



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 30 JULY 2020
VIA ZOOM VIRTUAL CONFERENCE**

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

Officers Present: Nick Harding, Head of Planning Peterborough and Fenland
Sylvia Bland, Development Management Group Lead
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Nick Greaves, Principal Engineer

Others Present:

10. APOLOGIES FOR ABSENCE

There were no apologies for absence

11. DECLARATIONS OF INTEREST

Councillor Jones declared that he was a Ward Councillor in relation to item 5.2 and knew the objector in relation to item 5.1, however he had not been involved in either application.

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

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

13. MINUTES OF THE PREVIOUS MEETING HELD ON 9 JUNE 2020

The minutes of the meeting held on 9 June 2020 were agreed as a true and accurate record.

14. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

14.1 20/00767/PRIOR – VERGE SOUTH OF WAR MEMORIAL AND ADJACENT TO SLIP ROAD, EASTFIELD, PETERBOROUGH

The Committee received a report, which sought determination as to whether the prior approval of the Local Planning Authority is required for the installation of an 18m Phase 8 monopole c/w wrapround cabinet at base and associated ancillary works. The original scheme submitted was for a 20m monopole, but after discussions between the LPA and the Agent this has been reduced to 18m.

The Head of Planning introduced the item and highlighted key information from the report and the update report, which included additional representations. Members were informed that the Council had to determine the application by the 14 August 2020, if this was not to take place the mast would get automatic consent to go ahead. The committee were only able to take into account siting and appearance when determining the application.

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

- The elevation plan showed the pole and equipment in front of the trees and bushes. This gave the impression it was back against the trees, however this was not the case. The mast sat in the middle of the grass verge between the road and the footpath and cycleway, creating a prominent position.
- The drawing provided showed the position of the mast from the Sainsbury's on the parkway. The mast was 10m above the height of the street lights which was far too great in size.
- Having seen other similar masts in Peterborough most of these were positioned away from residential areas and were at the back of any footpaths and in most instances within the trees.
- There were concerns around the electro-magnetic output of the antenna, however it was assumed that Environmental Health officers had already cleared this as safe from that point.
- There were concerns around highway safety, the pole and equipment would obstruct the view of motorists exiting the slip road and turning left.
- Eastfield Road was a main access route for fire engines from Dogsthorpe Fire Station onto the Parkway. As there was queuing traffic on the opposite side of the road - the fire engines will be on the wrong side of the road - directly facing traffic exiting the slip road. Members were requested to take this into account if there were any doubts over the application being granted.
- The size of the mast was far too great and was twice the size of adjacent street lights. The pole and equipment were going to be a detriment to the street scene in appearance and was poorly sited.
- Councillor Ash stated his concerns over the appearance and siting of the mast, it was a large 18m mast and was out of keeping with what was a largely residential area.
- Although not a ward councillor for the application the boundary was the middle of the road, and therefore houses on one side of the road affected by the mast were in Dogsthorpe Ward.
- The reason for objecting was not in respect of finding another location but the detriment to the area of the current planned location.

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

- The Highways Officer confirmed that the siting of the pole was 4.4m from the kerb line. Looking at the junction in question it was not within the visibility

displays required, i.e 2.4m back by 43m for that road in question. Therefore this was not causing an issue as far as highways were concerned.

- Members were informed that they needed to determine the application that was in front of them. The provider had looked at alternative locations, however these were more problematic in terms of adjacent development than what was being proposed.
- The local school and community centre were consulted, however neither organisation responded.
- Members were informed that if no decision was made by the 14 August then the application would automatically be granted.
- The highways and transportation representation could not be taken into account due to the legislation not allowing this. However this did not stop the highways team from approaching the mast provider to establish how frequent the maintenance visits to the site were going to be. It was possible for discussion to take place over the installing of a parking spot on the verge in order for technicians to be able to maintain the mast, but not get in the way of traffic.
- Officers confirmed that a green colouration for the mast was looking to be used, rather than the usual white.
- The application in front of members was part of the rollout of 5G to cover the Peterborough area. From looking at the plans this was the optimum site for being able to get the signal out and a compromise over the location of the mast. Overall the proposal was good and away from houses as far as possible.
- The mast at 18m in a green colour would look fairly innocuous and would not be overbearing on the location. There was evidence to support the local school and been consulted and had not returned any concerns.
- There was concern that the site proposed was merely easier and more suitable for the operator rather than the benefit of residents. It was argued as to whether this mast would be more appropriate down the road in more open spaces.
- It was not really within the remit of the committee to propose alternative locations as the committee had to decide what was in front of them.
- The committee were informed that if the proposal was agreed a delegation to officers could be included to discuss a gradient colour scheme with the developer.
- The operator did look at three alternative sites, however these were discounted as they had a worse impact on the street scene and relationship with adjacent residential properties.
- It was not possible to defer the item as there would be no time to bring this back to committee before the 14 August deadline, by which date the application would be granted automatic consent.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application with delegation to officers to determine the colouration of the mast. The Committee **RESOLVED** (10 for, 1 against) to **GRANT** the planning permission.

