

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 22 MARCH 2022
ENGINE SHED, SAND MARTIN HOUSE, BITTERN WAY, PETERBOROUGH**

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

Officers Present: Sylvia Bland, Development Management Group Lead
Louise Simmonds, Development Management Team Manager
Karen Dunleavy, Democratic Services Officer
Chris Gordon, Planning Solicitor
Joanna Turnhum, Legal, Governance
Alex Woolnough, Highways

53. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Andrew Bond. Councillor Sandra Bond was in attendance as substitute.

54. DECLARATIONS OF INTEREST

No declarations of interest were received.

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

There were no declarations to speak as Ward Councillor.

**56. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING HELD ON 25 JANUARY 2022 AND 8 FEBRUARY**

The minutes of the meeting held on 25 January 2022; and 8 February 2022 were agreed as true and accurate records.

57. PLANNING AND ENFORCEMENT MATTERS

**57.1 21/01653/OUT - HELPSTON GARDEN CENTRE WEST STREET HELPSTON
PETERBOROUGH**

The Committee received a report, which sought permission for outline planning permission with all matters reserved except for access (appearance, landscaping, layout and scale) for the demolition of the existing garden centre and associated buildings; closure of the existing commercial accesses and replacement with three private driveways; and erection of up to three residential dwellings. Whilst all matters were reserved, in support of the application were indicative plans which illustrated three detached dwellings with independent access points from West Street, detached double garages and off-street parking to front and rear gardens extending

beyond to the rear.

The Development Management Team Leader introduced the item and highlighted key information from the report and the update report.

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

- The main objection to the application was that the proposal would be next to the village envelope.
- The proposal was not in line with the local plan and neighbourhood plan.
- There had been no need for large three to four or five executive houses in the area.
- The proposed development would be a mile or so away from any facilities.
- There could be highway issues for residents of the proposed development when walking down West Street to access the local school.
- Helpston village needed more affordable houses in the area and despite promises this demand had not been met to date.
- King Street could be heavily congested with traffic at times, especially at mid-afternoon.
- The proposed development area had traditionally been used for business and there was opportunity for this activity to continue or for the area to be used as community space.
- There were some areas within the village that could accommodate affordable houses.
- The Parish Council and several villagers had been very involved in the local plan. The Parish Council had not objected to the proposal, and it was thought that incentives had been the main reason.
- Traditionally Helpston villagers tended not to object to planning consultations until the developments happen. The Parish Council had certain requirements which the developers were likely to meet, which was believed to be the reason why they had not objected. Furthermore, villagers had spoken to their Ward Councillor about their concerns for the Garden Centre development.
- The Parish Council would have discussed the proposals.

Hannah Albans, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The site had a lawful retail use and as part of the application, the applicant had considered alternative uses of the site which included a continued use as the garden centre and for all other operations also falling within the E4 class, such as for light industrial use. The applicant had considered the impact of industrial use and the noise pollution and traffic issues and concluded that the proposed housing development presented less impact.
- The applicant had taken on board comments raised by the Planning Inspector as part of the previously dismissed appeal for seven dwellings, particularly in relation to layout and scale whereby concerns were raised that the development of seven dwellings would break the existing single depth linear pattern of development. Therefore, the application led to an overall reduction of proposed dwellings from seven to three and the proposed dwellings had been reconfigured to provide a continuation line of properties to the immediate west and a considered reflective of the linear pattern of

development found within this part of Helpston. It was considered that future occupiers of the proposed dwellings would have a good standard of amenity in relation to the size of private rear gardens, sunlight and daylight as well as adequate parking.

- The application was supported by an evaluation report, which reviewed the current condition of the site and the costs of potentially refurbishment of the buildings and continued as a garden centre. The report concluded that even if the site was sold at nil value, the purchaser could not be expected to make a return on the investment to make the site usable. The site, therefore, had no real value as a garden centre and that the cost of alternative use would be substantial.
- Visually, the site had fallen into a state of dilapidation and was considered an eyesore for residents.
- Whilst the site fell outside of the settlement boundary, it had fallen into the definition of previously developed land and the NPPF encouraged such sites for the use of housing.
- The revised proposals had been sensitively considered to ensure integration to the location of Helpston and would bring back to use a site that had been redundant since 2019.
- The application was supported by the Parish Council, who had raised no objections.
- The boundary line on the proposed plans had been aligned with neighbouring properties and the rest of the land that had not been included would be subject to conditions, such as making it into arable land.
- The staggered boundary line suggested by the Parish Council had not been discussed with them to date, however, any issues they had could be considered at the reserved matters stage of the application.

