

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 23 APRIL 2019
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors Harper (Chairman), Casey (Vice-Chair), Brown, Amjad Iqbal, Hillier, Rush, Stokes, Bond Jamil and Serluca

Officers Present: Nick Harding, Head of Planning
Nick Greaves, Principal Engineer (Development)
Sam Falco, Principal Built Environment Officer
Jane Webb, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Shaz Nawaz, Councillor Jamil attended as substitute.

2. DECLARATIONS OF INTEREST

Councillor Amjad Iqbal declared an interest by way of being related to the applicant of agenda item 4.2, Mrs S Kauser 18/02058/HHFUL - 166 Mayors Walk West Town Peterborough PE3 6HF and advised he would leave the room for that item.

Councillor Hillier declared an interest by way of knowing the applicant Mr Sly, agenda item 4.1 19/00097/FUL - 18 Wisbech Road Thorney Peterborough PE6 0SB personally and that they were both representatives on the North Level Drainage Board.

Councillor Stokes declared an interest by way of being a representative on the North Level Board to which the applicant, Mr Sly, agenda item 4.2 was also a representative.

Councillor Brown declared an interest by way of being a ward councillor for Thorney.

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

There were no representations to make declarations as Ward Councillor.

4. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

4.1 19/00097/FUL - 18 WISBECH ROAD, THORNEY, PETERBOROUGH, PE6 0SB

Permission was sought for a change of use from dwelling (C3) to café use (A3) at ground floor, garden and rear garage with a flat on the first floor.

The proposal was to facilitate an alternative site for the existing tea room currently located in the local centre in Thorney at 21 Wisbech Road, near to the application site and to include 24 covers within the main property, and an unspecified number of covers in the garden area and to be converted garage. No proposed opening hours had been specified and the upstairs dwelling would have two bedrooms. The tea room was seeking to relocate as the existing site had poor insulation and heating, no indoor toilet and lacked space for storage.

The Head of Planning introduced the item and highlighted key information from the report and the update report. He confirmed that two objections had been received however one from a neighbour had been withdrawn. The remaining objection expressed concern with car parking and the need for a café in the village. Since the publication of the update report an email had been received from Councillor Joseph supporting the proposal on the grounds that the tea room would provide a valuable community resource to village residents and visitors. The application had the support of the parish and ward councillors however Highways Department had concerns over the lack of car parking and the impact this would have on road safety and there were also concerns over noise and loss of privacy to neighbouring properties. As a Grade II listed building any noise mitigating alterations would have to pass through an approval process. The proposed building was located outside the centre as defined by the local plan however the site does have local centre facilities to both sides.

Councillor Allen, Ward Councillor, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The tea room was a valued facility and asset to the village.
- The property in question had been originally been intended for commercial use as part of the design of the original model village.
- Most customers were local and additional visitor parking requirements were anticipated to be minimal and could be accommodated with nearby roadside parking.
- Visitors could be visiting the village as part of a heritage experience and as part of a walk from either Bedford Hall or Thorney Abbey and may not be parking directly outside the proposed site.
- The proposed move would better accommodate the current demand and provide inside toilet facilities and would be a move to more suitable premises.
- The facility would enhance the village.
- Resident's concerns needed to be addressed and the use of the passageway respected. Acoustic fencing in the garden and the internal walls needed to be included to address the noise issues which could affect neighbouring properties.
- Opening hours would be daytime only.

Councillor Simons, Ward Councillor, addressed the Committee in support of the application and responded to questions from Members. In summary the additional key points highlighted included:

- The infrastructure on the existing building was not fit for purpose.
- The Conservation Officer supported the application.
- The proposed building was already designated a commercial building.

Parish Councillor Bartlett, Chair Thorney Parish Council, addressed the Committee in support of the application and responded to questions from Members. In summary the additional key points highlighted included:

- The café had outgrown its existing premises.
- Thorney was an expanding village, with 100 new homes recently completed, another 100 due to commence build shortly and another 100 in the new local plan.
- There was car parking available at the rear of the property for the flat which had not been included in the report.
- Car parking was available nearby and had not been a problem in the past.
- Existing customers would welcome an enlarged café.
- There were not many occasions when refreshments could be taken outside.
- The opening hours of the café would not interfere with the local public house, the Rose and Crown, which was only open five days a week.

Mr King, of Ross Thain Architects, addressed the committee on behalf of the applicant. The additional points raised included:

- The building was outside the local centre however the centre was composed of three separate blocks.
- The sequential approach did not apply easily to a polarised local centre. The local building was not fit for purpose, being of unsuitable construction and too small with no inside toilet and no disabled access. Investment on improvements would be difficult to justify commercially.
- It would be difficult to find another tenant should the café cease to trade in the existing premises given the amount of building work required.
- There would be an increase of 9 internal covers with a maximum of 50 covers in total with the use of the rear garden which would be seasonal and accessible via the café. The alleyway would only be used by the occupants of the flat above and the adjoining property. Any visual impact on the neighbouring dwellings could be addressed with fencing.
- There would be a no smoking policy enforced inside and outside.

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

- No disturbances had been reported regarding the existing café premises.
- The committee were advised that there were no residential properties either side of the proposed site although there was a passageway which would require screening and some supporters expressed concern that they would be wary of living next door to such a site and would be reluctant to buy a

neighbouring property, expressing sympathy for the neighbours. It was repeated that the neighbour had withdrawn his objection and could be moving.

