

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 17 OCTOBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors Harper (Chair), Casey (Vice-Chairman), Councillors Ash, Bull, Clark, Amjad Iqbal, Hiller, Martin, Stokes, Serluca and Bond.

Officers Present:

Nick Harding	Head of Planning
Simon Ireland	Principal Engineer (Highways)
Stephen Turnbull	Planning and Highways Lawyer
Dan Kalley	Senior Democratic Services Officer

1. APOLOGIES FOR ABSENCE

No Apologies for absence were received.

2. DECLARATIONS OF INTEREST

Councillor Stokes, declared an interest in item 5.4, 17/01422/R3FUL – Oakdale Primary School, as Cabinet Advisor for Children’s Safeguarding and Education. She was not, however, predetermined.

Cllr Harper, declared an interest in item 5.4, 17/01422/R3FUL – Oakdale Primary School, by virtue of being a Ward Councillor. He was not, however, pre-determined

Cllr Hiller, declared an interest in item 5.2, 17/01253/OUT – Land to the East of 29 Peakirk Road, by virtue of being a Ward Councillor. He was not, however, pre-determined

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

There were no declaration of intention to make representations as Ward Councillors were received.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL COMMITTEE MEETING HELD ON:

4.1 5 SEPTEMBER 2017

The minutes of the meeting held on 5 September 2017 were agreed as a true and accurate record.

4.2 19 SEPTEMBER 2017

The minutes of the meeting held on 19 September 2017 were agreed as a true and accurate record.

5. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

5.1 17/01198/HHFUL - 35 AND 37 LAWN AVENUE, PETERBOROUGH, PE1 3RA

The Planning Committee received a report in relation to a proposal for a two storey side and rear extension and single storey rear extension - No 35. Removal of garage. Two storey side and rear extension and single storey rear extension - No 37.

The purpose of the report sought approval for linked two storey side extensions with car port, two storey rear extensions and single storey rear extensions

Following objections, the proposal was revised to separate the two extensions, remove the car port elements and to set back the 1st floor of one of the two storey side extensions by 4.5 metres and reduce the width of the single storey rear extensions by 2.0 metres.

The proposal was also revised to correct errors in relation to the position of the two dwellings relative to each other.

The Head of Planning introduced the report and update report.

Councillor Shaz Nawaz and Councillor Richard Ferris, Ward Councillors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- A meeting had taken place between both the applicant and local residents to try and come to an agreement over the scale of development.
- Residents had concerns over the size of the extensions and this overbearing on the local landscape. In addition there were concerns over parking congestion.
- There were no issues over the extension to No37 Lawn Avenue as this was to increase the size of the family home.
- Residents were concerned that no 35 Lawn Avenue would be used as a House in Multiple Occupation (HMO) which would increase the number of cars, however the applicant had given assurances that this would be rented out as a family home.
- The applicant had been given assurances that they would follow the submitted plans, unlike other residents in the area who had deviated from agreed plans.
- The applicant had clearly explained the reasons behind the application to extend No37 Lawn Avenue which was to create a larger family home,
- The applicant had gone away and revised plans taking on board comments from local residents.
- As Ward Councillors there was broad support for the application as long as the conditions submitted were followed.

Brian Stammers and Stephanie Hunt, local residents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The conservatory extension was built without planning permission.
- Pictures and drawings shown had errors and were not the plans local residents had been aware of.
- The detail of deeds for 39 Lawn Avenue stated that any new build needed to have Church Commissioner building restrictions consent.
- Off-Street parking would increase with the size of extensions being proposed. There were no guarantees that No35 Lawn Avenue would not be used as a HMO.

- If the plans were passed, other residents on Lawn Avenue would be encouraged to break planning laws and significantly harm the character of the local area.
- It was felt that the design of the extension was not in keeping with Peterborough Core Strategy CS16 and was not appropriate for the area.
- The application contravened Peterborough Planning Policy PP02 as its impact was not in keeping with the natural environment and harmed the character of the area.
- In addition the application contravene Peterborough Planning Policy PP13 as there was no appropriate parking provision to deal with this scale of development.

