

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION  
COMMITTEE MEETING  
HELD AT 1:30PM, ON  
TUESDAY 19 FEBRUARY 2019  
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

**Committee Members Present:** (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Shaz Nawaz, Martin, Hiller, Rush, Stokes, Hogg and Serluca

**Officers Present:** Lee Collins, Group Manager  
Karen Dunleavy, Democratic Services Officer  
Stephen Turnbull, Planning Solicitor

**47. APOLOGIES FOR ABSENCE**

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

**48. DECLARATIONS OF INTEREST**

There were no declarations of interest received.

Councillor Shaz Nawaz declared that he had been approached by the applicant for Grimshaw Road, however, this would not affect his involvement in the meeting.

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

There were no representations to make declarations as Ward Councillor.

**50. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 29 JANUARY 2019**

The minutes of the meeting held on 29 January 2019 were agreed as a true and accurate record.

**51. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS**

**51.1 18/01907/FUL - 38 Grimshaw Road, Peterborough, PE1 4ET**

The application site comprised of a parcel of land to the rear of number 38 Grimshaw Road. This land was part of a larger ditch that was to the rear of properties along Grimshaw Road and was north of a playing field that served the Thomas Deacon Academy to the south. Shrubs and trees lined this ditch. This ditch had not had a registered land owner.

Retrospective permission was sought for the change of use of this land to be used as a garden, to serve number 38 Grimshaw Road, along with the construction of a boundary wall and an outbuilding, both in red brick.

The land changing use measured approximately 10.8 metres wide by 2 metres in depth. This had been enclosed by a boundary wall that measured approximately 2 metres in height. A single storey outbuilding was positioned across the original garden and the land proposed to be used as a garden. The proposed outbuilding measured approximately 4.7 metres in depth by 2.7 metres in width. The ridge to the retrospective structure measured approximately 3.6 metres above ground level and the eaves measured 2.7 metres above ground level.

The Development Management Manager introduced the item and highlighted key information from the report and the update report. In summary the update report included concerns raised from objectors about the impact on wildlife, drainage and the visual impact. All of the concerns raised had been covered within the Committee report.

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

- The application was in the path of a wildlife corridor.
- The recommendations put forward had not addressed the issues raised about habitat and biodiversity.
- The groundsman at Thomas Deacon Academy had seen badgers on site.
- The Species Society had reported that the number of hedgehogs had decreased by over a third in the last millenium and as Peterborough was aiming to be an Environmental Capital this should be taken into consideration.
- The diminishing impact of the wildlife in the United Kingdom should be taken into consideration.
- The applicant had a substantial garden without impacting on the wildlife.
- Expert knowledge had been sought from other organisations such as the Hedgehog Society on what impact the application would have on wildlife.
- Loss of the ditch would impact on the wildlife corridor as animals, such as hedgehogs, would be unable to travel from one end to the other. This would also be detrimental to their food source.
- The gaps provided in the wall would not accommodate passage for larger wildlife animals.

Richard Olive addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The information outlined on page 30 of the supplementary report had shown the that the space between the building and the fence was less than 75 millimetres and the minimum space required for hedgehogs was 130 millimetres. There had been no other way around the fence post for the hedgehogs to travel.

- The opening provided in the wall for hedgehogs to travel was quite small, however the applicant would provide another hole. However, the proposed position for the hole was too high for hedgehogs to climb.
- The hole provided within the proposed brick wall for hedgehogs would be met with a wire fence. This would not allow for the movement of wildlife along the corridor.
- There were mounds found on the site which appeared to have eight to nine burrows and appeared to be greater than 222 millimetres wide, which had demonstrated that these being belonged to badgers. The Council's Wildlife Officer had not managed to find the burrows.
- It was an offence to block off a badger feeding area.
- There were 45 wildflower species on the site including Huntingdon Elm and brambles and these needed to be protected.
- Peterborough was aiming to be an Environmental Capital City and this status should be maintained, therefore the application had not been in line with policy.

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

- If neighbouring properties in the area wanted to acquire the land at the back of Grimshaw Road, they could do so unless the evidence in regards to wildlife impact had changed.
- There had been no evidence of badgers going underneath the wire on the boundary of Thomas Deacon Academy.
- There had been a condition subject to the grant of planning permission to ensure that the holes provided would allow for hedgehog movement.
- The Authority's Wildlife Officer had a number of years of experience and had confirmed the burrows were not badger sets, but rabbit holes. This advice should be given consideration.
- The applicant had built on land that had not been owned by him.
- Members felt that biodiversity should be protected particularly in relation to wildlife corridors and measures should be taken to stop people building on land that was not owned. Members felt that by permitting this type of development on overgrown land and in wildlife corridors at the bottom of gardens would set a precedence.
- Members felt that the application should be revisited by the Wildlife Officer and were minded to defer the item.
- Members commented that land grab that was not owned by anyone should be deterred where it had the potential to impact on the wildlife.
- The workmanship of the existing brick wall had been of a concern to Members.
- How the applicant had procured the land was not a planning consideration.
- Members felt that the holes in the proposed wall were pointless as the wildlife could not pass through the metal fencing.
- Some Members felt that to defer the application would not change the fact that the application was in the wildlife corridor and would affect the wildlife.