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 blue and red boundary lines on the application could be conditioned by the Committee to differentiate between residential and agricultural land.
- The agricultural land within the boundary plans would need to be maintained by the applicant.
- The unusable agricultural land within the proposals would be difficult to maintain due to access. The alternative would be to retain the current E class use, which was not advisable.
- Highways were satisfied that pedestrians could access Helpston Village centre safely from the proposed site.
- Members felt that the site needed repair and would not be appropriate for business use.
- There had been a demand for larger houses in Helpston Village.
- The site as it currently stood was of little value to business development and although the proposed housing development was outside of the village envelope, it was a welcomed proposal.
- The Helpston Parish Council knew the area and had not been opposed to the application.
- The Helpston Village plan was under development had been taken into account by officers.
- The proposed properties were of a reasonable size and part of a wider development plan that should be supported.
- Some Members felt that there had been more of a need for social housing in the area.

- The proposal was not an overdevelopment and was sensitive to Helpston Village.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation. The Committee **RESOLVED** (10 For and 1 Abstention) to **GRANT** the planning permission subject to relevant conditions delegated to officers and the additional condition that the plan boundary be amended to show the blue agricultural line.

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 application site was situated within the open countryside, however, it was situated on a former employment site; the proposed development would remove this historic retail use, including the demolition of a number of tired buildings, and would allow the erection of three detached dwellings which follow the established character of the immediate area. As such the proposal would, on balance, present an overall betterment, which would preserve the character and appearance of the area, and the proposal would accord with Policy LP16 and LP27 of the Peterborough Local Plan (2019), Paragraph 130 of the NPPF (2021);
- There would be adequate space within the curtilage of the site to accommodate three dwellings without resulting in unacceptable harm to the amenities of neighbouring occupants, and there would be sufficient space to provide dedicated gardens to serve the proposed and existing dwellings, therefore the proposal would be in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- The proposed development would not constitute a highway safety hazard and it had been demonstrated that satisfactory on-site parking would be provided to serve future occupiers, in accordance with Policy LP13 of the Peterborough Local Plan (2019);
- The proposed development would improve the biodiversity value of the site, in accordance with Policies LP28 and LP29 of the Peterborough Local plan (2019); and the development would make provision for surface water drainage and uncovering unsuspected contamination and would accord with Policies LP32 and LP33 of the Peterborough Local Plan, and Paragraphs 183-185 of the NPPF (2021).

57.2 21/01792/HHFUL - 9 GRANGE ROAD WEST TOWN PETERBOROUGH PE3 9DR

The Committee received a report, which sought planning permission for the construction of a two-storey side extension and single storey rear extension. It was proposed to demolish the detached garage. The two-storey side extension would infill the gap to the side boundary, extend to the depth of the original dwelling and be set back from the principal elevation by some 0.5 metres. It would have a hipped roof to match the existing dwelling. The single storey rear extension would project six metres from the existing rear elevation of the dwelling and extend across the entire width of the plot (including to the rear of the proposed two storey side extension). This would be of flat roof design to a height of 2.9 metres. The application was

amended after submission from a part two storey to part single storey rear extension and two storey side extension, to remove the two-storey rear element. It was identical to the previous proposals (21/01222/HHFUL and 21/01550/HHFUL) which were either withdrawn or refused.

The Development Management Team Leader introduced the item and highlighted key information from the report and the update report.

Tim Slater, objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Mr Slater was in attendance to represent the objectors who lived at 7 Grange Road adjacent to the proposed extension.
- There had been no changes to the original scheme to planning policy or material planning circumstance.
- The objectors had agreed with the officer's recommendation for refusal and that the proposal would cause harm to the street scene and was contrary to LP16.
- Good design was at the heart of sustainable development and that the design and impact of a development were important decision factors.
- The proposal was an example of poor design in two ways, in that it would impact negatively on the street scene and significant impact on amenity
- There had been an ongoing issue in Peterborough with two storey extensions up to the boundary for semi-detached properties and National Planning Policy Framework (NPPF) had changed over the years to address those concerns.
- The adverse impact of the terraced affect that the proposal suggested had long been avoided by Peterborough City Council.
- The proposal would fill the driveway up to the boundary.

