

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 3 SEPTEMBER 2019 AT 1.30PM

1. Procedure for Speaking
2. List of Persons Wishing to Speak
3. Briefing Update

UPDATE REPORT & ADDITIONAL INFORMATION

PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.

6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

MPs will be permitted to address Committee when they have been asked to represent their constituents. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 3 SEPTEMBER 2019 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
6.1	19/00490/FUL - Grange Farm Main Street Southorpe Stamford	Cllr Over Mr Alan Brown Mr Tim Slater	Ward Councillor Objector Agent
6.2	19/00506/R3FUL - Fletchers Farm Thorney Road Newborough Peterborough.	Cllr Brown	Ward Councillor
6.3	19/00104/FUL - Cranford Drive Boiler House Quinton Garth Westwood Peterborough		
6.4	19/01141/FUL - 43 Crowland Road Eye Peterborough PE6 7TP	Mr Steven Milner	Applicant

BRIEFING UPDATE

P & EP Committee 3 September 2019

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	19/00490/FUL	Grange Farm Main Street Southorpe Stamford , Siting of two shepherds huts for holiday accommodation

Additional representation

A letter of representation has been received raising the following concerns:

- The southernmost shepherd hut should be relocated 20 metres north, or positioned adjacent to Grange Farm, so that it is not visible from Abbots Barn. The external space around the hut would be used by future occupiers, which could generate distracting levels of noise, light and paraphernalia, result in an adverse impact on residential amenity.

Officer Response: The relationship to Abbots Barn has been considered under the Neighbour Amenity section of the main Committee Report. There would be a separation distance in excess of 70m, and seeing development does not make it unacceptable in planning terms.

Conditions have been appended which would control permanent outdoor lighting sources and areas of outdoor seating. The submitted Noise Management Plan sets out a clear code of conduct for future occupiers, guests of which will have to sign up to on arrival.

- Given the amount of local objection it is suggested that a two year temporary consent be considered by Officers to assess the impact of the proposal and maintain control over the development.

Officer Response: Officers consider that the impact of the proposal has been fully assessed and found to be acceptable on a permanent basis. Furthermore, the Local Planning Authority would be able to retain control over the development with the recommended conditions. The Applicant has advised a temporary consent would not be appropriate given the start-up costs, and has made, in the view of Officers, sufficient effort to address concerns raised.

- There are reservations regarding the Noise Management Plan, and there should be contingency to cover occasions when Applicants are away from the site.

Officer Response: The Noise Management Plan has been found to be sound by the Council's Pollution Control team and a condition recommended to secure compliance with its provisions. It should also be highlighted that the site would be monitored by CCTV.

- Permitted Development Rights for temporary buildings and uses should be controlled by Condition.

Officer Response: Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is possible to erect buildings or undertake uses on land for up to 28 days without planning permission, and 14 days in certain cases.

Officers do not consider it reasonable to restrict temporary buildings or uses of the land in this instance, given that an orchard is to be planted, and secured by condition. If there was cause to generate a noise complaint due to temporary buildings, this could be directed to the Council's Pollution Control team to investigate.

- Future Occupiers and visitors should only park in the spaces provided adjacent to Grange Farm, and not within the field adjacent to the Hits.

Officer Response: This is required under Condition 7.

- There should be conditions attached restricting awnings, tents or caravans for occupiers or their visitors within the application site.

Officer Response: The erection of tents and awnings would be covered by Condition 3, which prevents the introduction of any residential paraphernalia. The siting of a caravan would require planning permission, however this does not form part of the proposal and future development of this kind is not a material consideration in the determination of this application. Any future proposals to this effect would require the benefit of a further planning application which would be subject to public consultation and determination in accordance with the adopted Local Plan.

- A condition should be attached with respect to planting the orchard, as well as its establishment and retention.

Officer Response: This is required under Condition 5.

Amended condition

Condition 3 has been amended to allow areas of outdoor seating to serve the proposed huts, however the exact location is to be agreed by way of planning condition as follows:

Notwithstanding the submitted plans and prior to the occupation of the first shepherd hut, details of the outdoor seating area to serve each hut shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the outdoor seating areas shall be implemented in accordance with the approved details, and retained as such in perpetuity.

With the exception of the approved details, there shall be no residential paraphernalia introduced into the application site whatsoever.

Reason: In the interest of protecting the character of the area, and preserving the setting of the Conservation Area, in accordance with Policies LP16, LP19 and LP27 of the Peterborough Local Plan (2019).

2.	19/00506/R3FUL	Fletchers Farm Thorney Road Newborough Peterborough, Conversion of agricultural building to two residential dwellings
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Norfolk Property Services (NPS) have confirmed that the access road is unadopted and is owned by Peterborough City Council. The current properties accessed off the unadopted road all have right of access over, and are required to contribute towards the maintenance and up-keep of the road.

