

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

**TUESDAY 15 DECEMBER 2020  
1.30 PM**

**VENUE: [Peterborough City Council Youtube Page](#)**

**AGENDA**

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<b>Supplementary Agenda</b>	<b>3-20</b>

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**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 – [karen.dunleavy@peterborough.gov.uk](mailto:karen.dunleavy@peterborough.gov.uk)

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**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

15 DECEMBER 2020 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.

**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>4.1</b>	19/01244/OUT - Gloucester Centre Morpeth Close Orton Longueville Peterborough	Cllr Farooq/Cllr Howard  Cllr Casey  Paul Rowland	Ward Councillors  Parish Councillor  Agent
<b>4.2</b>	20/00843/HHFUL - 85 Outfield Bretton Peterborough PE3 8JP	Mr Sibtain Damji  Cllr Burbage	Applicant  Ward Councillor
<b>4.3</b>	20/00001/TPO - 45 Peterborough Road, Castor		
<b>4.4</b>	Local List Update - Conservation		

## BRIEFING UPDATE

**P & EP Committee 15 December 2020**

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	19/01244/OUT	<b>Gloucester Centre Morpeth Close Orton Longueville Peterborough</b> , Outline application for the erection of up to 100 dwellings, following demolition of existing buildings, with all matters reserved except for access, together with associated public open space, highways and drainage infrastructure works

Neighbour letter sent to Mr Shailesh Vara MP:

While the country is in the midst of the worst pandemic in over 100 years, Peterborough City Council Planning Department has decided to published the revised planning application (Ref 19/01244/OUT, validated 6 September 2019) to build up to 100 homes on the former NHS Gloucester Centre site in Orton Longueville, Peterborough. This is being done during the second lock down period, which started early November.

As a reminder, at the start of the pandemic and subsequent lockdown in March 20, Peterborough City Council Planning Department had published two very important and controversial applications regarding the Gloucester Centre, Morpeth Road. First up was the “Proposed construction of bat barn and erection of bat boxes on telegraph poles (ref 20/00282/FUL)”, validated 6 March 2020. The second was an application for the “Phased demolition of all buildings within the site (ref 20/00411/PRIOR)”, validated 18 March 2020. Many residents and Orton Longueville Parish Council objected to the “approval by stealth” approach that is being used by Peterborough City Council Planning Department and their complete disregard of local Parish Council and residents’ objections and was told that they were simply following the Government guideline of “business as usual”.

Most importantly, with regard to the demolition application, I was informed by the head of Peterborough Planning that “this was a 'prior notification' application and had the council not decided the application within the timeframe specified in the legislation, then the demolition would have gained automatic consent”. If automatic consent was a given, why did Peterborough Planning put the application on the portal and invited Resident’s comments, when the application was not even required to be formally considered? There were revised and important documents that were placed on the portal the day before Peterborough Planning approved it (even though it was unnecessary). Was it Peterborough showing bias and supporting this proposal i.e. rubber stamping it to make it legal, despite the effects it would have on the local community? Further, the head of Peterborough Planning stated “As the buildings are of no architectural or historical merit we could not have reasonably refused consent”. The buildings may be of no architectural or historical merit, but they are habitats for many species of fauna, including endangered bats. Also, the flora will disappear, as they are of no significance to Peterborough City Council so-called green credentials.

The revised planning application (Ref 19/01244/OUT, validated 6 September 2019) to build up to 100 homes was placed on the Planning portal with just 14 days to respond. As most of the residents in this established, quiet residential area are 50+ years of age and many are without access to computers or social media, it will be impossible for their voices to be heard. This is exacerbated by Government guidelines to stay at home, unless for food, medicines or exercise. Further, Peterborough Planning case officer for this application has placed the following on their portal: “We ask that you avoid sending correspondence/applications in the post, and instead scan and email direct to me.....”As noted above, this instruction will preclude many, if not most, of the residents in Orton Longueville as they are mostly computer naïve and/or do not have access to computers or social media. Is this the way to reduce the number of objections to this development?

Peterborough Planning appears to be following the “business as usual” rules to the extreme. I cannot find sufficient words to express disgust that Peterborough Planning are pushing through this application without regard to the concerns of residents and the plight of the fauna and flora of this quiet haven.

