

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 11 JUNE 2019
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Jones, Hiller, Hussain, Simons, Hogg, Bond and Warren

Officers Present: Nick Harding, Head of Planning Peterborough and Fenland
Karen Dunleavy, Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Julie Smith, Highway Control Team Manager

Others Present:

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rush, Councillor Simons was in attendance as substitute.

2. DECLARATIONS OF INTEREST

Councillor Amjad Iqbal declared a non pecuniary interest in item 19/00408/HHFUL 26 Ledbury Road, Netherton, Peterborough, PE3 9RH and that he knew the family but had not been involved in any of the matters and would be impartial during the discussions.

Councillor Hussain declared a non pecuniary interest in item 5.1 19/00408/HHFUL 26 Ledbury Road, Netherton, Peterborough, PE3 9RH and that he knew the family but had not been involved in any of the matters and would be impartial during the discussions.

Councillor Brown declared a non pecuniary interest in item 19/00168/FUL - The Fenman Whittlesey Road Stanground Peterborough that he was a resident of 7 Upton Close, which was located 15 houses in distance from The Fenman.

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

Councillor Harper declared his intention to speak as Ward Councillor in relation to agenda item 5.1 19/00408/HHFUL 26 Ledbury Road, Netherton, Peterborough, PE3 9RH.

Councillor Warren declared his intention to speak as Ward Councillor in relation to agenda item 5.2 18/01307/FUL - Club House Bretton Park Flaxland Bretton.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 2 April 2019

The minutes of the meeting held on 2 April 2019 were agreed as a true and accurate record.

1.34pm - At this point Councillor Harper stood down to speak as Ward Councillor on 5.1 19/00408/HHFUL 26 Ledbury Road, Netherton, Peterborough, PE3 9RH.

Councillor Casey assumed the Chairman position.

5. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

5.1 19/00168/FUL - The Fenman Whittlesey Road Stanground Peterborough

The Committee received a report in relation to a planning application where permission was sought for the demolition of existing public house and erection of new children's nursery (D1 use) with associated car parking and landscaping (resubmission).

The Head of Planning introduced the item and highlighted key information from the report and the updated report and explained the proposal was to demolish the existing building and erect a children's day nursery in its place. There was a revised plan to relocate two parking spaces on the recommendation of the Tree Officer. The update report included site and road traffic photos. Petitions and letters of support had been received together with a considerable number of objections. Further representations had been received too late to include in committee papers but were included in the update report, from Councillors Harper, Bisby and Rush, the agent and a supporter of the scheme. In addition a late representation had been received which stated that the location was unsuitable and that there had been a collaboration between the Cardea Development and the Peterborough City Council Officers and Councillors which appeared to distort the issue of nursery provision.

Ward Councillor Harper addressed the Committee in his capacity as Ward Councillor for Stanground South and responded to questions from Members. In summary the key points highlighted included:

- The objection was about the impact to neighbouring residents due to noise, increased exhaust gases and additional traffic on an already busy junction.
- The need for additional nursery places had been established in the area however this had not allowed for the siting of the facility in an unsuitable area.
- A 600 strong petition had been submitted in favour of the development however this should be considered in context with the petition against the development.
- A map had been submitted and circulated to the Committee which illustrated the number of objections and supporters marked out in red and yellow. No residents had signed the petition in favour of proceeding with the development, that lived within a reasonable distance from the site.
- A residents meeting had been held to discuss the initial nursery plans, which was attended by 50 local residents who were against the proposal.
- There was a need for a new doctors and dental surgery in the area however the need had not justified the use of the proposed location.
- The application was contrary to planning policy due to an unacceptable increase in noise within a quiet residential area, which accommodate a large number of retired residents.