REASON FOR THE DECISION:

Upon assessment of the proposal, it is considered that the proposed development will not result in an unacceptably harmful impact in terms of its siting and appearance. As such, in accordance with Class A of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the prior approval of the Local Planning Authority is required and it is granted

14.2 20/00321/FUL – GARAGES TO THE REAR OF 266 EASTERN AVENUE, DOGSTHORPE, PETERBOROUGH PE1 4PZ

The Committee received a report, which sought permission is sought to convert the existing garages into 3no. single storey residential properties, to be used for affordable rented tenure. The three units would be split as follows: - 2no. 2 bed / 3 person dwellings; and - 1no. 1 bed / 1 person dwelling. Amended plans have been received and consulted upon, given that the original proposal submitted to the Local Planning Authority was considered to be adversely harmful to the amenity of surrounding neighbours, specifically Nos. 95, 97 and 99 Poplar Avenue through rear-facing windows that would appeared prominent across the rear gardens of these neighbouring dwellings.

The Development Manager Group Lead introduced the item and highlighted key information from the report and the update report.

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

- The application went against local policy LP 17, which acknowledged the impact and health and wellbeing of good developments. The officer in their report stated that there was a lack of amenity space.
- There were also concerns over the amenity of the residents on Poplar Avenue, windows would need to face the gardens on Poplar Avenue. Assurances would need to be given that there would be no overlooking.
- Although it was essential that accommodation designed for over 55's was necessary it did not need to be second rate as believed for this application. Not having an amenity space for residents was a retrograde step backwards.
- The design put forward was not the best and was not good enough for the city of Peterborough. If members were minded not to refuse the application it was requested that the item be deferred for further evaluation.
- In terms of the Dogsthorpe garage sites these had been well cared for and there were no real issues with fly tipping.

- Any design should consider the wellbeing of the people moving into the accommodation and consider the amenity space of residents around the proposed development. A previous plan for the site had been rejected.
- If the development was the right one for the location it would be better than what was currently there, however the proposals in front of committee were not up to the required standard.

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

- A condition could be agreed whereby the residents of the proposed development had to be over 55. In terms of the application in front of committee the applicants were intending these to be for over 55's however this was not solely a development for over 55's and could be used by people of different ages, especially those who may have mobility issues.
- The applicant's proposal was to replace the walls with fencing, however officers could attach conditions, should the committee agree, that should the fencing be unsuitable to be replaced by a brick wall instead.
- Some members had concerns over the use of a wooden fence. It would be preferable to attach a condition to the application so that the boundary remained the brick wall that was there now.
- The design of the proposal was good and was an improvement on what was currently on site at the moment. In terms of parking it would be useful for officers to investigate whether the spaces could be moved to make parking on site easier.
- There were concerns around the lack of amenity space for residents and amenity loss for gardens adjacent to the development. However with the positioning of the bedroom windows some of these concerns had been alleviated.
- The proposal for the site was rational and would be far better than what was currently on site.
- Listening to the concerns of residents and members of the committee with regards to boundaries and car parking, showed there were problems that still needed to be resolved.
- Members felt the location and positioning of the parking provision was not suitable, however some members felt that the issue would resolve itself once people had moved into the development.
- There were elements to the proposal that were not ideal, particularly around the amenities. However there were large green spaces areas across the road which could be used. There was great need within the city for single level accommodation for the over 55's and disabled people.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application with an additional condition as outlined below with regards to the boundary wall. The

Committee **RESOLVED** (10 for, 1 against) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

In the event that the external rear and/or side walls of the garages, to support the units hereby permitted, are not suitable for retention or that the walls are impractical to retain, no development (including demolition of any garage units) shall commence on the site until a scheme for the replacement of the rear and/or side garage walls have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a brick wall to replace the existing garage walls. The development shall only be undertaken in accordance with the approved scheme.