I have spent time reviewing the revised plans and in reality, little has changed from the previous outline plan (which was thrown out). Savills has simply re-arranged a few houses and appear to be saving some trees. The supporting documents produced from various City Council service groups simply give "no comment" or views remain the same as previous. The WSP Arboreal is a work of fiction, since it clearly demonstrates no knowledge of bat behaviour and the tree management plan is confusing and simply does not make sense. The report was written to confuse residents. Further, Natural England has endorsed the plan, since it is not a Site of Special Scientific Interest. However, they have clearly not been informed of the fauna and flora, including endangered species that inhabit the site and must be protected by LAW. But we all know that Natural England is a political organisation and will serve its Conservative masters. One just has to look at the HS2 development to see that Natural England does not give a monkey for the environment. In case you failed to read the impact, here it is:

HS2 will destroy or irreparably damage five internationally protected wildlife sites, 693 local wildlife sites, 108 ancient woodlands and 33 legally protected sites of special scientific interest, according to the most comprehensive survey of its impact on wildlife.

Swaths of other irreplaceable natural habitat will be lost to the new high-speed line, with endangered wildlife such as willow tit, white-clawed crayfish and dingy skipper butterfly at risk of local extinction.

Peterborough Planning very much follows the view of Savills, since they have not requested placement of the bat boxes, justification of their siting, monitoring to see whether anybody is requesting a viewing (bats, of course) and how long it will take for any bats to decide to occupy these bat boxes or bat barn. What will happen to all the other displaced species is anybody's guess.

There is still no clear description of the impact of increased traffic, since the developers seem to have focussed their effort on Wainman Road, which means that all the other roads used as rat runs have been ignored by Peterborough Planning and the Developers. Given the conditions we are living under, another traffic survey will not be representative. The impact of 200+ cars cannot be underestimated. It must be noted that we have no significant comments from the Pollution Officer on the impact of this on the local community.

The layout of the development has been changed to accommodate several blocks of flats, rather than just one eyesore. Whatever the layout, flats are still not in keeping with the surrounding properties and especially if they exceed two storeys. The first plan had 7 detached houses and it now has 20 detached houses with garages. Obviously, detached houses take a larger footprint, so are we to discover these houses will be 3 or 4 storeys high? No descriptors on the plan.

I have read the correspondence between Savills and the Planning Officer (letter dated 19/10/20) and it is a typical "Boris Letter" (vague and without details). It is full of jargon, eg "pinch point", vague comments about the impact on Morpeth Close (what about Newcastle Drive, Oakleigh Drive, Thornleigh Drive, etc, etc), mentions "blocks of flats" (not in keeping with the houses on the estate) and glosses over the plight of wildlife on the site (bat licences !, bat boxes!, monitoring ?, etc).

Peterborough Planning is following the Peterborough Plan and will push through this development regardless of the impact on residents and the environment. They are determined and have power to do anything they want regardless of the distress caused to residents. They are insisting on Social housing on this site, yet have none in the Fletton Keys development. They are destroying habitat of endangered species, yet claim green credentials. They are destroying mature trees, yet have pushed for tree planting schemes. The legacy of the Great Leader of PCC will be a concrete jungle, surrounded by huge warehouses and beware if you go into zombie city centre at night.

#### Further representations received:

- Regarding the revised masterplan - I object to the number of houses/density of which is much greater than the rest of the estate.
- Recommend improving the access from Morpeth Close to Wainman Rd. and its exit on to Shrewsbury Avenue (perhaps a mini roundabout, as this junction already suffers from traffic build up) to help alleviate traffic throughout the estate.)
- The access onto Wainman Rd should remain to reduce as much as possible the increased traffic that the estate will see if these houses are to be built.

- I have just observed one individual wearing high vis jacket inside one of the buildings behind my house. There were two other individuals outside the building, one in high vis jacket and safety helmet and another dressed in street clothes. The buildings are supposed to be un-occupied and I am unaware of any demolition or clearance activity at the Gloucester Centre. I am concerned that hibernating bats may be disturbed, since wearing a hard hat implies that either the roof is going to collapse or there is activity in the roof!. Are we going to have a hey presto moment that the bats have disappeared?