- Serious mental and physical health effects would be inflicted upon nearby residents due to a potential increase in noise, air pollution from exhaust gas and parking difficulties.
- It was unlikely that the building would re-open as a public house as it had failed to thrive over the last few years despite the attempts of several landlords and there being a large restaurant nearby.
- The application prior to the proposed development had been for a housing scheme which had received very little local objection.
- The noise disturbance generated by a public house was not comparable to that of the proposed nursery facility and the high intensity of the noise and pollution caused from the additional vehicles visiting the area would have a huge impact on local residents.
- There were existing traffic issues on Whittlesey Road with cars queuing. A yellow box had been installed recently near the traffic light junction to manage traffic issues.
- Vehicle congestion would also increase on Whittlesey Road at peak times especially when the North Bank is closed due to flooding.
- There had been the suggestion of a parking plan to limit the number of vehicles arriving at any one time and the numbers using the car park, however it was felt that such a planning condition would be unworkable and could not be effectively policed, resulting in obstructive parking in surrounding grounds and obstruction to verges, footpaths and driveways.
- The application was out of line with Peterborough City Council's aspirations to become the Environmental Capital particularly as it had not appeared to encourage the use of public transport.
- The application was contrary to Planning Policy (PP3) as it would result in unacceptable noise or disturbance for occupiers or users of nearby property or land.
- The proposal also failed PP3 which advised against granting planning permission if there would be an increased odour or pollution.
- The application was contrary to Planning Policy Core Strategy 14 (CS14) which encouraged the reduction in travel by private car.
- The application was contrary to Planning Policy Core Strategy 16 (CS16) which stated that new developments should not result in unacceptable impact on nearby amenities and properties.
- Whilst a need for additional nursery places has been established the facility would be better located in the Cardea area.
- The vehicle activity profile would change if 70 additional vehicles were visiting the site as a nursery during drop off and pick up times when compared with the traffic visiting a pub, where many people would not drive.
- The timing of vehicle visits for the proposed use would coincide with busier times of commuter traffic as the proposed opening times for the nursery would be 7am - 6pm.
- Support should be directed to a more suitable development.

Chris Goodwin, Objector addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was felt the proposed development was in the wrong location.

- There would be an increase in noise from both traffic and children which would not be mitigated by the erection of a fence.
- Traffic issues such as speeding, ignoring red lights and crossing lights, poor parking and traffic congestion were already problems in the nearby vicinity.
- Over seventy cars would be competing for sixty parking spaces, which would include staff parking.
- The developers had suggested vehicles could arrive and depart within a two hour window however, the timeframe was likely to be less.
- Parents coming in late were likely to obstruct driveways and traffic on Coneygree Road.
- Parents may have to cross a busy road and negotiate dangerous conditions with children if they cannot get parked.
- The proposed siting of the play area alongside the filling station may not meet the minimum requirements for a nursery as it was next to a busy junction with waiting traffic, giving rise to health issues. Recent health organisation and press reports had stated that 64,000 deaths were due to car pollution and that children were at risk of growing up underdeveloped lungs.
- The petition had been signed by 46 local households, whereas the petition in favour of the nursery had 600 signatures however these were not all local residents.
- If the nursery was located elsewhere the pollution and traffic concerns may be alleviated if the site was in a more open area.
- The congestion on The Fenman junction would only worsen.

Mr Slipper, the Applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Council's own analysis was that the population was growing fast in the area and the zero to four age group was expected to rise by 2,000 children by 2021. Demand amongst existing parents was increasing whilst there had been no substantial increase in child care provision in the area.
- Parents from this area were having to drive to other areas of the city for nursery care.
- Small nurseries were closing and this had a detrimental effect on the supply of available places.
- The Fletton Avenue facility had been established over 20 years and had been commended by Ofsted.
- The demand for places in Stanground and Cardea provided the commercial incentive to open a new nursery in the area.
- The site was well located for Park Farm and Cardea based families as it was enroute to workplaces and therefore the impact on traffic would be minimal.
- The size of the site was dictated by the Council's car parking requirements.
- There were no other sites large enough to accommodate a nursery in the area and childcare crises would get worse.
- The proposal had been completely redesigned following close working with the planning department to reflect concerns of the local residents.
- Anyone could open a pub or restaurant on the site with the same social negative and traffic concerns that have been raised in objections to the application.

