

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

**HELD AT 1:30PM, ON
TUESDAY, 17 DECEMBER 2019
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Officers Present: Louise Simmonds, Development Management Team Manager
Andrew Dudley, Group Manager
Julie Smith, Highway Control Team Manager
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor

Others Present:

36. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Jones and Bond. Councillor Jamil attended as substitute.

37. DECLARATIONS OF INTEREST

Councillor Amjad Iqbal declared a disclosable pecuniary interest in item 5.1 by virtue of being the applicant and would leave the room for the item

Councillor Hussain declared a disclosable pecuniary interest in item 5.2 by virtue of being the father of the applicant and would leave the room for the item.

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

There were no declarations of intention to make representation as Ward Councillor.

39. MINUTES OF THE MEETING HELD ON:

39.1 5 NOVEMBER 2019

The minutes of the meeting held on 5 November 2019 were agreed as a true and accurate record.

39.2 26 NOVEMBER 2019

The minutes of the meeting held on 26 November 2019 were agreed as a true and accurate record.

At this point Councillor Iqbal left the room.

40. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

40.1 19/01469/HHFUL – 184 MAYORS WALK WEST TOWN, PETERBOROUGH PE3 6HQ

The Committee received a report in relation to permission being sought for planning permission for the construction of a first floor extension above the existing garage (to the rear of the existing flat roof extension), alteration to the roof of the existing side extension (replacing from flat roof to dual pitched roof); and construction of a single storey rear extension.

It should be noted that development had already commenced in the form of footings having been dug and therefore the application was part-retrospective.

The Development Management Team Manager introduced the item and highlighted key information from the report and the update report. Objections had been received from two neighbours with regards to amenity and the overbearing nature of the proposal. Officers had recommended refusal on the grounds of loss of amenity to the neighbours of 184 Mayors Walk.

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

- The proposed extension was over the 3m allowed that could go out from the end of the property. In addition if the extension was over 6m and there were no objections then this would also be permissible. However in this instance the extension was 12.9m in length.
- The application was within permitted development in terms of height. The application was being refused mainly on the grounds of the impact to the neighbours at 182 Mayors Walk.
- Amendments were requested by officers to reduce the depth of the extension to 6m and to narrow the overall extension to 3m. This would have changed the recommendation and been acceptable to officers. However the applicant did not agree to the recommendations from officers and wished that the application be determined by the Committee.
- The extension at 186 Mayors Walk was almost to the same level as the proposal. Officers commented that the extension at 186 was as a result of an existing garage and carport that was already part of the property. In addition, the extension was granted by officers as it scaled down further than the garage and car port that was in place.
- Officers confirmed that the footings as on site were roughly level with that of no 186 Mayors Walk, however the drawings showed the extension going beyond that of the neighbouring property.
- The Committee were informed that they had to base their decision on the proposals as submitted by the applicant and that the drawings had shown the proposal extending out beyond that of the extension at 186 Mayors Walk.
- Some Members of the Committee commented that the extension was similar in size to that which was already next door and had set a precedent for what was acceptable on that street. However in turn the extension that replaced the garage and car port was smaller than what it originally in place.
- The complaint raised by the neighbours at 182 Mayors Walk on the basis of the drawings seemed justified in terms of the size and scale of the proposed extension.

- The suggestions made by planning officers seemed reasonable in light of the development.
- There was confusion over the footings that had currently been made and the drawings which showed the extension going out a further two metres. The Committee had to make a decision on what was submitted.
- The drawings provided by the architect confirmed that the extension was a further 2m beyond that of the extension of 186 Mayors Walk. Officers also confirmed that the architect had agreed that the drawings submitted were correct.
- Officers confirmed that the footings had been dug before the planning application had been submitted.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (7 for, 2 abstain) to **REFUSE** the planning permission.

REASON FOR THE DECISION:

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons set out in the Committee Report. The harm identified is not considered to be outweighed by the benefits of the proposal.

At this point Councillor Iqbal returned to the meeting.

Councillor Hussain left the meeting at this point

40.2 19/01363/FUL – 89 GRANGE ROAD, WEST TOWN, PETERBOROUGH PE3 9DZ

The Committee received a report in relation to permission seeking retrospective permission for the change of use of a recently built outbuilding from residential to mixed use. The outbuilding was not constructed under 'Permitted Development' rights as a building incidental to the enjoyment of the dwellinghouse and therefore also required planning permission.

The material change in use that was being sought was for a mixed use of ordinary use incidental to the dwellinghouse and for the provision of religious instruction classes. The classes were already taking place within the building and as such this application was retrospective in nature. The applicant had indicated that the operating hours for the classes were Monday - Thursdays between 15.30 and 19.40, with 4 classes each day with between 4 and 10 children.

The Development Management Team Manager introduced the item and highlighted key information from the report. There had been significant concerns over the use of the site, in particular the possibility of a large increase in traffic and footfall from visiting the premises in question. Noise from children could not be dealt with by any other means outside of planning regulation. The site had limited parking provision, parking for access to the premises would likely take place on public roads nearby.