- One supporter confirmed he be happy living next door to a unique, understated teashop located in a conservation area in a heritage village with the right conditioning on internal arrangements.
- There was a tearoom, public house and chip shops located already in the village and more outlets could be accommodated.
- The additional car parking would affect existing residents but there was a lot of street parking a short walk away which would be available during the day although residents tended to park on the street at night.
- The proposal was to relocate the tearoom to a new site rather than provide an additional café for the village although the existing tea room could re-open as another tearoom in the future as the building already had planning consent to be a tearoom.
- The proposed tea room was owned by the same person who owned the existing tearoom in the village.
- The committee were advised the Local Plan could not be changed at this stage to re-designate the use of the existing building.
- A Section 106 Agreement could potentially be attached to this permission to prevent the existing premises from being used as a café. However as the existing café was under different ownership it was unlikely this would be agreeable.
- The current teashop operator intended to relocate to the proposed site however the two properties were had different owners. It was considered unlikely the owner of the current site would not wish to sign a section 106 Agreement. The situation of two teashops opposite each other would not be acceptable.
- Should two teashops be in operation at the same time there would be parking issues.
- It was not known how many existing customers arrived at the café by car.
- To combat the noise and disturbance impact on the proposed flat above, planning conditions would be required over opening hours.
- It would be difficult to install noise mitigation into the flat as it was a listed building.
- There would be an increase in the movement in the yard area should the proposal be granted and consideration would need to be given to the neighbours rear gardens and the use of suitable fencing.
- There were no car parking provision at the current site.
- Whether the existing property was fit for purpose was not the subject of this application.
- The patronage was anticipated to be civilised and quiet.
- The site would be an ideal place for a quaint teashop.
- Planning permission was granted to the land rather than an applicant.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application.

The Committee **RESOLVED** (6 in favour, 3 against, 1 abstention) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

It was considered that the benefit of facility to the community would outweigh any dis-benefit arising from the development being outside the local centre or from additional demand for car parking. It was also considered that any noise and disturbance arising from the development could be adequately mitigated through a conditioned noise mitigation scheme and opening hours.

4.2 18/02058/HHFUL - 166 MAYORS WALK, WEST TOWN, PETERBOROUGH, PE3 6HF

Councillor Amjad Iqbal left the meeting for the duration of the next item.

The application was to request permission for a wrap-around extension, two storey side and rear extensions with some single storey elements. The extensions seek to increase the bedrooms, bathroom and living space of the existing property.

The single storey rear extension would be removed and the proposed extension protruded no further into the garden than the existing. Key elements and differences to the existing building were identified to the committee. The first floor area was recessed to allow sufficient light to the bedroom and neighbour's bedroom window.

One objection had been received regarding car parking spaces. As there would be a significant increase in the size of the dwelling it could be considered necessary to increase the parking facility from the two off street parking spaces currently provided however planning policy did not required additional parking when adding additional bedrooms.

The scheme did not have an unacceptable impact on loss of light, amenity and was not overbearing on the neighbours.

Members were advised amended plans had been received to correct some minor errors in the drawings, relating to redlines on the block plans not quite matching up, and the annotation of both bedrooms being marked as number two.

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

- Members could not see any major issues and although the extension was large it would not damage the street scene and would fit on the plot.

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.

REASON FOR THE DECISION:

Subject to the imposition of the attached conditions, the proposal was 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 unacceptably impacted upon by the proposed development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the emerging Peterborough Local Plan (Consultation on Modifications Stage) (2019).
- The proposal would not adversely impact upon the amenity of surrounding neighbours, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (Consultation on Modifications Stage) (2019).
- Parking provision to the site would not be adversely affected by the proposed development, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (Consultation on Modifications Stage) (2019).

Councillor Amjad Iqbal re-joined the meeting.

5. Thornhaugh Conservation Appraisal

The Principal Built Environment Officer introduced the report and advised Members that there were 29 Conservation Areas within Peterborough and this was the 27th to be reviewed. A consultation with Historic England, the Parish Council and residents within the conservation area had taken place and comments have been addressed where possible.

Background information and a description of the area advised Members that it was a small settlement with architecturally detailed dormers, porches and bay windows with large distinctive and detailed chimneys which were characteristic of architect SS Teulon, who was behind the Duke of Bedford's refurbishment work during the 19th century. Roofs were made of thatch and Colleyweston and Welsh slate and the area had a rural character with stone walls and native hedgerows.

Members considered the report and raised the following points:

- It was requested that the report was modified slightly to reflect everyday language.

The Committee agreed unanimously and:

1. Noted the outcome of the public consultation on the Thornhaugh Conservation Area Appraisal

2. Supported the adoption of the Thornhaugh Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Thornhaugh Conservation Area

6. Thornhaugh Conservation Boundary Amendment

The Principal Built Environment Officer introduced the report and advised Members that the boundary amendment was intended to rectify inconsistencies in line with Historic England guidance in order to prevent boundaries running through curtilages and it was proposed that the boundary changed around Manor Farm. It was not proposed to increase the Conservation Area by any significant degree.

Members considered the report and raised the following points:

- It was preferable that boundaries went around property rather than through.
- The amendments did not significantly increase the overall size of the Conservation Area.

The Committee agreed unanimously and:

1. Noted the outcome of the public consultation on the Thornhaugh Conservation Area Boundary Amendment
2. Supported the adoption of the revised Thornhaugh Conservation Area Boundary

Chairman
1:30-3.02pm

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