- Over 600 parents had signed the petition from surrounding areas to support the development.
- The size of the proposed car park had been increased in conjunction with the Highways Department and there were no anticipated problems with car parking.
- The management of pollution impact on children's health was a priority to the staff and would monitor ultraviolet levels when children were playing.
- There were a large number of schools and nurseries in the city located on busy roads and such monitoring took place in these locations.
- The Highways Department had evaluated the application and had reported there would not be a significant traffic impact.
- The biggest concern for parents was convenience of a nursery placement.
- Nurseries located in a village was different to those sited in a town.
- As the site was located next to a filling station a ground investigation had been carried out which found no contamination from fuel on that site.
- The Environmental officer had not noted any level of pollution beyond what would be anticipated on a similar site with a petrol station and traffic.
- A Member commented that a study by the University of Madrid regarding buildings near petrol stations had reported that fuel emissions could have a detrimental effect on health within a 100 metre radius. The playground was directly opposite the filling station entrance. During the Summer when evaporation rates were higher, any wind would divert fumes towards the site and the effects would not manifest themselves until a considerable time later.
- House to house enquiries had been conducted by the applicant and this was reflected by the signatures supporting the application.
- A noise survey had not appeared to have been carried out.
- There were two sources of noise impact for the proposed nursery and the Applicant had worked with the relevant planning officers to redesign the application in order to mitigate these.
- It was felt by the applicant that noise from children would be negligible and the noise disturbance from traffic would be at peak times and would already be apparent. This was also reflected within the officer's report.
- The car park movements would start at the beginning and end of each day which would be for a limited amount of time.
- The proposed nursery would not be open at weekends.

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

- The development had been assessed by the Environment Health team in terms of noise mitigation, however no concerns had been raised by officers about air pollution. Members were also advised that it was not absolutely certain whether officers had considered the air pollution impact.
- Members were advised that installation of a yellow road junction box could be considered for the Coneygree Road entrance and exit of the proposed nursery car park.
- It was confirmed that the operation of a nursery would not be the same as school times and officers were not concerned about the children arriving at the same time. In addition, Members were advised that the applicant had provided traffic numbers for similar sites in operation and the major impact would be in

the evening. This was beyond the peak hours and was anticipated to be of low impact to residents.

- The car park entrance on the site was wide enough for vehicles to manoeuvre. It was anticipated that there could be some queuing to access the site, however if this became an issue on Coneygree Road, the Highways team would assess at a later date.
- Car movements for the petrol station was in the region of 400 per day, however this was not part of the application.
- Some Members were concerned about the pollution levels for children specifically in relation to vehicles travelling on Whittlesey Road and the fumes from the petrol station.
- Some Members felt that controlling nursery children's noise levels would be difficult.
- Members felt that nursery placements were needed in the area, however, questioned whether this should be located in a retired community and next to a petrol station.
- Members noted that the plans had been redesigned, however, this had moved the playground near the petrol station, which was of concern particularly when the weather could be hot and pollution would be high.
- The type of children's nursery noise was different and lengthier than a pub noise.
- Members were concerned about the vehicle movement impact on an extremely busy junction and there was no guarantee that parents of nursery children would be travelling on the commuter route anyway.
- It appeared that the applicant had not sought the views of residents to the site.
- Members felt that there were very good reasons not to approve the application such as traffic movement, times of use and the damage that could be done to young lives.
- Some Members felt that the pollution impact had been assessed by officers and that if some Members were minded to refuse the application, then the item should be deferred in order for the officers and applicant to provide the clarification required.
- Some Members were also concerned about the potential traffic movements on the junction.
- It was advised that clarification could be provided to Members over whether the air pollution impact assessment had been overlooked if the item was deferred.
- Members reiterated their concern by noise pollution, and the difference between nursery children and pub noise was very different.
- Members were not convinced that the car movements would be on a normal commute route to the parents of nursery children.
- Members felt that parents would be prepared to travel off route to find the right nursery place and for that reason, the nursery could attract additional vehicles to the area.
- Some Members questioned how the potential air pollution impact would differ from schools in other wards, and whether there should be comparable studies undertaken in respect to traffic movements and pollution.
- Members were advised that there were no concerns raised by officers in relation to the car park, highway movements, air quality, or noise disturbances and that reasons for refusal would need to be strong in order to avoid appeal.

