



**MINUTES OF AN EXTRAORDINARY MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 25 MARCH 2014**

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, Kreling, Shabbir, Sylvester, Harrington and Ash

Officers Present: Nick Harding, Group Manager Development Management
Louise Lovegrove, Development Management Officer
Julie Smith, Highway Control Manager
Mike Rowan, Interim Head of Legal Services
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor North, Councillor Todd, Councillor Casey and Councillor Lane.

Councillor Kreling and Councillor Ash were in attendance as substitutes.

2. Declarations of Interest

There were no declarations of interest.

3. Development Control and Enforcement Matters

3.1 14/00088/PRIOR – The Old Bakery, 31 Huntly Grove, Peterborough

The application was for a change of use of a two-storey detached office building into a residential home. The area surrounding was predominantly residential and there was an area of hardstanding to the front of the property and a rear car park accessed via a dropped kerb from Huntly Grove and driveway which ran along the side of the building.

The application was submitted in accordance with Part 3 Class J Paragraph N(9)(a) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which sought confirmation as to whether the prior approval of the Local Planning Authority was required for a change of use from B1 offices to C3 residential.

The Development Management Officer provided an overview of the application and advised that the officer's recommendation was to consider that prior approval was not required.

Councillor John Peach and Councillor John Shearman, Ward Councillors, addressed the Committee and responded to questions from Members. Key points highlighted included:

- The proposed site was alongside a historic dry stone wall that dated back 700 years;
- There would not be enough parking spaces in the area;
- The ground floor flats would suffer from poor natural lighting;
- The situation was unusual as ordinary planning regulations were not to be considered;

- There were concerns over the general decline in the area which had also been expressed by local MP;
- Resident's parking was restricted, which would affect nearby roads;
- There could be a flooding impact as the land was below sea level;
- The development could bring twelve or more new vehicles into the area;
- The development should be opposed, particularly as there was strong feeling from local residents;
- The stone wall was confirmed as being situated within the conservation area;
- The application would not have adequate off-street parking;
- An external alteration, such as a fire escape, would require additional planning permission. This would not necessarily come back to the Committee for determination; and
- In terms of the numbers of objections received, totaling seven, it was an issue of quality over quantity. Many of the residents in the area lived in houses of multiple occupation and did not speak English as a first language.

The Group Manager Development Management addressed the Committee and made the following points:

- The application could only be considered on three matters: the development was at no risk of flooding, there was no evidence suggesting the land was contaminated and there would be negligible impact on the classified road. The recommendation was therefore to approve. None of the additional factors mentioned could be taken into consideration; and
- If the application was refused, there could be an appeal for which the Council would be liable for costs.

Members debated the application and the following points were raised:

- Officer's points were clear and there were no grounds on which the application could be refused. The Council could not afford to award damages;
- Prior approval should be acquired – six bedsits were inappropriate for the area and there would not be enough parking spaces. There would be too many cars on the road; and
- Criteria such as amenity and parking could not be considered by the Committee.

A motion was proposed and seconded to agree that prior approval be not required, as per officer recommendation. The motion was carried by 4 votes, with 3 voting against and 1 abstaining.

RESOLVED: (4 for, 3 against, 1 abstaining) that prior approval be not required, as per officer recommendation, subject to:

1. The conditions numbered C1 to C2 as detailed within the committee report.

Reasons for the decision:

Upon assessment of the proposed development and following consultation with relevant bodies, it was considered that the proposed development would not result in any unacceptable impact upon the safety of the public highway, contaminated land, increased flood risk elsewhere or be at risk of flooding itself.

As such, in accordance with Part 3 Class J Paragraph N(9)(a) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the prior approval of the Local Planning Authority was not required.

Chairman
5.00pm - 5.47pm