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

- The Original proposal for both properties was for them to be attached, however this was deemed over development, the new plans were an improvement and kept the properties as individual elements.
- The size of the extensions had reduced significantly. The front extension on No35 had been revised and was set back a further 4.5 metres.
- Both properties have adequate off street parking provisions.
- The design and appearance compliment the surrounding residential buildings.
- The first floor rear extensions were 2.6m away from site boundaries which was more than adequate for planning permission to be granted. There would be no loss of sunlight to 33 or 39 Lawn Avenue.
- The applicant had done all they could to mitigate the concerns of local residents.
- The Planning department at Peterborough had recommended approval based on the current drawings.
- There was no difference to previous applications that had been made in the local area, which had been granted.
- No 35 Lawn Avenue would not be used as a HMO and would be rented out as a family home.
- The restrictions placed on title deeds, were not applicable to this application and had been checked by the applicant's solicitor.

The Head of Planning responded to points raised and stated that there were two types of HMO. One was a small HMO which allowed for up to 6 people living in a family home which did not need planning permission. Only if there were more than 6 people would planning permission be required. In terms of parking this was deemed sufficient on site. The conservatory had been altered this year, but was in existence prior to this.

The Planning Solicitor informed the Committee that in relation to the Covenants and deeds, this was not a material planning consideration, these were private legal agreements between parties. In terms of parking sufficient on site. Conservatory altered this year, but was in existence prior to this. Outbuilding had alterations been in existence four years.

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

- The existence of legal restrictions had no bearing on planning applications and could not be a factor in determining the application.
- There was no appetite in favour of properties becoming terraced properties. There was a danger of losing parking provisions with the extension.
- There was a dispute as to whether this application was too grand and would over shadow existing premises.

- Assurances had been provided by the Ward Councillors of the scheme, recommending approval did not set precedent for future extensions in the area.
- There was understanding of the concerns of local residents, however these had been addressed from the original applications.
- Concerned about terracing effect, but encouraged by the mitigation of the officers and the architect.

A motion was proposed and seconded to refuse the application on the grounds that the application was not in keeping with the local design of the area. On a vote the motion was defeated. (3 For 8 Against)

The Planning Environment Protection Committee considered the report and representations. A second motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (8 For 3 Against) to **GRANT** the planning permission subject to relevant conditions.

REASONS FOR THE DECISION

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

- The proposal will not unacceptably harm the character of the area, the amenity of the occupiers of neighbouring dwellings or highway safety; in accordance with policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policies PP2, PP3, PP12 and PP13 of the Peterborough Planning Policies (DPD) 2012.

5.2 17/01253/OUT - LAND TO THE EAST OF 29 PEAKIRK ROAD, GLINTON, PETERBOROUGH

The Planning Committee received a report in relation to the Construction of 14 new homes include 4 self-build plots with access secured and all other matters reserved (appearance, landscaping, layout and scale)

The purpose of the report sought the refusal of the application seeking outline planning permission for the construction of 14no. dwellings of which 4no. plots are for custom/self-build dwellings. All matters with the exception of access, are reserved for future applications and consideration

The Head of Planning introduced the report and update report. Located outside village boundaries, scheme is not an exception site. Outside village envelope.

Susan Lowe-Lauri, Oldrich Hoppe and David Cowcill, local residents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Residents support the planning officers recommendation of refusing this application as it was outside the village boundary.
- The 5 year land supply had already identified an extra 44 houses. There was no need to develop a further 14.
- Goes against the neighbourhood plans for the local area. There were a number of large houses already in the village.
- This development would be damaging to the neighbouring countryside.

- There were a number of highway issues. These included a large number of school pupils being taken to school along this road.
- The access point for the development was not sufficient enough to allow clear visibility for drivers trying to exit onto the main road.
- Details of the Anglia water report showed the sewerage system was not adequate to cope with the additional houses in the village.
- Already gone above the recommended 5 year housing supply figure for the village.
- Agricultural land should be maintained.

Jon Gibbons (Agent) and Judith Jacobs (Applicant), addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There were few developers able to build high quality stone homes. The agent had evaluated the land and was one of the key areas to develop.
- This would not degrade the area, individual stone homes would be in keeping with homes in the local area.
- The development would not affect the views of the village and the conservation area.
- There was a bus service in the village. With the additional development there was a good chance that services would improve if more houses were built.
- None of the key services at Peterborough City Council had any objections to this development.
- Only marginally outside the village boundaries. Aware the village was producing a neighbourhood plan, however there were developers who had been granted planning permission for similar scale developments.

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

- This application fell outside the village envelope and is a grounds for refusal in itself.
- There were issues with building in the countryside and the need to protect local areas
- There was no need for the additional houses in this area, the 5 year local housing supply had already identified a number of properties to be developed.

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

REASONS FOR 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 highlighted in the report.

5.3 17/01614/FUL - 160 BROADWAY, PETERBOROUGH, PE1 4DQ

The Planning and Environmental Protection Committee received a report in relation to the construction of one new dwelling and new vehicular crossing.