- Some Members were minded to approve the application.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **DEFER** the item for further information in relation to the pollution impact which was **DEFEATED** (4 For, 5 Against). A second motion was proposed and seconded to go against officers recommendation and **REFUSE** the application. The Committee **RESOLVED** (5 For, 4 Against and 1 Abstention) to **REFUSE** the planning permission.

REASONS

1. The nursery was located near to a petrol filling station and to a road junction which was very busy during peak periods with slow and standing traffic and consequently it was considered that the children attending the facility were likely to be subject to a lower air quality (than would be experienced away from such sources) to the detriment of their health and wellbeing. The proposal was therefore considered to be contrary to Policy LP17: Amenity Provision in the Peterborough Local Plan 2019 (version pending adoption at Council in July 2019) and the objective of para 91 of the National Planning Policy Framework.
2. The nursery would result in additional vehicular traffic to and from the site and would pass through the junction of Whittlesey Road and Coneygree Road. This junction carried already high volumes of traffic (especially at peak period) and was complicated in terms of traffic movements by virtue of the entrance/exit points related to the petrol filling station. It was considered that the additional movements would add to the congestion and vehicle safety at the junction. The proposal was therefore contrary to policy LP13: Transport in the Peterborough Local Plan 2019 (version pending adoption at Council in July 2019) and Policy PP12 of the Adopted Peterborough Planning Policies DPD 2012.
3. The nursery would result in a significant number of movements of vehicles and people in the car park which had been immediately adjacent to residential development. The resultant noise and disturbance to the residence would be detrimental to the amenity of the occupants and therefore would be contrary to Policy LP17: Amenity Provision in the Peterborough Local Plan 2019 (version pending adoption at Council in July 2019) and Policy PP3 of the Adopted Peterborough Planning Policies DPD 2012.

3:13pm at this point Councillor Harper the Chairman returned to the meeting, Members of the Committee also stopped for a short comfort break.

At this point Councillor Warren stood down to speak as Ward Councillor on item 5.2 18/01307/FUL - Club House Bretton Park Flaxland Bretton.

5.2 18/01307/FUL - Club House Bretton Park Flaxland Bretton

The Committee received a report in relation to a planning permission for the 'Erection of club stand and associated canopy, including the creation of refreshment area and W/Cs, alterations to existing car park and change of use of tennis courts to overflow car parking'.

The proposed club stand would have a floor area of 50 metres x 8.8 metres, standing at 8.9m to the highest point, utilising a mono pitch roof. The stand would be attached

to an existing changing room block, and would create a toilet facility and refreshment area beneath the southern end of the stand.

The scheme also proposes an additional area of car parking, including parking for coaches, which would result in the loss of the tennis courts.

The Head of Planning introduced the item and highlighted key information from the report and the update report.

Councillor Warren Ward Councillor and Parish Councillor Stuart Martin, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Ward was in favour of application and what it attracted.
- The facility would be an asset for Bretton and Peterborough.
- Fans travelled from as far as Leicester and Birmingham to watch sporting matches.
- There had been objections made in relation to the loss of tennis courts, however, the current ones were not being used, although they had been closed off.
- The proposed clubhouse would be sited on the tennis court part of the facility.
- The Parish Councillor requested the retention of the tennis courts be maintained in order not to let the residents down.
- New tennis courts could be located were the current ones were actually located currently.
- Officers clarified that one of the drawings submitted in relation to the club was what would be undertaken in the future.
- Members commented that there were undercover hockey and tennis courts located near the hospital site in Bretton.
- The applicant had confirmed that they wished to install tennis courts and a multi-use games area in the future.