Orton Longueville Parish Council:

- With regards to the report to the Planning Committee unfortunately the Residents action group are unhappy with it and seek your response on the following:
- Residents feel that the report requires editing as it contains old and out-of-date comments in respect of the first and second scheme, plus new comments on the current proposal. They have taken note that there is no site plan and minimal underpinning information to challenge and support refusal of the application.
- Residents fear that if this report is the basis for consideration by the Planning and Environment Protection Committee then they may dismiss it as full of irrelevant, as well as superseded comments/actions. Also, the applicant may seek approval on the grounds that the report supersedes and/or dismisses all concerns raised.....deeming them historical and remedied.....whereas they relate to the first and second applications without focusing on matters relevant to the current planning application. This is akin to gaining approval via the backdoor.
- Furthermore, residents recognise some of their past *easy to address comments/issues* have been acted upon but few of the fresh substantive, more relevant comments have been addressed and remain absent from the portal.

Statement by Cllr Mohammed Farooq and Cllr John Howard:

As ward councillors for the above planning application site, we have been overwhelmed by the public interest in our ward on this application. The residents have come forward with many concerns regarding this planning application. Some of these concerns are stated, as below:

- The size and the scale of the development.
- The impact on existing infrastructure.
- The proposed felling of the trees
- The impact on existing residents' gardens.
- The highway layout
- Car parking provision.
- Number of flats in a single building (scale of building)
- The additional traffic on existing roads

We, the local councillors support the local housing plan (whole heartedly) and support more houses for our city, but we are against developments in our ward which are out of character with rest of the estate and has a huge burden on the local infrastructure.

In line with the views of our residents. We object to the application on the above stated grounds.

Statement to Committee by Cllr Graham Casey on behalf of Orton Longueville Parish Council:

Good afternoon Members. I speak on behalf of Orton Longueville Parish Council, who themselves have received many representations from residents in the Area. Following the publication of today's papers the Parish Council have asked me to make the following observations.

- The proposal constitutes an undesirable intensification of residential development at a density which would be out of keeping and incompatible with existing developments in the locality;
- The Parish Council has grave concerns over **loss of green space and natural habitat**. We note that the latter is not fully resolved (*as an aside, I've never seen such a critical tree officer's report*);
- The proposal contains **sizeable high storey properties that do not meet any identified local needs for blocks of apartments**;



- The Council believes that the design, including **bulk and massing, is over-bearing, out-of-scale and out of character**, in terms of its appearance, compared to the existing built environment and other developments in the vicinity;
- **Local opinion is hugely against the development of 100 units but notes that a scaling down in numbers is still possible;**
- **The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring occupiers;**
- **Traffic and parking are already an issue in the area;**
- Residents state that **the development would adversely affect highway safety and the convenience of road users. The Council does not accept the technical evidence for closing Wainman Road or the rationale for not undertaking more relevant and contemporaneous (post-COVID-19) road surveys at the Royston Avenue junction.** We find it surprising that any expert can say that the development would not have any additional impact on the surrounding road networks.

Finally, the closure of the Wainman Road access represents a material change to the plans consulted on in the local plan. Effectively halving access routes. I would suggest that the upper limit of 100 units needs revision. This could solve a number of issues including the tree officer's objections which would currently appear to be insurmountable.

The impact of the increase in vehicles has not been established - a comprehensive highway network impact assessment has not been carried out, especially with regard to Royston Avenue, Latham Avenue, Sherringham Way and Thornleigh Drive. These roads are already extremely congested at peak times during term time. They are regularly used as rat runs and suffer as a result from accelerated wear and tear. This can be seen particularly at the junction of Sherringham Way and Thornleigh Drive.

### Update on Conditions

#### Condition 5 – Archaeology

The condition currently refers to 'no demolition' taking place until a programme of archaeological work has been submitted for approval. It is proposed to amend the condition deleting 'no demolition' as prior approval for the demolition of the buildings has been granted. The condition is reworded as follows:

C5 Save for the demolition works consented under reference 20/00411/PRIOR, no development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing. The details shall include an evaluation by trial trenching, together with monitoring of preliminary groundwork for site preparation and, subject to the results of the evaluation, monitoring of all other groundwork, including excavations for foundations, drainage features, service trenches, landscaping, etc.

No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy LP19 of the Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2019). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

#### Condition 18 – Arboricultural Report

As stated under section h) 'Landscape Implications' of the committee report there remains a disagreement regarding the categorisation of the trees and the revised Arboricultural report still contains contradictions and inaccuracies, despite further revisions to the Arboricultural report. Therefore it is proposed not to approve this document and to secure a revised Arboricultural Report as part of the reserved matters scheme.

Prior approval for the demolition of buildings within the Gloucester Centre site has been granted (ref. 20/00411/PRIOR). As part of the application a 'Tree Protection Plan' (drg. no. 70046071-TPP-EV-004 rev P04) was approved. The approved Tree Protection Plan would be referenced within the condition to advise the applicant which trees are to be retained within the layout to be considered at reserved matters stage.

