

PETERBOROUGH



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING**

**HELD AT 1:30PM, ON
TUESDAY, 3 APRIL 2018**

BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors Over, Stokes, Clark, Martin, A Iqbal, Ash, Bond and Hiller

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Simon Ireland, Head of PCC Highways

68. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bull and Serluca. Councillor Over attended as substitute.

69. DECLARATIONS OF INTEREST

Councillor Bond declared a personal interest in item 5.2 by virtue of having previously spoken on the application at a previous meeting.

**70. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS
WARD COUNCILLOR**

None were received.

**71. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING HELD ON 30 JANUARY 2018**

The minutes of the meeting held on 13 March 2018 were agreed as a true and accurate record.

Save for altering the application details under item 67.2 to read 17/01087/FUL - Land to the West of, Uffington Road, Barnack, Stamford

With regards to item 67.2 to alter from Mr Harry Bressey to Mr Harry Brassey

72.1 17/02375/FUL - MORRISONS LINCOLN ROAD, PETERBOROUGH, PE4 6WS

The Planning and Environmental Protection Committee received a report in relation to seeking planning permission for the construction of a two-storey restaurant with associated drive-thru, car parking, landscaping and associated works, two customer order displays and canopies.

The Head of Planning introduced the report and update report. Highways had identified restricted hours of servicing for when the junctions were not being heavily used.

The Planning Committee and Environmental Committee debated the report and in summary, key points raised and responses to questions included:

- Given the location of the facility it was in the interests of motorists that heavy goods vehicles (HGV's) were not allowed into the car park. This was the reason for the layby location.
- Highways accepted the restricting of the servicing hours reducing any disruption.
- The site enjoyed good public transport links and a number of regular bus services past the site.
- HGV's had the facility to turnaround in the Morrison's service area.
- The addition of fast-food services was generally welcomed by the public.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (9 For, 1 Abstention) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

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

- The proposal has demonstrated that it would be suitably connected to the City Centre by a range of public transport means and that there are no sequentially preferable sites which are currently available that could accommodate the proposed development. As such the proposal is considered to accord with Policies CS15 of the Peterborough Core Strategy DPD (2011), PP9 of the Peterborough Policies DPD (2012) and Paragraph 24 of the NPPF (2012);
- The proposed development would not have an unacceptably harmful impact on the character or appearance of the area, and would therefore accord with Policies CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2 of the Peterborough Policies DPD (2012);
- The proposed development would not unacceptably harm the amenity of adjoining neighbours, and would not exacerbate issues of crime and anti-social behaviour within the area, and would therefore accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012); and
- The proposal would not result in a highway safety hazard and sufficient car parking can be provided to serve the existing and proposed development, thereby according with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 and PP13 of the Peterborough Policies DPD (2012).

1.50pm - At this point Councillor Bond withdrew from the meeting due to having a declared an interest in the item below.

72.2 18/00092/HHFUL - 8 BORROWDALE CLOSE, GUNTHORPE, PETERBOROUGH, PE4 7YA

The Planning and Environmental Protection Committee received a report in relation to planning permission being sought for the construction of a single storey extension to the rear of the property. The proposal would project 4.4 metres in depth and would measure 5 metres in width. The extension would include a flat roof set 2.9 metres high from ground level. In addition to the flat roof, a pitched roof light would be fitted on top of the flat roof, which would measure 3.6 metres high from ground level.

Two ground floor windows are also proposed to the side elevation of the dwellinghouse. One window would be fitted to the original house and would serve a dining room. The second window would be fitted to the side elevation of the proposed extension serving the kitchen.

The Head of Planning introduced the report and update report. This had previously been considered at an earlier committee where it was refused due to the large scale of the extension.

Councillor Julia Davidson Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- This application was not in keeping with Peterborough Planning Policy 3 (PP3) as this application was not in keeping with existing and surrounding areas.
- The Committee needed to take into account the design and impact on the character of neighbouring properties.
- Local residents felt strongly that this application should be refused due to the extension not being in keeping with the local area.
- This extension would impact negatively on next doors property and would cause overshadowing with the size of the extension.
- The domed roof was not in keeping with the properties in the area and would stand out over and above the extension.
- Neighbours to the rear of the property would suffer an impact as there would be windows to the rear of the extension overlooking the back garden.

Claire Jackson, a local resident, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There had been discrepancies with the original plans which had made it difficult to understand the overall scale of the proposed development.
- The extension was not in keeping with the local area. The domed roof was an eyesore and would extend out above the roof line.
- The 2.9 m extension was too long and would cause overshadowing with neighbouring properties and result in less light being emitted onto those properties directly affected.
- This was a dominating extension and would have a detrimental impact on neighbouring properties.

Mrs Terri Kitoto Luhata and Sajan Varghese, agent and applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The only issue was the impact and scale of the extension, however this was within the permitted and legal limit.
- The extension was 18m away from the back neighbours back wall.
- There was an extension already constructed on a property just a few doors down which had not caused any issues.
- The garden was East facing and therefore only some light would be lost in the morning on the neighbours property.
- From the proposed drawing there would be a small gap between the neighbouring boundary.
- A 4.4m extension out the back of the property was a standard size extension.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The regulations allowed for a permitted development of 3m tall and 3m long extension from the rear of a semi-detached property. In this instance it was only 1.4m longer in length.
- There was a degree of shadowing that might take place but this was likely to be negligible.
- The new design was much more in keeping than the previous application. This one storey extension was not detrimental to neighbouring properties.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimous) to **GRANT** the planning permission subject to relevant conditions being delegated to officers.

REASONS FOR THE DECISION:

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

- The character and appearance of the application and the surrounding area would not be unacceptably affected by the proposed development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The proposal would not significantly harm the amenity of surrounding residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- On-site parking provision would not be unacceptably affected by the proposed development, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012).

2.35pm - At this point Councillor Bond returned to the meeting.

72.3 17/00157/ENFCOU - 89 FENGATE, PETERBOROUGH, PE1 5BA

The Planning and Environmental Protection Committee received a report in relation to ensuring that the Committee supports the delegated decision to serve an enforcement notice.

The Head of Planning introduced the report and update report. Now received appeal against planning permission and enforcement notice. Operates tyre fitting business next door.

Usman Sully, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It had been unfair the number of times enforcement officers had visited the site.
- The property on site was the family home and if the enforcement notice was carried out there would be no place for the family to go.
- There were cars being sold on the site but this had stopped a number of years ago.

- The electricity connection in the rear garden was only used for a night light and no other purpose.
- There was currently an appeal against an enforcement notice in place.
- There had been no assistance from Ward Councillors.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- There had been previous enforcement notices that had not been complied with.
- A previous appeal against an enforcement notice had been dismissed by the courts.
- The location was a concern for any residential development and was not in a position to change at the current time.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to continue with the enforcement notice served. The Committee **RESOLVED** (9 for 1 against) to not withdraw the enforcement notice

REASONS FOR THE DECISION:

For the reasons set out in the officer delegated report in Appendix 1, officers consider that residential use of the property is inappropriate and therefore that the Enforcement Notice should not be withdrawn.

Chairman
1.30pm – 2.50pm