Mr Andrew Moore, the Applicant's representative addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application had superseded a previous one and accommodated a much needed permanent facility, which would include disabled amenities.
- The current tennis courts were not being used and needed to be resurfaced. The plan was to install tennis and netball courts on the site for future use in order to attract much needed income in order to operate in a sustainable way.
- There had been a donation for the work and grants from land refill in order to build the disabled facilities.

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

- Members commented that the applicant had demonstrated that they were prepared to provide tennis courts in the future.
- Members felt that the application seemed straight forward for the site and would provide improved facilities to offer to visiting clubs.
- Members commented that the Rugby Club was a busy, professional and vibrant.

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

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 weighting against relevant policies of the development plan and specifically:

- The proposed spectator stand and associated parking area would result in the loss of an area of tennis courts, however it would go towards improving an existing and established rugby club facility, therefore the proposed development would accord with Policies CS19 of the Peterborough Core Strategy DPD (2011), PP14 of the Peterborough Policies DPD (2012), LP23 of the emerging Peterborough Plan (2019) and Paragraph 97 of the NPPF (2019);
- The proposed spectator stand and associated parking area would not unacceptably harm the character or appearance of the area, or unknown buried archaeology, and would accord with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), PP2 and PP17 of the Peterborough Policies DPD (2012);
- The proposed spectator stand and associated parking area would not have an unacceptable harmful impact to neighbouring amenity and would accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012);
- There were no Highway safety concerns and parking could be accommodated on site, in accordance with Policies PP12 and PP13 of the Peterborough Policies DPD (2012);
- The proposed development would not result in a net loss to the biodiversity value of the site, or have an unacceptable adverse impact on the adjoining County Wildlife Site, a satisfactory surface water drainage scheme for the site would be achieved and satisfactory safeguarding measures would be put in place to deal with uncovering unsuspected contaminated land, as such the proposal would accord with Policies CS22 of the Peterborough Core Strategy DPD (2011), PP4 and PP20 of the Peterborough Policies DPD, Policies LP33 and 34 of the emerging Local Plan (2019) and Paragraph 179 of the NPPF (2019).

5.3 18/02001/FUL - 3 Green Lane Millfield Peterborough

The Committee received a report in relation to planning permission to split the existing planning unit through the change of use of ground floor retail storage area and flat, and upper floor flat to Ministry of Transport testing (MOT) and Service Centre with upper floor storage; associated car parking and installation of new roller shutter doors at 3 Green Lane, and rear of 185 and 187 Lincoln Road. The opening times would be 0800 to 2000 Monday to Saturday and 10:00 to 16:00 Sunday and Bank Holiday.

That part of the existing shop that fronted Lincoln Road would be retained and it would be served from Lincoln Road as the rear access and storage area would be lost to the proposed new use.

Two parking bays were to be formed in the access between Green Lane and the MOT bays with access to further parking accessed by driving through the building.

The Head of Planning introduced the item and highlighted key information from the report and the update report.

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

- The Ward Councillor had supported the planning application proposal.
- Mr Clutch used to be located at the front of the premises.
- Loading access to the premises had been undertaken at the rear. Premises had operated at the rear in the past, but it was proposed for some of it to open up to the front, which had raised some parking issues. However, there had been extra parking provision proposed, which was adequate and would resolve the issues.
- There had been issues raised regarding parking on Green Lane, however this would be policed by the existing parking restrictions.
- The Applicant and Agent had worked to get issues raised by officers resolved.
- There would be at least one MOT tester employed at the premises.