Condition 18 is reworded as follows:

C18 The plans and particulars to be submitted under condition 1 shall include the following:

- An Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Scheme;
- A layout of development retaining trees as shown on drg. no. 70046071-TPP-EV-004 rev. P04 (Tree Protection Plan - Demolition) other than those shown for removal and trees T91-T94 shown within the drainage basin; and
- Details of the final planting positions for the trees identified for translocation.

The development shall thereafter take place in accordance with the approved details and Tree Protection Measures.

The tree protection measures shall be erected prior to the commencement of development or site works and thereafter retained until development within that area is completed.

Reason: In order to protect retained trees and hedges in accordance with policy LP16 and LP29 of the Adopted Peterborough Local Plan (2019).

#### Condition 25 – Off-site Highway Works

The condition has been reworded to provide clarity as to what the extent of off-site highway works would involve as follows:

C25 A scheme of off-site highway works shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in full prior to first occupation/use of the building/site.

The scheme shall include the details of the site access from Morpeth Close, links to the cycleway and closure of the link to Wainman Road and any associated signage and road markings as required.

Reason: In the interests of highway safety and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

#### C29 – Approved plans and documents

The condition has been amended removing reference to the Arboricultural Report and adding the Tree Protection Plan referred to under condition 18

C29 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

- Location Plan drg. no. 32131.001
- Proposed access drg. no. 6071-WSP-00-XX-DR-003 P02
- Tree Protection Plan - Demolition dr. no. 70046071-TPP-EV-004 rev. P04
- Preliminary Bat Roost Assessment 2018
- Bat Survey Report October 2019
- Noise Assessment July 2019
- Transport Assessment July 2019
- Flood and Drainage Strategy September 2020
- Archaeological Desk-Based Assessment July 2019
- Preliminary Ecological Appraisal July 2018
- Utilities Report August 2018

- Framework Residential Travel Plan August 2018
- Preliminary Risk Assessment – July 2018

Reason: In order to ensure that the development complies with what has been applied for.

2.	20/00843/HHFUL	<b>85 Outfield Bretton Peterborough PE3 8JP</b> , Ground Floor Side Extension with Hipped Roof, and change of use of public open space into residential garden land
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The applicant has provided some additional information in support of the application. This has been issued separately to members as it contains some confidential information.

The applicant has also provided the following statement:

**Introduction:**

My name is Sibtain Damji and I am the applicant for the above-mentioned planning application. I am writing this statement in preparation for the PCC Planning and Environmental Protection Committee which will be held on 15<sup>th</sup> December 2020. The aim of this statement is to ask for your approval for the planning application. If you do have any questions please do not hesitate to contact me at [REDACTED]. I would also like to thank you all in advance for taking time out of your busy schedule to hear this appeal.

**Background:**

85 Outfield has been a home to me and my family for the past 37 years. This home has been a fundamental part of my upbringing where I have lived all my life. My late father and mother bought this house as their first home and we have been blessed to be able to see generations grow here. As my mother grows older her needs alongside the needs of my son ([REDACTED]), [REDACTED], prompted us to consider the proposed changes last year (2019). We were considering options to allow my mother to have a bedroom on the ground floor, as she struggles to climb stairs due [REDACTED].

While we were considering the various options, someone mentioned that I could potentially buy the land next to our home, build an extension and have a garden, which would massively aid my son's needs. This was something we did not know we could do and did not even know how to. This option if viable, would alleviate my worries and the stress I am under, to provide an accommodation on the ground floor for my mother to help with her health, as well as maintaining our family home.

In June last year, 2019, I started to explore this option and it led me to NPS, a company that deals with all the PCC land sales. I spoke to Helen Rose at NPS to enquire if I was able to purchase this land and how do I go about this. Helen instructed me the direction for purchase of the land. This process took a year and got completed around June 2020, when we received an email from the PCC legal team stating that they have been instructed to sell the land. This, I believe was done after consultation with the departments internally. The price was agreed with me and the PCC legal team got the sign off to advertise the land for sale publicly for 2 weeks as a formality.

The PCC legal spokesperson, stated that she had been in touch with Mr Britton (Senior Landscaper for PCC), who suggested that I should go down the planning application side first before purchasing the land to make sure that I do not waste my money and get what I wanted with regard to the accommodation. We both thought this was a very thoughtful idea and a helpful suggestion.