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 principle of development is acceptable. - The character and appearance of the site and the surrounding area would not be adversely harmed by the proposed development, in accordance with Policy LP16 of the Peterborough Local Plan (2019).
- The proposed housing scheme would provide acceptable provision and it is not considered that the proposal would unacceptably impact upon the safety of surrounding highways, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- The impacts of the proposed development to surrounding neighbours would not cause unacceptable harm to their amenity, in accordance with Policy LP17 (Part A) of the Peterborough Local Plan (2019).
- The amenity of future occupiers would be acceptably served by the proposed development, in accordance with Policy LP17 (Part B) of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon any protected trees, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon the drainage of the site, in accordance with Policy LP32 of the Peterborough Local plan (2019).
- The proposed scheme would not disturb any significant buried heritage assets, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

In the interests of the visual amenity of this area and security of residents in accordance with Policy LP16 of the Peterborough Local Plan (2019).

14.3 20/00206/FUL – 24 PARK ROAD, PETERBOROUGH, PE1 2TD

The Committee received a report for which permission is sought for: the construction of timber-framed outbuilding to the rear for use as Shisha lounge (this also extends across the rear of Nos 20-26); construction of a single storey side extension located to the rear; an increase in height of the site's rear boundary wall to 2.5 metres; and relocation of an existing external staircase, also to the rear. This application is a re-submission of a previous application, 19/00786/FUL, which was withdrawn.

The Head of Planning introduced the item and highlighted key information from the report and the update report. The officers were recommending refusal on two grounds

namely the installation of the wall and concerns with noise disturbance on adjacent properties. Officers had in the past approved similar shisha lounges, however these were in locations with a different context to that being proposed. Members were informed that there was a statement from the agent and also a Ward Councillor supporting the application.

Mr Mohammed Iqbal, the agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application site was located within the city centre and was surrounded by other mixed use commercial properties.
- Access to the shisha lounge was to be from the front entrance of 24 Park Road. On the previous submitted application environmental officers had concerns regarding smoke and noise. However looking at previous applications that had been agreed these had residential properties directly approve the shisha lounge and these did not raise any concerns.
- This application site was detached and there were no residential properties in close proximity.
- The flat above 24 Park Road was occupied by the chef of the restaurant and therefore the only residential flats were 22 and 26 Park Road.
- The conservation officer had concerns with the original application. Following this discussions had taken place with the conservation officer to address their concerns. The conservation officer suggested reducing the height of the shisha room to 2.5m and also raise the wall to higher than what was currently in place.
- There had been email correspondence from the conservation officer to state that they were happy with the proposed changes.
- In terms of noise disturbance, the entrance and exit to the shisha lounge was from the front of the building and there would be no music playing on the premises.
- There had been a few other shisha lounges that had been opened within the conservation area in question. All points that the conservation officer made had been addressed.
- An email from the conservation officer had been received stating that they were happy with what was being proposed and would support an application if it was made. If there were concerns over the height of the wall then the applicant would be happy not to raise this.
- The wall did not need to be raised due to the increased height of the shisha kitchen.
- A separate access way was created so that people were able to access the shisha lunge without having to go through the restaurant kitchen.

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

- The layout drawing indicated 16 outdoor seats. In terms of fire safety that was not a concern or area that planning officers looked at in determination of the application. This would not be any different from a pub gardens smoking area for example.