Phil Branston, the Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Applicant wished to change the premises operation in order to move away from groceries and alcohol sales.
- The car spares part of the business would operate at the front of the premises which was not a change of use, however approval was needed for the MOT bay.
- No vehicles would be left on site all day as the premises would operate an appointment process.
- Any MOT failures would be serviced on site by the Mr Clutch business, which approval was not required.
- Noise disturbance to neighbours had been sited in the officers recommendation for refusal, however there would only be one vehicle maintenance conducted per hour, which was not considered unacceptable by the Applicant.
- There would be eight parking spaces provided on site.
- All deliveries would be undertaken at the front of the premises off Lincoln Road and not at the rear.
- The loss of facilities, on site parking and adverse effect on the public highway issues highlighted by officers would be resolved by the one appointment at any one time for vehicle maintenance. In addition the visibility splays were deemed acceptable by the Applicant.

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

- Members were advised that the Highways team were satisfied with the access width, which had accommodated two vehicles to pass.
- Members were advised that concerns raised in the previous application, which resulted in the item being deferred had included the operating hours, impact to the neighbours, vehicle turning, parking and loading remained to be an issue for officers.

- Some Members felt that the area was busy by nature and that Mr Clutch and deliveries were already in operation at the premises. In addition the neighbouring residents had not objected to the application.
- Some Members felt that the proposal had not seemed to contribute to any detrimental impact for the area.
- Some Members were concerned by the car movements which already existed around the site, however one car an hour would alleviate those concerns.
- Some Members felt that the Applicant had resolved their concerns raised at the previous planning meeting.
- Members commented that the application had provided the opportunity to reduce the number of premises that sold alcohol in the area which was a benefit.
- Highways officers remained to be concerned about the inconsistency between the boundaries shown on the application.
- Members were advised by the Agent that there seemed to be a discrepancy on the drawings in terms of the red line boundary, however there were six parking spaces plus the MOT bay for the premises, which was sufficient for the business.
- Officers advised that the red line discrepancy could be corrected on the plan.
- Members felt the parking outside of the site would be self-policing due to the existing traffic restrictions.

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

REASONS

The Committee were satisfied that the queries raised at the meeting held on 2 April 2019 had been addressed through clarification provided by the agent, particularly in relation to the boundary lines and provision for parking.

Parking within the area would be self-policed due to restrictions already in place.

There would be less licenced premises operating in the area;

The additional conditions were acceptable and included a review of opening hours, no external operation of power tools, only one car would be Ministry of Transport (MOT) tested at any one time, parking and turning areas would be kept available for said purposes at all time.

5.4 18/01875/FUL - 35A Peterborough Road Castor Peterborough PE5 7AX

The Committee received a report in relation to planning permission for the erection of a three bedroom dwelling with access from Peterborough Road alongside existing houses.

The Head of Planning introduced the item and highlighted key information from the report and the update report. Planning consent had been granted on appeal for two semi-detached properties which had commenced building but as yet were incomplete. The report misquotes the address for one of the adjacent properties which was given as number 23 which should read number 37 Peterborough Road.

The proposed building would be single storey on the left hand side matching the scale and form of the existing cottages. The Conservation Officer had expressed

concern over this application and suggested the development was too large, needing to be reduced to retain the character of the existing area. Some windows on the front elevation would be overlooking into neighbouring properties however others had an oblique view although there remained concerns over loss of privacy due to the proximity of the boundary. The design and appropriateness of the development was questionable.

Mr John Dadge, the Applicant's representative addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Parish Council was not originally able to support the application however they had supported the modified plans. Castor had a Neighbourhood Plan which contained criteria relating to character and building form and it had been assumed that the Parish Council felt the application had met with that criteria.
- The scale of the diagrams was not representative of the existing properties and the scale was better illustrated by the photographs shown in the presentation as the cottages at the front of the site were higher than those adjacent to the proposal building and the existing building on the site was higher than the building being proposed.
- The access was narrow, 5.5m between the stone pillars, which provided a transient view.
- This application was for a self-build by the owner of a property who already lived on the site and was downsizing. The garden was considered appropriate in size and sufficient for the applicant's needs and the property would include a lift for use later in life. The design was simple, using good quality materials, would not be out of place in this location and would improve the view of the area.
- The design was considered the most appropriate for the plot and flowed naturally from the cottages at the front of the site.
- Parking was considered sufficient for the type and size of the property given the intended residents would be retired. It would not however be appropriate for a growing family.
- Some windows would overlook into neighbouring gardens which was not identifiable from the plans.