Following this, I instructed my architect to produce the drawings for planning submission. The planning application was loaded on the portal on 7<sup>th</sup> July 2020. The layout was just right to cover our needs as a family.

The case was at that time assigned to Mr Joe Davies and it seemed like the wheels were in motion. I found out that the planning application takes 8 weeks before a final decision is made, which meant that I would receive a response by 2<sup>nd</sup> September 2020 with a response. We waited patiently and didn't contact the case officer as we understood that they were doing what they needed to do. We started to see comments from the tree surveyor, who saw the plans and commented that we needed to do a tree survey.

Eight weeks had passed, (by planning laws I should have had received a letter stating that they have not been able to come up with a decision and if I would give them permission to extend the time). The letter did not arrive and to date we have not received any correspondence to suggest that an extension is required.

My architect contacted Mr Joe Davies and had a constructive conversation. Mr Joe Davies stated that he was happy with everything and was in the process of writing up a formal approval. He also requested at the time that a tress survey could be done.

On 2<sup>nd</sup> September 2020 we noted an objection on the portal from Mr Britton stating that the land is PCC owned and is in Public Open Space (POS). He also stated the land was not surplus to requirements. This statement confused me as it seemed conflicting from what I had been told by NPS and PCC Legal department. If this was not available for sale, why were they willing to sell it to me in the first place?

After having discussions with my architect, he contacted PCC and was informed by the receptionist that Mr Joe Davies had left the PCC Planning Department. We found out that after Mr Davies had left, the case was being dealt with by Mr Andrew Dudley. Mr Dudley confirmed that there was no objection with the actual form of the extension, however Mr Britton had raised an objection on the POS issue. This was confusing and as mentioned earlier I would have not gone down the route of paying the fees and getting the planning application submitted, if I had been told by the PCC this land was not available. To put the matter in perspective and to have a better understanding of this land my architect emailed Mr Andrew Dudley asking him where is it stated that this is a POS, to which we still have had received a reply to email.

I spoke to the NPS team and asked them about the document showing POS designated spaces. They stated the mapping system they use is the same as used by PCC and it does not state that this is a designated Public Open Space. Please see **appendix 1** which shows the area in blue as Amenity Open Space and the area of land I am looking to purchase is not covered in blue.

Weeks passed and still no contact or movement, until my friend whom I was sharing my grievances with, contacted a Councillor from my ward. An email was sent to Mr Nick Harding from the Councillor for an update who was assured Mr Harding would be responding back to him within 2-3 days.

Following this, I contacted Mr Harding, to explain my case to him. He informed me that this case had not been dealt with properly by the planning team, and he assured me he will look into this for me. He also confirmed that Mr Andrew Dudley was leaving the planning department.

After a few more calls with Mr Harding about the progress, he stated he was concerned that the tree would need maintenance. But he couldn't refuse planning permission based on this.

A few days I felt that this is not moving forward, I contacted Councillor Chris Burbage. He looked into this case for me and has given his full support and confirmed that this application has not been dealt with in the correct manner.

Looking at the progress with this application on the planning portal it has come to light that on Thursday 26<sup>th</sup> November the planning title changed from: 20/00843/HHFUL | Ground Floor Side Extension with Hipped Roof to 20/00843/HHFUL | Ground Floor Side Extension with Hipped Roof, and change of use of public open space into residential garden land. I'm still trying to understand what was the reason of changing the planning reference at this stage?

### Summary

I am only doing this application to keep my family home and be able to cater for the needs of my family. [REDACTED]

[REDACTED] During all of this time, we as a family are [REDACTED] in spring 2021. The land beside my house has never been used for playing, picnic or any ball game. The area is adjacent to the public parking. This portion of the area, which I've got the sale documents of is very small compared to the overall size of the land measuring 322m<sup>2</sup> approximately while the area of the land allowed for the sale to me is 89.89m<sup>2</sup>. Below are some of my comments/finding from the whole planning experience and statements

forth because of the POS. Since the plans submitted had not changed, I am confused as to the change in the narrative in the second statement.

Regarding the tree, I would like to point out that the tree has not got a TPO (Tree Preservation Order) classification.