- The proposal sought to erect an extension to the outside wall. It was this extension to the wall that the conservation officer deemed inappropriate. The greenery outside the wall was in the main going to be lost as a result of the development, therefore the extension to the wall would be more visible than what was there currently.
- The wall was one of the original features of the Bull hotel and therefore it was relevant to consider it as an integral part of the listed building in terms of the setting and appearance.
- Although these were revised plans the Conservation Officer still had objections. Under the original scheme the covered area of the shisha lounge went up to and was attached to the boundary wall where the Bull Hotel. With this revised scheme the canopy does not extend as far as the boundary wall, therefore it left a few metres between the edge of the canopy and the boundary wall. However the application in front of members was still to increase the height of the wall. The shisha kitchen area was a completely enclosed area and the height of this was 2.5m which would require further extension to the boundary wall with the Bull Hotel car park. The Conservation Officer was still unhappy with the proposal as the wall was still to be increased.
- The formal use of the property was for a restaurant. The shisha area was the equivalent to a covered smoking area outside of a restaurant facility. This needed consent as it was a commercial premises.
- Members were informed that the canopy structure as indicated on the plans was going to be 2.5m which was the same height as the boundary wall and therefore the same followed for the kitchen area.
- An email from the conservation officer stated that they were happy for the wall to go up to 2m in height but not 2.5m, this was why the conservation officer was objecting.
- There had been no responses to the consultation from the two neighbouring properties.
- There was an argument that the conservation area was not overly affected as the proposal backed onto the Bull Hotel carpark and was in between buildings that were not listed. However looking at the plans these were different to what the conservation officer had required to be acceptable.
- There were concerns over what the conservation had stated both to the agent and planning officers and it was worth considering whether a deferral was appropriate.
- The application was mediocre, especially as this was within a conservation area. Applications should be trying to be in keeping within the conservation area as best as possible.
- The plans showed a 2.5m wall which was not acceptable to the conservation officer and committee needed to adhere to this.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (10 for, 1 abstain) to **REFUSE** the planning permission.

REASON FOR THE DECISION:

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan.

14.4 20/00599/WCPP – FORGE COTTAGE 10 THE GREEN, GLINTON, PETERBOROUGH

The Committee received a report for which permission was sought to vary Condition 2 (approved drawings) of planning permission 16/02087/HHFUL 'Demolition of existing garage and erection of annex'.

- The amendments to the plans include the alterations of the external materials of the annex. Under the parent planning permission, 16/02087/HHFUL, the materials approved to the annex included smooth render to the walls, to match in colour to the render used on the main dwellinghouse, stone quoins and a reproduction slate roof.
- The materials now proposed include 'Clipsham coursed walling stone' and waney edge large softwood weatherboard to the wall elevations of the annex, with reproduction slates tiles to the roof elevations. The windows and doors would be in aluminium, finished in dark grey (RAL 7016). Black plastic rainwater goods would also serve this annex.

A separate planning application for a different annex, which included a basement, was recently considered by Officers under planning application reference 19/01049/HHFUL. However, further to the applicant being advised that this proposal was not acceptable given that the proposed annex was tantamount, the application was later subsequently withdrawn.

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

Peter Flavill, the agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The principle of the annex had already been approved and a meaningful start on site had been made.
- The amendment sought in the application did not alter the siting of the proposal, the footprint or the ridge height. The aim was to apply a more subservient material to the project by way of keeping in touch with the local surroundings.
- A number of calls had taken place with planning and conservation officers over the suitability of materials that would help soften the appearance of the annex.
- The use of local limestone complimented the use of slate and natural weather boarding and was in keeping with annexes and outbuildings in the local area.
- Most of the properties in close proximity were stone buildings. The materials being proposed were more akin to what was in the local area.

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

- Originally the boarding was going to be painted or stained but had been agreed between all parties that these would no longer be treated and would be left to weather naturally.
- The application that was proposed was sensible, the new design was an improvement on what the Committee had been shown previously.
- The new treatment outlined was better than the treatment used in the previous application which was approved.
- It was understandable as to why the parish council had objections, however the treatment being proposed was better than what had previously been agreed.

RESOLVED:

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.

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 character and appearance of the site and the surrounding area would not be adversely impacted upon by the proposed development, in accordance with Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act (1990) (as amended), Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Design and Development in Selected Villages SPD (Glington) (2011).
- The proposal would not unacceptably impact upon the amenity of surrounding neighbours, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- Acceptable parking and turning space would be retained on-site, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- Trees on-site would not be adversely harmed by the proposed development, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon any significant buried assets, in accordance with Policy LP19 of the Peterborough Local Plan (2019).

Chairman
1:30pm –4.30pm