21A itself has been extended to (when the second garage and rooms over were added). The garage does not break the 45 degree rule from the upper floor window of 21A and the direction and height of the ridge ensures maximum views are retained from this window. The garage as drawn certainly does not cause 'detrimental enclosure to the outlook' or be 'visually harmful' as is suggested. We do not wish to further change the size, shape, orientation or position of the garage.

**Conservation Officer's comment regarding garage.**

'...It will remain quite nestled within its surroundings which is positive.'

**Case Officer's comments.**

With the sloping roof elevations, it is considered that no adverse overbearing or shadowing impacts would impact on this room. It is considered that the proposed garage's siting, orientation and dual pitched roof shape allow the neighbouring first floor bedroom to still retain both a generous outlook across its driveway as well as being able to obtain natural light provisions

## **Obstruction of a legal right of way**

### **Access for construction – condition requested by Matrix Planning Ltd**

We are pleased the revised access to the new house is now independent of the driveway to No 21A (it was previously a shared driveway along part of its length). This allows some protection of privacy.

In the event permission is approved, we ask that a condition is imposed requiring all construction traffic to only use this new access in the interests of preventing obstruction, privacy and reduction of possible nuisance.

### **Applicant Response**

Number 21 has an established legal right of way 'at all times and for all purposes' over the first part of the lane leading to number 21A. We are unsure if the council can legally enforce restricting this right as is being requested by Matrix Planning Ltd however we strongly request that this is not included as a condition, and indeed there is no reasonable grounds to do so.

Using the first part of this lane, as we do currently, will not cause obstruction and will have no impact on the privacy of number 21A as is being suggested.

The new access lane will be constructed at a time that makes sense in the scheme of development (utilities etc) also giving consideration to planting seasons. To create this lane several newly planted trees and numerous newly planted shrubs and hedging will have to be dug up and moved. These will eventually form part of the landscaping of the new property.

## **Removal of permitted development rights**

### **Removal of permitted development rights – condition request by Matrix Planning Ltd**

Condition requested re side windows. This will be necessary to prevent privacy loss outside planning control from the possible addition to the main house of side windows facing No. 21A. (unless obscure glazed).

### **Applicant response**

Any such future windows would face onto the gable of number 21A which has no windows in it, less a half glazed garage pedestrian door. Due to its proximity to the boundary 21A also does not have side access on its Eastern gable or useable space to its East. As such any additional windows obtained through permitted development rights could not reasonably cause 'privacy loss' as is being suggested. As no such restriction is in place for number 21A we request that no such restriction is placed upon us.

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