We have gone and got a tree expert's opinion on the matter of the location of the tree in relation to the proposed extension. A full report has been uploaded on the portal. The report states that the root of the tree encroaches in the corner of the extension by a minimal amount and would not be detrimental to the tree. The report also gives a health classification of B to the tree and advises as follows:

*Management recommendations are aimed at health and safety of this tree within a public setting, by removal of the dead branches, and crown lifting to create a clearance over the adjacent car park area.*

I would like to point out that we are talking about a tree that requires immediate maintenance for safety reasons as is in dire need of pruning. The branches are overhanging everywhere and some falling all over the POS and the Public Car Park. This is also one of the reasons the expert has suggested that the crown of the tree to be lifted for safety.

The arboriculture report also states: *There should be no significant loss to the landscape when the plot is viewed from the wider area, as the trees are all recommended for retention. In order to construct the extension, a small portion of the Root Protection Area may be lost, this is tolerable, however the remaining area of the RPA is to be left intact of any further disruption.*

If there was any danger to the tree, the expert would have highlighted this in the report and would have stated that the proposal for the extension would not be a viable option.

1. **Mr Britton stated the land is not surplus to requirements or willing to sell:** I find this conflicting because if this was the case, I would have not wasted anyone's time or my hard-earned money to go through the planning process. The council legal team has already sent the purchase contract to me for final sign off. I am still confused as to what is happening as the legal team had done their due diligence to advertise the land for sale along with NPS.

I refer to the statement by Mr J Collingridge (budget holder) stating: *that he would support the sale but like to see suitable remuneration included for replanting of shrubs in another area.* The price for the sale was agreed and as far as I am concerned. PCC can use the funds from this sale to create better landscape in PCC's owned land.

2. **Tree officer statement dated 14/07/2020 and 26/11/2020:** The two statements submitted by the Tree Officer contradict. In the first statement the Tree Officer does not object to the plans, however, in the second statement the objection was brought

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*Management recommendations are aimed at health and safety of this tree within a public setting, by removal of the dead branches, and crown lifting to create a clearance over the adjacent car park area.*

I would like to point out that we are talking about a tree that requires immediate maintenance for safety reasons as is in dire need of pruning. The branches are overhanging everywhere and some falling all over the POS and the Public Car Park. This is also one of the reasons the expert has suggested that the crown of the tree to be lifted for safety.

The arboriculture report also states: *There should be no significant loss to the landscape when the plot is viewed from the wider area, as the trees are all recommended for retention. In order to construct the extension, a small portion of the Root Protection Area may be lost, this is tolerable, however the remaining area of the RPA is to be left intact of any further disruption.*

If there was any danger to the tree, the expert would have highlighted this in the report and would have stated that the proposal for the extension would not be a viable option.

- 3. Mr Britton and Mr Nick Harding state this POS is not surplus to requirement:** I would like to bring to your attention to the PCC Planning and Environmental Protection Committee meeting held on 24<sup>th</sup> November 2020 for the extension of Heltwate School. Please refer to the link: (<https://youtu.be/encQtUqtWJY>). Approximately 15 minutes into the meeting, Mr Harding stated the Bretton Ward has 13 hectares of surplus POS. The Heltwate School POS worked out to be 5% of the 13 hectares, whereas my land would work out to be 0.0007%. I understand through my own research, schools have a different criterion when it comes to planning applications. The POS granted to this school was actively used by members of the Bretton area. Whereas my land has never been used and is more commonly used for fly tipping, unwanted waste and anti-social behaviour. This can be backed up by the 37 years I have lived in this property, coupled with the fact that there has been no objection raised by the neighbours for the application submitted (**please see point 4**).

The land adjacent to my house where the extension is proposed is covered with un kempt hedge row. There will still be landscaping around this area and would still hold a large area of green space with soft landscaping. Mr Harding also states: *Their importance is emphasized as they provide visual greenery and amenity to the built form, providing areas where informal play and recreation can take place. These areas provide accessible, informal open spaces to the surrounding hard landscapes and become valued by local residents. If this land was ever used we would agree with this statement.* However, this land has never been used for any of the above mentioned reasons and if the local residents did use this for the above intended reasons then my statement in **point 4** would not be valid. May I also state here that the extension mainly covers the row of hedges against the gable wall of my property, which is hardly maintained.

