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MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 14 MARCH 2017

Members Present: Councillors Harper (Chairman), Serluca (Vice Chairman), Bull, Casey, Hiller, Stokes, Clark, Martin and Ash

Officers Present: Lee Collins, Development Management Manager
Chris Gordon, Planning and Highways Lawyer
Jane Webb, Senior Democratic Services Officer

1. Apologies for Absence

Apologies were received from Councillor Bond.

2. Declarations of Interest

No declarations of interest were received.

3. Members' Declaration of intention to make representations as Ward Councillor

No Members' declaration of intention to make representations as Ward Councillors were received.

4. Minutes of the Meeting Held on 24 January 2017

The minutes of the meeting held on 24 January 2017 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 17/00003//HHFUL – 2 Cowper Road, New England, Peterborough

The Committee was presented with an application for the construction of a detached outbuilding to the rear.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report and update report.

Gordon Smith, agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- This outbuilding covers a third of the garden and not half as reported.
- The report overstates the harm, the outbuilding looks good and neither obtrusive or dominant.
- Representation had been received from the neighbours living at Number 4 in support of the application.

- The applicant has a fall-back position should the committee enforce destruction of the building and that would be to remove the roof.
- The applicant had taken a risk building the outbuilding before acquiring permission but the Agent understood why he had taken this route.
- The building had been finished to a high standard and was located at the bottom of the garden with no more than normal impact on neighbours.

The Committee asked questions of the officer and received responses as follows:

- If Members were minded to go against officer recommendation then it would be advisable to impose a condition which prevented the outbuilding being used as a separate residential building and state that it could not be occupied and was to remain ancillary to the main residence. This would prevent the building from being rented separately as a self-contained unit and limit its use to that proposed as a gym/study or playroom.
- Confirmed that the building took up 42% of the garden, as opposed to 38% stated by the Agent and therefore was nearly half the garden. Permitted development allows 50% of a garden to be use but was subject to height conditions. Beyond 50% each case was judged on its own merit.

The Committee discussed the application and the fact that it was only the height of the building that was an issue with regard to permitted development and were in agreement that it did not overlook the neighbours and did not cause harm to the area. It was an urban area of reasonably high density with large gardens, the building was not prominent from the street and was built to a high standard.

A motion was proposed and seconded to agree that planning permission be approved, contrary to officer recommendation with the added condition regarding occupation of the building and the removal of permitted development rights. The motion was carried 6 voting in favour, 3 voting against and none abstaining.

RESOLVED: (6 voted in favour, 3 against and none abstained) that planning permission is **GRANTED** subject to the two conditions previously stated and for the following reason.

Reasons for the decision:

The proposal was considered acceptable due to:

- There being no impact on the surrounding area,
- The building was well presented
- The building height was not onerous or overlooking the neighbourhood,
- The building was well presented
- Conditions added to remove permitted development rights and the installation of windows to the side of the property.

5.2 17/00228/HHFUL – 61 Taverners Road, Millfield, Peterborough

The Committee was presented with an application for external installation to the front elevation.

The Development Manager provided an overview of the application and highlighted a number of key issues within the report.

The Committee asked no questions of the officer.

The Committee were in agreement that the only reason the application had come to Committee was because the applicant was a Peterborough Councillor otherwise this would have been straightforward and therefore the Committee had no reservations in supporting the application.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was unanimous.

RESOLVED: (unanimously) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision:

Subject to the imposition of the attached conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The proposals will not unacceptably harm the character of the area. In accordance with policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policies PP2 of the Peterborough Planning Policies (DPD) 2012.

5.3. 17/00229/HHFUL – 59 Taverners Road, Millfield, Peterborough

The Committee was presented with an application for external installation to the front elevation.

The Development Manager provided an overview of the application and highlighted a number of key issues within the report.

The Committee asked no questions of the officer.

The Committee were in agreement that the only reason the application had come to Committee was because the applicant was a Peterborough Councillor otherwise this would have been straightforward and therefore the Committee had no reservations in supporting the application.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was unanimous.

RESOLVED: (unanimously) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision:

Subject to the imposition of the attached conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The proposals will not unacceptably harm the character of the area. In accordance with policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policies PP2 of the Peterborough Planning Policies (DPD) 2012

7. Planning Compliance Quarterly Report on Performance December 2016 to February 2017

The Development Manager presented a report to the Committee, which outlined the Planning Service's planning compliance performance and identified if there were any lessons to be learnt from the actions taken.