3.	19/00104/FUL	Cranford Drive Boiler House Quinton Garth Westwood Peterborough, Erection of a HMO providing 9no. bedsitting rooms with communal lounge and eating area
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Additional representation

Cllr Murphy has provided the following additional comments:

‘I understand that Members originally rejected a similar application but failed to give reasons for doing so and this cost the authority financially. Can you please take into consideration the number of units here the facilities, parking and any issues around crime before making a decision and ensure any reason for refusal are specified this time round.

Should be aware that this is very near a sheltered scheme and people there have previously raised concerns should be aware that this is very near a sheltered scheme and people there have previously raised concerns.’

Officer Response: Further to undertaking public consultation, there have been no letters of representation received from the adjacent sheltered accommodation, however these residents could nonetheless share concerns raised by Cllr Murphy.

The Police Architectural Liaison Officer has raised no objection to the proposal, and conditions are recommended to be attached with respect to providing a secure means of access into the application site and CCTV. Further, in line with Police advice, a condition has been recommended that in the event the site does create issues of anti-social behaviour, measures would be put in place to be controlled and managed by the Landlord.

Amended plans

Amended Plans have been received which have undertaken the following changes:

- Site Plan - Omission of roof lights serving Units 8 and 9 on the rear elevation;
- First Floor Plan - Window serving Unit 5 relocated from rear elevation to side elevation to ensure a better relationship with No. 53 Clipston Walk; and
- Second Floor Plan - Side facing openings introduced to provide satisfactory outlook for future occupiers.

These were in response to earlier Officer concerns, and are available to view on the Committee Presentation.

As such Conditions 17 and 18 on the original Committee Report are no longer required, and the following condition is required to be amended accordingly:

Condition 22 (Plans)

The development hereby approved shall be carried out in accordance with the following approved plans:

- Site Location Plan
- HC/203/A - Topographical Survey
- HC/204/C - Proposed Site Plan
- WW/205/B - Proposed Elevations
- HC/206/B - Proposed Ground Floor Plan
- HC/207/C - Proposed First Floor Plan
- HC/208/C - Proposed Second Floor Plan

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting planning permission.

4.	19/01141/FUL	43 Crowland Road Eye Peterborough PE6 7TP , Proposed detached bungalow and associated parking
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Previous appeal decision

The main Committee Report makes reference to an earlier appeal decision which was not attached. This has now been provided below for Members to review.

Additional representation

Councillor Allen is unable to attend the Committee meeting and has therefore requested that the following written comments be considered:

'I feel the applicant has addressed the major concerns raised.

I do not believe the development will alter the character of the area in any detrimental way.

There are already rear garden developments along Crowland Road without any adverse effect on the character or amenities of the area.

The current state of the site is an eyesore and the realisation of application will see a great improvement to the area.

I am confident property owners close by will be pleased to see the blight on the neighbourhood removed and the provision of a well thought out and much needed bungalow accommodation provided.'

Officer response: Officers note that at present, the site is in an untidy state and does not contribute positively to the character and appearance of the locality. However, this is not a permanent state of the site and results from poor management and care. It is not considered that this is sufficient justification to permit development which would exist for a considerable length of time and which would permanently harm the visual amenity of the locality.

Amended plans and revised recommendation

Revised plans have been received addressing refusal reason 2 (in respect of compliance with Policy LP8 of the Local Plan).

Officers are satisfied that the alterations made to the scheme bring the proposal into accordance with Part M4(2) of the Building Regulations and accordingly, Policy LP8. As such, refusal reason 2 should be discounted by members.

Accordingly, the recommendation of Officers is amended as follows:

The Executive Director of Place and Economy recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposal would introduce a dwelling in the rear garden of the host dwelling. This backland development, together with the intensification of residential development on this plot through the associated access and car parking, would fail to respect the surrounding established layout pattern and character of the residential built form. The proposal would significantly reduce the amount of space around the host dwelling within the plot, which would result in a cramped and contrived form of development, failing to respect the established character of the area whereby dwellings have more generous space about them. Accordingly, the proposal would result in unacceptable harm to the character, appearance and visual amenity of the locality and is therefore contrary to Policy LP16 of the Peterborough Local Plan (DPD) 2019.



Appeal Decision

Site visit made on 13 February 2019

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 April 2019

Appeal Ref: APP/J0540/W/18/3197125

43 Crowland Road, Eye PE6 7TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steven Milner against the decision of Peterborough City Council.
 - The application Ref 17/02303/FUL, dated 28 November 2017, was refused by notice dated 5 February 2018.
 - The development proposed is erection of 2no. detached 3 bedroom houses.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant's submissions refer to policies from the Peterborough Local Plan (First Replacement). The Council asserts that these policies have been superseded by the documents forming the current development plan. I have nothing to dispute this assertion nor have I been provided copies of the referenced policies. I therefore afford these policies no weight in determining this appeal.