4. **There were no objections from my neighbours on the application submitted**
5. **No official notification received from the planning team that the time had overrun and no extension was ever requested by the planning department (non-determination):** This I believe is part of the procedure by the planning department, which had not been followed. It has now been 22 weeks (as at 5<sup>th</sup> Dec 2020)
6. **Support from my local Councillor Chris Burbage:** I appreciate the support from my local Councillor, Chris Burbage.
7. **Maintenance costs issue:** There is a statement from the tree officer about the maintenance for the tree. The land I am looking to purchase would reduce the cost of maintenance to the council, as the extension would replace the hedge row. The tree would already have a yearly budget set aside for pruning. The savings on the hedge maintenance could be utilised in maintaining the tree. Regarding the leaf litter, this tree already litters into my current garden space and not once have we ever complained about this.
8. **Several Case Officers Assigned to this application:** Due to the number of case officers allocated, it seems there has been some lack of handover in understanding the core matter of the case. There have been three (3) case officers in succession to head this planning application. I believe the planning procedures are followed with the same principals and planning policies. What is hard to comprehend here is how 3 officers had come to different conclusions on one application – see below;

*Case Officer 1: Mr Joe Davies:* Mr Davies stated that he was happy with the application as a whole and was writing up a formal approval.

*Case Officer 2: Mr Andrew Dudley:* Mr Dudley again verbally stated to my architect he had no issue with the form of the building, however didn't know what to do about the open space issue.

*Case Officer 3: Mr Nick Harding:* From first contact stated this should be a refusal.



If this department all work off the same planning policy guidance, it causes me consternation how they have all come to different outcomes. Therefore, having 3 officers has meant that this application has had many inconsistencies in its review and by these inconsistencies I as an applicant have been thrown from pillar to post.

9. **Anti-Social behaviour and Fly Tipping:** I stated that we had problems with Anti-Social behaviour and fly tipping, I would like to point out that these problems don't have to be reported to be considered. I have time and again engaged with the individuals who use the space around the bushes to drink and smoke illegal items. The reason being are as follows:

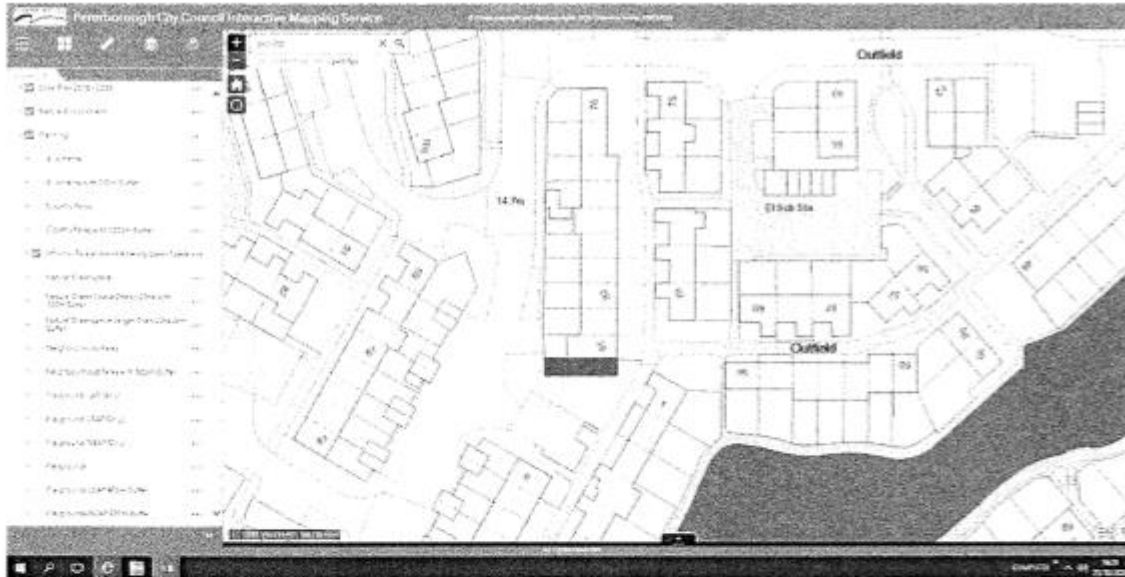
- i. The police have more pressing matters to deal with and so far, I have managed to quell the matters around my house.
- ii. If I contact the police I fear that there would be more repercussions towards me and my family. I work a fair distance away and this would leave my family vulnerable if these were to happen.
- iii. If you want a recent example, in November this year we had numerous eggs thrown at our house, but I just cleaned up the mess, without the involvement of the Police Service.