**RESOLVED**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officers recommendation and **REFUSE** the application. The Committee **RESOLVED** (9 For, 2 Abstentions) to **REFUSE** the planning permission.

## **REASONS**

- The design of the brick building was out of place in its context;
- The application would have a detrimental impact on the wildlife corridor; and
- The Planning Policy stated for refusal was PPO2, PP16, PP19 and LP16.

### **51.2 18/02078/HHFUL - 3 Maffit Road, Ailsworth, Peterborough, PE5 7AG**

The application site comprised of a mid to late 20<sup>th</sup> Century two storey detached dwelling located within the Ailsworth Conservation Area. The property was brick and tile construction with white upvc doors/windows. It had a forward projecting garage as well as a large driveway to the front which could accommodate several vehicles. The property had a single storey pitched roof element at the rear. The rear garden was enclosed by boundary fencing and plants. The immediate area comprised of residential dwellings varying in character and size.

The application sought planning permission for the following:

- Demolition of existing single storey rear extension;
- Two storey rear extension measuring 5.6 metres in length by 4.7 metres in width;
- Cladding or render of external walls of rear elevation and cladding of external walls of front porch; and
- Replacement windows and roof tiles.

The Development Management Manager introduced the item and highlighted key information from the report and the update report. The update report had provided a further statement from the applicant. It also raised a number of issues from the objector in relation to loss of sunlight during certain periods of the day and the size of extension being overbearing. The issues raised had not been significant enough to alter the officer recommendations for approval subject to imposition of conditions outlined.

Dr Ian Baugh addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Despite what was in the written committee report the view on the sunny south boundary would not remain the same if the proposed extension was approved. The square meterage of the proposed extension would be three times larger than the current existing ground floor extension.
- An independent study that had been conducted revealed that there would be a loss of sunlight during midday especially over the winter months and would cause loss of amenity to number 5 Maffit Road.

- The proposed extension would overshadow the main living rooms and patio area of the neighbouring property, number 5 Maffit Road.
- The property at number 3 Maffit Road was already large in comparison to other properties in the street.
- The property had been extended including a two story gable end extension on the boundary of the neighbouring property at number 5 Maffit Road.
- There had been a large number of objections raised.
- The proposed Juliette Balcony would affect the privacy of number 5 Maffit Road and was not in keeping with surrounding properties.
- A lower roof line and any alternative plan could minimise the visual impact.
- Alternative solutions would allow no 3 Maffit Road to have their extension and not compromise the amenity of number 5 Maffit Road.
- A meeting had been held with the applicant and the owners of 5 Maffit Road to mitigate any issues. The applicant had made it clear very early on that the proposed roof would not be lowered and that the building works would compromise the patio area and trees at number 5 Maffit Road.
- The sheer scale and size of the proposed extension, combined with the high pitched roof was an issue to the residents of 5 Maffit Road.
- It was disappointing that Ailsworth Parish Council had referred the planning matter to Peterborough City Council, given that Dr Baugh had provided substantial evidence that the application had contravened the Ailsworth Neighbourhood Plan.

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

- Some Members felt that although the term overbearing was very subjective, the impact of the proposed extension to the property at 3 Maffit Road would be too foreboding for the neighbours at 5 Maffit Road. In addition, further detailed evidence provided by the objector within the update report had demonstrated how the proposed extension would impact sunlight and the amenity of the neighbouring property.
- Some Members felt that the proposed extension had no effect on the village street scene. It was a large proposed extension to an already large property, however it was not considered too overbearing and therefore would not be a planning reason to refuse. In addition it was not clear how the lower roof line suggested by the objector would be even less foreboding.

## **RESOLVED**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officers recommendation and to **REFUSE** the application. The Committee **RESOLVED** (7 For, 4 Against) to **REFUSE** the planning permission subject to relevant conditions delegated to officers.

## **REASON**

The proposed size and scale of extension was overbearing and would have an impact on the loss of sunlight during the winter months of the year and therefore a loss of amenity to the neighbouring property.

Planning policy stated for refusal was CS16, PP03 of the emerging local plan and LP17 section A.

Chairman  
1:30pm - 2:45pm