Mr Simon Machen, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposal was to 9 Grange Road with an additional of a two-storey side extension and single storey rear extension.
- The proposal would allow for the applicant's three children in their teenage years to have a room of their own to study for their exams, as well as a kitchen and family room on the ground floor and was not intended for a House of Multiple Occupation (HMO).
- One of the three main issues highlighted in the Officers report in relation to design and impact was in relation to the impact on the character of the area, however, the proposed site was not within a conservation area and there were no listed buildings in the area. The area was characterised by two storey, semi-detached properties, many of which had been extended or altered over the years and in recent years.
- There were similar two storey side extensions on Grange Road to the one proposed. The Officer had concluded that the side extension would not appear out of place and would not cause any harm to the character of the area.
- The Officer report concluded that the proposed parking met the planning requirements and that there would be no undue pressure on the public highway, furthermore, there were no objections raised by Highway Officers.
- The impact on the amenity of the neighbour highlighted, had related

to the one neighbour that had objected to the proposals. The Officer objection had been in relation to loss of amenity to the residents because of the impact of the side extension and the outlook from the kitchen window and side elevation.

- The proposed kitchen plans had not included a dining area and would work just as a kitchen. Furthermore, it was believed that the area would not constitute a main habitable room. Many LAs only classed open dining kitchen areas as a habitable room. In addition, there had been a conflict of advice within the building regulations as to whether a kitchen area was a main habitable area.
- The kitchen window at number seven Grange Road faced due north, therefore, there would be no loss of direct sunlight for the window.
- A single storey side extension could be built up to the boundary as permitted development so long as it would not extend to four metres in height and three metres in height to the eaves. Furthermore, the impact of the permitted development compared to the proposed development would be very little in difference. There would also be a blank wall with either option.
- The extension would provide the needs of the family and had been similar to existing extensions on Grange Road.
- A permitted development of a single storey would be equivalent to a 10-foot-high wall. The two-storey option would only present a small increase in height which was not believed to be detrimental to the neighbouring property.
- There had already been a 10-foot wall adjacent to the property and the proposal would be the same but placed closer to the neighbouring property. In addition, there would be no loss of sunlight as the sun travelled to the south and the proposed extension was north facing. However, natural daylight may be impacted, however the nature of the room use was not a concern, as they were indeed kitchens.

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

- Members were advised that there would be too much loss of natural daylight for the neighbours, as a result of the proposal.
- A single storey side extension would not break the 25 degree rule used to assess the loss of natural daylight.
- Members were advised that a single storey side extension would be permitted development. Furthermore, the proposal could include a six-metre rear extension to the width of the property, however, a six-metre rear extension could not be installed onto a single storey side extension.
- Members were advised that a three-metre eave with a four-metre-high ridge was very different to a seven-metre flank high wall and would therefore be overbearing and a worse outcome for the neighbour.
- Members felt that a substantial amount of time could be spent in the kitchen when tending to a family.
- It was easy to dismiss that people would not spend a lot of time in their kitchens. Furthermore, it was important to carefully consider the impact on the loss of daylight for the neighbouring property.
- The site visit had demonstrated to Members how the proposal would impact on the neighbours, even though it was a north facing wall, therefore it would be overbearing and too close for the neighbours.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application as per the officer's recommendation. The Committee **RESOLVED** (7 For and 4 Abstention) 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 and for the specific reasons given below.

The proposed two storey side extension, by virtue of its siting, size and scale, would result in an unacceptably harmful impact to the amenities of neighbouring occupants at 7 Grange Road. The proposal would introduce a blank boundary of the site. It would face a two storey flank wall sited on the side primary habitable ground floor window serving the neighbouring dwelling at a distance of only 3m. This would result in an unacceptable loss of natural daylight to and overbearing impact upon this primary habitable room to the harm of amenities of neighbouring occupants. The proposal is therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

57.3 21/00009/TPO - DOGSTHORPE SPINNEY WELLAND ROAD

Following publication of the Committee Agenda, the customer that had raised objection to the Tree Preservation Order had withdrawn that objection. As such, Officers were able to exercise delegated authority in this matter. It was therefore withdrawn from the Agenda.

6. APPEALS QUARTERLY REPORT

The Committee received a report on Planning Appeals Quarterly Performance 1 October 2021 to 31 December 2021.

Members were advised that the report focused on just the performance of Peterborough City Council in relation to the quality of its decisions on planning applications. It was useful for Committee to examine the Planning Service's appeals performance and identify if there were any lessons to be learnt from the decisions made. This would help inform future decisions and potentially reduce costs.

The Development Management Group Lead presented the report and asked Members to note past performance and outcomes.

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

- The Committee felt that the number of appeals was relatively low and that this had been thought to be a positive outcome.

RESOLVED:

The Committee noted the past performance and outcomes.

REASONS:

It was useful for Committee to look at the Planning Service's appeals performance and identify if there are any lessons to be learnt from the decisions made. This would help inform future decisions and potentially reduce costs.

CHAIRMAN_
END – 2:51PM_