The purpose of the report sought refusal for planning permission for the construction of a two storey detached residential dwelling within the rear/side garden area of the host dwelling. The proposal included associated hard surfacing, felling of 7no. trees (which are protected by virtue of their siting within the Conservation Area) and the creation of a new vehicular access from Broadway to serve the host dwelling house of No.160.

It was be noted that the current proposal had been amended from an earlier scheme which was refused permission by Members in September 2016 under application reference 16/01340/FUL. The scheme had been amended as follows:

- Reduced width of the dwelling (by 6 metres), with a two storey side wing omitted;
- Increased set back from the site boundary with Huntly Grove by 0.8 metres;
- Identified separation of the garden area to serve both the proposed and existing dwellings; and
- Increased width of the new vehicular access onto Park Road (from 3.2 metres to 3.5 metres).

The Head of Planning introduced the report and update report.

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

- Broadway Residents Association were the only ones to lobby on this application.
- Some inconsistencies within the report. There are examples in the local area that show developments that had been built within the gardens of existing dwellings.
- This was not an overdevelopment of the land. The applicant had made significant changes to the original application.
- The proposed driveway was not going to cause any extra concern to traffic problems.
- Design is sympathetic to surrounding properties and had taken on board previous committee comments.
- Substantial reduction in footprint in the design of the building from original application.
- All ward councillors were in favour of this application being granted.
- There were a number of trees bounding the property, it was hard to see the concern surrounding the build-up of leaves.
- Inconsistencies with planning permissions being granted especially when other developments that are larger in scale had been allowed to go ahead.
- The development would not be visible from the main thoroughfare of Broadway road.

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

- Proposed site was within 163m of rear garden space, over and above what is required for amenity space for a development of this size.
- The width of the driveway access had now been revised ensuring compliance with requests from highways.
- Previous planning applications had allowed reversing onto Broadway road.
- Proposed development was far enough away from the flats. In addition it was 10m away from rear boundary fence onto Broadway.

- There were no issues of overshadowing.
- Although the property at 160 was currently used as a residential home, it was still classed as a dwelling.

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

- Highways explained that they were not objecting to the application. They commented that the presence of two substantial trees would cause problems for vehicle-to-vehicle visibility at the new entrance to Broadway.
- New vehicle access for Broadway was on a classified road, vehicles had to exit in a forward gear.
- Applicant shown acceptable access for Huntly Grove and Broadway, however they had not, as yet, provided and tracking data to show a vehicle could enter, turn and leave the site in a forward gear.
- On seeing the site there was a lot of space to create a new development. The changes being suggested were quite concessionary and it was hard to see how the street scene would be affected by this.
- Applicants had shown that they have taken comments on board from previous comments raised by the Committee.
- The Ward Councillors supporting application showed that they were listening to the views of residents.
- The revised application was a great improvement, the footprint had been moved further away from other dwellings.
- Assurances on the safety of entering and leaving the dwelling had been made by the applicant.
- The proposal would be in keeping with this block of land in the conservation area.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application contrary to officer recommendation. Officers given delegated authority to issue planning permission with conditions as they see fit. . The Committee **RESOLVED** (10 For, 1 Against) to **APPROVE** the planning permission subject to relevant conditions.

5.4 **17/01422/R3FUL - OAKDALE PRIMARY SCHOOL, OAKDALE AVENUE. STANGROUND, PETERBOROUGH**

The Planning and Environmental Protection Committee received a report in relation to a proposed school expansion from 210 pupils to 420 pupils and 30 nursery spaces, including a single story classroom extension, refurbishment of the existing school building, realignment of school boundary, provision of new hard and soft landscaping and a new pick up and drop off area and car parking area.

The purpose of the report sought approval for planning permission to erect a single storey classroom extension and nursery extension, internal and external alterations to the school building and to re-align the north-west school boundary to provide new hard and soft landscaping (play areas). The scheme also proposed improvements to the existing vehicle access, the creation of an on-site pick up and drop off area, and the provision of on-site car parking. This would allow the school to expand from 210 pupils to 420 pupils, and increase the number of nursery spaces from 17 to 30.

To facilitate the proposed works a single storey extension (IT Suite) and the existing nursery buildings would be demolished.

The proposed classroom extension (north) would have a floor area of 33m x 25.8m proposing to stand at 5.1m in height, utilising two mono-pitch roofs with a central flat roof element. The extension would be linked by a single storey lobby. The extension would create 8x classrooms, changing facilities, a group area and lobby. Each classroom would be served by natural light and an access door linking to the outside.