The Committee discussed the report and commended the team on their performance

RESOLVED: that the Committee noted the past performance and outcomes.

Reasons for the decision:

To help inform future decisions of the Planning and Environmental Protection Committee and potentially reduce costs.

Chairman
1.30pm – 2:20pm



PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 14 MARCH 2016 AT 1.30PM

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**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 – 14 MARCH 2017 AT
1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No.	Application	Name	Ward Councillor/Parish Councillor/ Objector/Applicant/Agent/ Supporters
5.1	13	17/00003/HHFUL – 2 Cowper Road, New England, Peterborough	Gordon Smith	Agent
5.2	21	17/00228/HHFUL – 61 Taverners Road, Millfield, Peterborough	-	-
5.3	27	17/000229/HHFUL – 59 Taverners Road, Millfield, Peterborough	-	-

BRIEFING UPDATE

P & EP Committee 14 March 2017

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1 .	17/00003/HHFUL	2 Cowper Road New England Peterborough PE1 3JX, Erection of detached garden building - retrospective (Resubmission)

Clarification

Following Member's site visit, it was requested that Officers provide clarification as to the size of the proposed detached garden building in relation to the rear garden. It can be confirmed that the proposed building, in addition to the small strips of land to the side and rears which would no longer be usable garden space, account for 42% of the rear garden of the site.

Additional representations

One letter of support has been received from the occupant of No.4 Cowper Road as follows:

My apologies for writing this letter of support so late in the process but I have just been made aware of the likelihood of you refusing permission to retain this development. I am very surprised at this news, and ask that you instead grant planning permission. My reasons for support are:

- *Both this outbuilding and the other improvements undertaken to this property are to the highest standard.*
- *The outbuilding in question, and the property overall, has been made to look very attractive and is a credit to the wider area (that has not otherwise seen such investment).*
- *My garden is to the north of this outbuilding, and there is no interruption to my sunlight to any marked degree given it is at the end of my 24 metre long garden.*
- *It looks good, fits in very well with the character of the area, is smaller than some outbuildings in the area, and is not in any way obtrusive.*
- *A large garden still remains at Mr Singh's house.*

Please reconsider your decision to refuse as the present structure exists without any harm, and I fear enforcement action to secure its removal will only end up with a mess.

I attach a photograph taken from my garden that shows you my outlook. I have worked out that the nearest part of the outbuilding to the rear windows of my house is about 16 metres.



Councillor Nadeem has submitted the following additional representation of support directly to Members (also enclosing the above letter of representation):

You are visiting the property at 2 Cowper Road (North Ward) on your site visits this Friday, and I Respectfully ask that you take particular care to note my views that the officers' report overstates the harm. On inspecting the application site, I request that you have a careful look at the following:

1. *The recommended Refusal reason 1 states that it occupies half the garden. It does not, it is closer to a third only. The rear garden measures approximately 75m². The extension is 45m², being approximately 38% of the rear garden. There is another building of comparable size (but far from attractive) and this is at the back of 14 Cowper Road - 6 houses to the north. You may see it on your site visit. So I really cannot see how this outbuilding 'fails to respect the character and built form of the locality'.*
2. *Refusal reason 2 uses extravagant language to suit the conclusion yet is really overstated. The report sees the outbuilding is somehow 'obtrusive and dominant'. It is important to note the report accepts there is no such harm to other gardens. You will see when you are there that the neighbour to the north at 4 Cowper Road – the only affected garden as accepted by officers - has a very long garden 23m in length. Page 4 of the report (see the second to last paragraph) states that the outbuilding occupies half the length of No 4's garden. I suggest it is actually a quarter (i.e. 7.5m outbuilding depth /29.5m garden depth) and that this quarter is adjacent to the end of the No 4's garden. This is not a large amount, and is nowhere close to the more valuable private space close to the house.*
3. *No 4 Cowper Road actually supports the outbuilding and their comments are attached.*

You will be able to make your own minds up once you have been down there, but I request to all my fellow councillors that you consider this outbuilding more sympathetically than officers in the light of the above comments.

2 .	17/00228/HHFUL	61 Taverners Road Millfield Peterborough PE1 2JP , External wall insulation with rendered finish to the front elevation
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No further comments.

3 .	17/00229/HHFUL	59 Taverners Road Millfield Peterborough PE1 2JP , External wall insulation with rendered finish to the front elevation
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No further comments.