**Mr Harding also states:** *The proposal would result in the new boundary fence directly abutting the grassed area potentially making the property at greater risk of being impacted upon by anti-social behaviour. The loss of part of part of the public open space to development does not appear to reap any benefits as regards to reducing anti-social behaviour, especially as the more than half the area existing open space will remain.* I believe this statement to be incorrect. The reason being is that by removing these bushes for the extension the space would be put to good use and that any further congregation by the crowd would be under passive surveillance by the residents which would be pushed away from the corner of the estate.

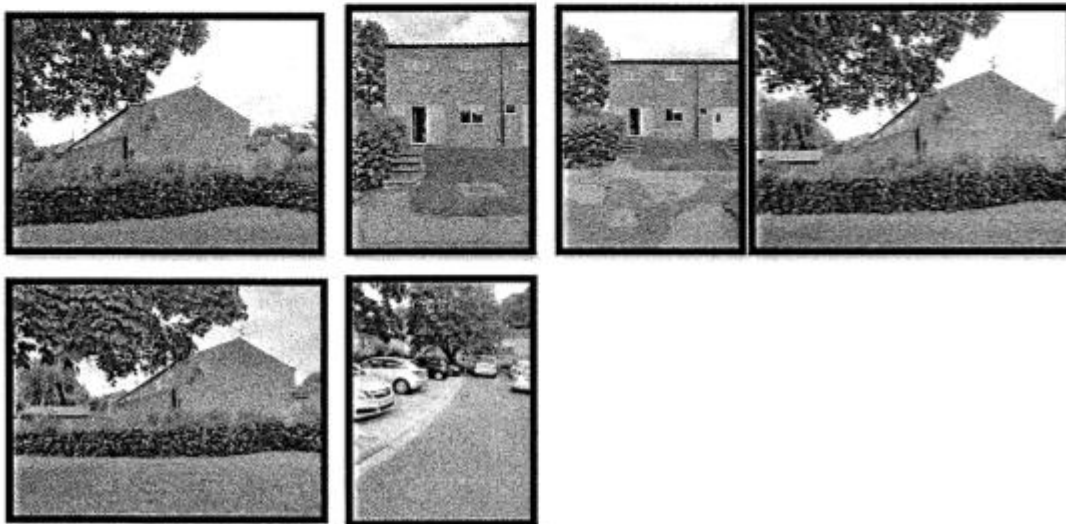
In regards to fly tipping, again the same reason as above (i) and I take it upon myself to clean this up and dispose of as and when necessary.

I submit this statement for your consideration due to the fact that this case has not been dealt with in the manner it should, with due diligence and consistency. I therefore humbly request that you consider the case with the view to granting the planning permission, as indicated by Mr Joe Davies, the initial planning officer. This would solve my dire need to provide a comfortable accommodation for my mum and assist my son for an improved quality of life. Thank you very much for your time and if you have any questions please do not hesitate to ask. I have also attached some images of the land in **appendix 2**.

Appendix 1:



Appendix 2:



**CLLR BURBAGE**

I write in support of the above mentioned planning application, for Mr Sibtain Damji, and urge you to do likewise.

Mr Damji has been a resident in this house at 85 Outfield for nearly 40 years, and this is the home he has built for himself and his family.

When he originally submitted his application for the extension of his boundary fence to take in the land to the side of his property, with the intention of building an extension to his family home, was told by the PCC legal officers, that the land was available to purchase, and a price was agreed. He was advised by Mr Britton, a senior landscaper for PCC, to submit plans in full for the use of the land and the extension to his property. Mr Damji, the had all the plans drawn up and the application was submitted. Without repeating the information, supplied to you by Mr Damji, fast forward three case officers, and numerous conflicting levels of support from case officers. This has been over a year now, and no decision has been made.

As a city councillor for Bretton, I am very aware of the piece of land that Mr Damji is looking to purchase, and extend his property on, and it is nothing more than a small, grassed area, with scrubland bushes. It is regularly used as a dumping ground for litter, and is unused by any local residents for any recreational purpose. Indeed, there have been no objections from any of his neighbours to the proposals he has submitted.

The need for additional downstairs room, to provide accommodation for his mother in later life, who has XXXXXXXXXXXXXXX, and the need for more space for his growing son, who now at 7yrs old, has XXXXXXXXXXXXXXX, Mr Damji relies on your support, in allowing him the opportunity to provide a suitable living space for his family in their home.

I do hope you will see fit to approve this application.

3.	20/00001/TPO TPO Reference	TPO Confirmation 45 Peterborough Road, Castor
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No Further Comments

4.		Local List Update – Conservation
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No Further Comments

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