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

- The Highways officer explained that where drives served two or more dwellings, wider access points would usually be required and had expressed concerns that pedestrian visibility would be compromised. However, similar concerns were raised with previous development on this site and, as the refusal decision was overturned at a recent appeal. There would therefore need to be alternative reason cited for refusal of the application. If Members and Officers were mindful that although the site access had not satisfied their own guidelines it would probably satisfy the Inspectorate's.
- No changes to the existing access had been proposed.
- Some Members felt that the narrow access was opposite a public house and was not ideal. Although the property was quite large it would not be visible from the road.

- Members commented that the Parish Council had given their support as the type of property and material would fit in well with the environment.
- Members commented that the proposal included replacement of an unsightly building and the result would be more aesthetically pleasing.
- Members raised concerns regarding the proximity to the adjacent property which had overlooking windows and that the light and view would be obstructed. However, the adjoining property had not had a private garden as it was already overlooked by an existing property.
- Members commented that there had not appeared to be an objection received from properties on the south side of the existing building, the only objections received had related to the drain running across the site, the extra traffic, the size of the drive, the view and school drop offs. There were no objections received regarding amenity loss.
- The proposed building appeared to be very close to the boundary.
- Members were generally minded to support the proposal as the Parish Council had not raised any objections and the Planning Inspectorate were likely to approve at appeal.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officers recommendation and **GRANT** the application. The Committee **RESOLVED** (10 For, 1 Against) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASONS FOR THE DECISION

Subject to the delegated conditions to officers the Committee felt that:

- The building was in need of improvements as it was in a poor condition.
- The Parish Council had no issues with the application.
- The building materials proposed seemed to be acceptable.
- There was a Neighbourhood Plan, which the applicant would need to adhere to.
- Although access to the road was not ideal, there were other properties that had used the same access, which the Planning Inspector had deemed acceptable at a recent appeal.
- The scheme was considered to be acceptable and there were other examples of two storey extensions in the area for which planning permission has been granted.

4.43pm - At this point Councillor Jones left the meeting.

5.5 19/00408/HHFUL - 26 Ledbury Road Netherton Peterborough PE3 9RH

The Committee received a report in relation to planning permission which was sought for the construction of a single storey side, two and single storey rear extensions, and a detached residential annexe building within the rear garden. The original proposal under this planning application had included a two storey side extension, however the plans had been amended and the first floor element of the side extension was removed.

The construction of the proposed single storey side extension would result in the demolition and re-building of the existing attached garage and outside the store. This

new extension would also extend further rearwards than the existing building with an overall depth of nine metres and would contain a play room and bathroom.

The two storey rear extension would provide a utility room and kitchen and dining area at the ground floor level, which would be served by a large roof light. The proposed first floor accommodation would see the existing layout reconfigured to provide larger bedrooms, a shower room and a store room. The single storey element of the rear extension was flat roofed and measured eight metres in depth, seven point four metres in width and three point four metres high. The two storey element had a dual pitch with hipped roofs being six point four metres height to the ridge, four metres in depth and seven point four metres in width.

A residential annex would have a pitched roof, with the ridge lying perpendicular to the rear boundary and gables to either side. The annex measured seven point seven metres wide, six metres deep and four point five metres to the ridge and would provide lounge and bedroom accommodation with a wet room. This would lay at the bottom of the garden close to the rear boundary.

The Head of Planning introduced the item and highlighted key information from the report and the update report. He explained that Officers were concerned with the overpowering impact on two neighbouring properties and the loss of sunlight. The annex would be overbearing and would overshadow number 24 Ledbury Road. The annex would also incorporate a large amount of the existing garden, leaving a garden too small for the remaining property.