A single storey extension is also proposed to the south-west to provide accommodation for 30x nursery spaces. This would have a floor area of 17m x 18.4m and proposes to stand at 3.2m, utilising a flat roof.

A further single storey extension is proposed to the west to round off a class room; this would have a floor area of 7.8m x 8.4m and proposes to stand at 3.2m, utilising a flat roof.

To facilitate the additional play area the western boundary would be amended with Stanground academy, taking some of their site. This would allow the provision of a junior football pitch, athletics track and a Multiple Use Games Area (MUGA). The MUGA is not for public use.

The existing access from Oakdale Avenue is proposed to be widened and an on-site car park and pick up / drop off area is proposed. 37x staff and 11x visitor spaces would be provided on site. Existing staff car parking areas to the north and east would be laid to landscaping.

The Head of Planning introduced the report and update report.

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

- There were no issues with the planned school extensions and the increase in the number of students.
- There was a lack of clarity with regards to Peterborough Planning Policy PP12 as there were concerns over the safety of children with the widening of the access road.
- The current zebra crossing should be relocated to the South of the proposed access road.
- The proposed boundary wooden fence was not adequate enough for school security. People would be able to access the driveway at No88 Oakdale Avenue and then be able to access the school site.
- Traffic now parked on two pathways between 8.30am to 8.50am which was very busy and made exiting the property difficult between these times.

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

- Safeguarding of children was a key consideration with regards to this application, especially in terms of the school entrance and access roads.
- The design of the project was led by the school head teacher and the governance team, safeguarding would have been in the forefront of their mind.
- Primary access is through a side entrance for pedestrians and would take into account the Cardea development.
- Through the transport assessment the application looked into growth areas and where children would come from as the school expanded, namely the cardea area.
- Existing parking on Oakdale Avenue was heavily congested, the application looked at dropping off and parking facilities for parents, 48 car park spaces were to be provided, 11 were allocated visitor spaces.

- The zebra crossing had not been offered to be moved as not in the growth area. In addition any move would need public consultation.
- Proposed conditions would ensure that the parking at the school site needed to be properly managed.
- Widening of the road had been taken into account with regards to the zebra crossing. Traffic calming measures had been placed within the new access road.
- There was concern around current education policy and the need to expand schools.
- There was to be a change to the recommendation, delegating authority to deal with access outside No88 Oakdale Avenue and the issues around the zebra crossing before planning consent was granted.

The Planning and Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (10 For 1 Abstention) to **GRANT** the planning permission subject to relevant conditions including:

Officers given authority to grant planning permission subject to:

1. Satisfactory revised plans for the access, gates to the access and speed reduction measures.
2. Confirmation from the applicant that the use of the fence to No.88 Oakdale Avenue is an appropriately secure boundary (if not then a fencing detail is to be submitted).
3. Consultation with the neighbours regarding any plans submitted in relation to points 1 and 2.
4. Revision to the proposed conditions as may be necessary.

REASONS FOR THE DECISION

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

- The proposed extensions and associated works would not have an unacceptable adverse impact on the character or appearance of the host building or area, it would maintain and improve levels of sporting provision for the school, as such the proposal would accord with Policies CS16 of the Peterborough Core Strategy DPD (2011), PP2 of the Peterborough Policies DPD (2012) and Paragraph 72 of the NPPF (2012);
- The extension and associated works would not have an unacceptable harmful impact to neighbouring amenity and would therefore accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012);
- There are no Highway safety concerns and satisfactory parking can be accommodated on site, in accordance with Policies PP12 and PP13 of the Peterborough Policies DPD (2012); and
- The proposal would preserve and enhance the biodiversity value of the site, and would therefore accord with Policy PP16 of the Peterborough Policies DPD (2012).

5.5 17/01834/NONMAT - CAR PARK HAMPTON, COURT WESTWOOD PETERBOROUGH

The Planning and Environmental Protection Committee received a report in relation to Non-material amendment (removal of condition C15 to no longer re-provide the recycling 'bring' facilities) of planning permission 16/02184/R4FUL

The purpose of the report sought approval for a non-material amendment, to remove condition C15 of planning permission reference 16/02184/R4FUL. This 'parent' permission related to the redevelopment of the Hampton Court local centre car park to provide 16no. affordable residential units, along with the creation of a new 22 space car park on existing Public Open Space and other associated external changes to the local centre and its parking areas

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

Chairman
1:30pm – 4.32pm