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

- Most of the teaching would involve small classrooms of students. It was unlikely that the classroom would always be full and that most of the teaching was done on a one to one basis.

- Prior to the application being submitted a number of the local neighbours had expressed their support of the application.
- There was an awareness that parking was an issue, and this had been communicated to parents. Advice was given that parents needed to park away from the premises to prevent the build-up of traffic. In addition any students that lived within a mile were advised to walk to the premises or for their parents to walk them. Any parents who did not follow the advice given would have their children removed from the classes.
- There had been no complaints made from any of the neighbours. There had been conversations with the neighbours at number 91 and they had confirmed that they had not written any objections
- The school would only run from 3.30pm to 7.30pm and there would be no classes before or after this time.
- Teaching had already taken place from home six months before the application had been submitted. However this was only for 2 hours a week. Do have family who visit and can park no other classes than other mentioned times.
- The classes would run on an hourly basis and there would be 4 to 10 students on average per class.
- Most of the students were either family or friends who did not live far away from the premises.

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

- The applicant had submitted letters of support, however these were not able to be verified and therefore were unable to be treated as representations.
- The retrospective nature of application was not a grounds for refusing the application.
- Planning Officers had not been to the site to inspect the levels of traffic for this application, but had done so for other similar applications in the past. The Highway Officer had been to visit the site and observed significant parking issues.
- Two letters setting out objections had been received and verified by the planning team, however none in support had been able to be verified.
- The applicant was passionate about his teaching and trying to share knowledge to a younger generation, however this was the wrong site to be used for such purposes.
- There was the potential for up to 40 children being on site on any given day, this could cause issues with parking and traffic, along with increased noise levels from the premises.
- Highways had commented that the application would increase traffic next to a busy junction, which in turn could result in a serious accident.
- A survey report on traffic levels might have been useful for the committee to see.
- The committee were reminded that it was not possible to compare this to a public school as this was a residential dwelling being used for the purposes of teaching and there were only 2 off road parking spaces available.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (7 for, 2 against) to **REFUSE** the planning permission

REASON FOR THE DECISION:

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reason set out in the Committee Report.

In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics.

At this point Councillor Hussain returned to the meeting.

40.3 19/01171/FUL – GARDENERS COTTAGE SECOND DRIFT, WOTHORPE, STAMFORD

The Committee received a report in relation to planning permission to construct a large detached dwelling centrally on the plot, retaining the existing dwelling as an ancillary annexe for the new property. The existing dwelling would be converted from a two storey dwelling into an ancillary studio flat on the first floor and a garage and storeroom accommodation on the ground floor. The new dwellinghouse would be of two and a half storey design with dual pitched dormer windows in the roof slope, stone wall detailing with stone lintels, timber sash windows and stone quoins. The front would have 5 bays with a stone string course between the ground floor and first floor windows. The side elevation facing north-west would have a balustrade above the level of the existing retaining wall, with a terraced area behind to enjoy the views of the open space which exists between the plot and the A43.

A single storey side extension was also proposed to the existing dwellinghouse with lean-to roof to allow a ground floor room to be converted into a garage for the parking of 2 cars. The existing garden gate at the side of the dwelling which exits onto Second Drift would be incorporated into the building as a doorway into the garage rather than directly into the garden

The Group Manager introduced the item and highlighted key information from the report and the update report. Objections had been raised in relation to the size of the property. Overbearing nature and that it would dominate the landscape of the area.

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

- Everyone in the local supported the extension but not the proposal. It did not tie in with the cottage in the corner.
- The street scene ran nicely along the contours of the hill. The proposal would be more acceptable if the property was built further into the ground. The property would benefit from a half metre reduction in ridge height, this would bring the property into line with other properties in the street and would make the cottage feel less out of place.
- Residents had commented that the development would be overbearing in nature, however the style of the proposal was well liked.
- There was a general consensus that if the height of the proposal was lowered by half a metre this would create an even line of height across neighbouring

properties. In addition it would make the cottage look less remote than current plans.

- There were concerns over access to the site and the width of the road for large vehicles. This could in turn cause issues for general movement in and out of the street.
- By reducing the height of the development it would help the cottage blend in better with the rest of the street scene and allow for a better synergy with neighbouring properties.

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

- Looking at the plans it felt as if the new property fulfilled all the requirements of what was needed in the area and had been well thought through.
- The applicant had already reduced the height of the development and this now fitted the street scene well.
- The development did not interfere with any other properties on the street.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimous) to **GRANT** the planning permission.

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:

It is not considered that the dwelling would unacceptably harm the character of the area, the amenity of the occupiers of neighbouring dwellings, highway safety, biodiversity, or the landscape character; and as such is considered to be in accordance with policies LP13, LP16, LP17, LP20, LP28 and LP29 of the Peterborough Local Plan (2016-2036) Adopted 2019.

Chairman
15.08pm