It had been suggested that other similar applications in the same area had been permitted and that the recommendation for refusal was inconsistent with these other applications. Members were advised the applications were not identical and were influenced by other factors such as the number of storeys, size and position of plot and host property, relationships to and distance from adjacent buildings. Other applications had not included an annex.

Rafreen Qayyoom, the Agent addressed the Committee and responded to questions. In summary the key points highlighted included:

- The Agent advised that the application had been revised and was submitted in line with the officers recommendations. The first floor side extension had been removed and the size of the annex has been reduced. The applicant was also prepared to agree not to install a kitchen and not to let the annex separately to the main property. The family needed a larger property and had been unable to find anything suitable within their budget. The annex was needed to accommodate a family member with medical needs. The applicant had spoken to the neighbours and felt they had given their approval.

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

- Family needs would not be a consideration in determining the planning permission.
- Officers would require the first floor extension to be reduced by a further one metre to the rear extension and to be reduced by one metre to the annex, however the applicant was not prepared to compromise further.
- The comparison with other applications included applications highlighted by Councillor Nadeem to the Head of Planning only and had not included all planning applications made in Peterborough.

- The Planning Officer had requested that the application be amended to reduce the ground floor and two storey elements to the rear extension as it was considered excessively deep in relation to the main house. However, the revised application remained bigger than advised by officers.
- Whether this resulted in a reasonable sized bedrooms was not a consideration when granting consent.
- The latest government guidelines regarding extensions of eight metres was not relevant to the application as consent was still required.
- The remaining garden space would be 12 metres post development.
- The extension had almost doubled the size of the property and was considered overdevelopment of the plot.
- The impact the extension would have on the dwellings either side was not acceptable.
- There were no objections received from ward councillors and only one objection resulted from consultations.
- Although the applicant had made changes to the original plans and developed the best plan under the circumstances, that was not considered a good reason to grant consent in planning terms, although not all Members were in agreement.
- Some Members felt that medical conditions had been considered when making planning decisions, however, it was argued that in these cases the development was not considered overlarge.
- Members commented that the revised application had not matched the requirements of the Planning Officer.
- Members expressed concerns over the size of the remaining garden.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (8 For, 2 Against) to **REFUSE** as per the officers recommendation.

REASONS FOR THE DECISION

The proposal was unacceptable having being assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below:

- The proposed rear extension and residential annexe building would fail to respect the size, scale, and proportions of the host dwelling and plot, to the resulting detriment of the visual character and appearance of the site and surrounding area. The proposal would therefore be contrary to policy CS16 of the Peterborough Core Strategy (2011), policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the Proposed (submission) Local Plan (2018).
- The proposed two storey rear extension would, by way of its depth, height, scale and close relationship to 24 Ledbury Road significantly restrict the outlook from the rear facing first floor bedroom window whilst having a detrimental adverse overbearing impact on the rear of that dwelling. Also, the relationship that the proposal would have with 28 Ledbury Road to the West would be harmful on the amenity through the significant loss of natural light afforded by the closest first floor bedroom window. Impact on both adjoining

properties was further compounded with the significant length and height of the single storey element of the extension along the shared boundaries. The proposed developments were therefore contrary to policy CS16 of the Peterborough Core Strategy, policies PP02 and PP03 of the Peterborough Planning Policies DPD and Policies LP16 and LP17 of the Proposed (submission) Local Plan (2018).

- The proposed detached outbuilding at the bottom of the rear garden to provide annexe accommodation for the main house No.26 Ledbury Road would by virtue of its location, design, size and scale, be capable of providing self-contained residential accommodation and was therefore tantamount to creation of a separate independent dwelling. Accordingly, the proposal was considered to be contrary to policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP34 of the Proposed (submission) Local Plan (2018).

Chairman
1.00pm-5.18pm