Main Issues

3. The main issues are the effect of the proposed development on the character of the area; and, the effect of the proposed parking arrangement, use of the driveway and the location of the waste/recycling collection area on the living conditions of future occupiers.

Reasons

Character of the area

4. The appeal site 43 Crowland Road (No 43) is a detached and vacant dwelling within a predominantly residential area. Development nearby is largely in the form of ribbon development, facing the highway. In particular, No 43 and numbers 45-53 Crowland Road, north of the appeal site are detached and semi-detached properties set back from the highway behind deep frontages with generous rear gardens. These rear gardens benefit from mature landscaping and are largely free of any significant development. Cumulatively, these properties contribute significantly to the distinct, spacious and verdant character here.

<https://www.gov.uk/planning-inspectorate>

5. Located towards the back of the rear garden of No 43, the proposed dwellings would incorporate traditional forms and materials which are informed by the varied local vernacular. These dwellings would also provide sufficient external and internal space for future occupiers. Nevertheless, their two-storey forms combined with their generous footprints, would result in new development of a substantial scale, into an area that presently accommodates a comparatively modest double garage and mobile home.
6. Most notably, the sizeable scale of the dwellings in close proximity to each other, nearly filling the width of the plot, along with a detached double garage would result in the introduction of an intensive urban form within the site. Such an arrangement along with the reduction in the overall space around No 43 and the creation of the parking and turning areas, would result in a cramped and contrived development, which would not reflect the established pattern of development here, where dwellings have more generous space about them.
7. Despite its backland location and some screening, views of the proposed development, to a lesser or greater extent, would still be available from within the site, the highway and adjacent land and properties. In light of this, and the context of the area, introducing development of the form and layout proposed would erode the spacious and verdant character and quality of the area.
8. The appellant has referred me to backland development in the form of a bungalow at 5 Crowland Road. This is however different in scale, quantum and plot size to the appeal scheme. There is also some modest development within a substantial field behind the rear garden of No 43. These examples do not reflect the prevalent character of the area and are also materially different to the appeal scheme. As such, these examples do not lend support to the proposals.
9. For the above reasons, the proposed development would harm the character of the area. The proposal would therefore fail to accord with the design aims of Policy CS16 of the Peterborough Core Strategy Development Plan Document (CS) and PP2 of the Peterborough Policies Development Plan Document (DPD) which amongst other things require that new development should respond appropriately to the particular character of the site and its surroundings and enhance local distinctiveness through the size and arrangement of development plots, and the arrangement of spaces between them.

Living conditions

10. The proposed level of car parking accords with the Council's requirements. This would be split between the new double garage and parking spaces to the front of No 43. The parking spaces along the frontage would be within convenient walking distance of the new dwellings and would also be overlooked by No 43. These spaces would also benefit from surveillance associated with highway users and occupiers of dwellings on the opposite side of the road. I therefore disagree with the Council that future occupiers would be deterred from using these parking spaces or that this arrangement would create opportunities for crime.
11. I acknowledge that the use of the car park and the amenity area associated with the adjacent public house are likely to generate a degree of activity and associated noise and disturbance. The appellant has also referred to the use of the driveway for the existing garage. However, I have nothing to suggest that

this would have been other than in association with the host dwelling, and I have limited information in respect of the nature of activity associated with the mobile home. Nevertheless, the introduction of two independent family dwellings with the afore mentioned parking arrangements would result in the intensification of the use of the existing driveway. Irrespective of using block paving for the surfacing of the driveway, vehicles passing and manoeuvring in such close proximity of No 43, would result in additional noise. There would also be associated instantaneous activity such as doors being closed shut, car radios and vehicle lights which would also result in disturbance to the detriment of the occupiers of No 43.

12. Turning to the issue of privacy, the use of the driveway by pedestrians in connection with the proposed development would notably increase. This would adversely affect the privacy of the occupiers of No 43, as pedestrians passing would be afforded views into rooms with windows along the side and front elevations of this property, where otherwise there would be an expectation of reasonable privacy.
13. To facilitate the collection of waste and recycling bins, occupiers of the new dwellings would need to travel a distance of about 43m to the location of the proposed waste/recycling collection facility at the front of the site. The Council has advised that this would exceed their maximum requirement of 30m. In the absence of any strong evidence to refute this, I conclude that such an arrangement would be particularly inconvenient for future occupiers, as is the appellants' suggestion of transporting refuse bags in vehicles.
14. For the above reasons, I conclude that cumulatively the proposed parking arrangement, use of the driveway and the location of the waste/recycling collection area would result in an adverse effect on the living conditions of the occupiers of the proposed development. I therefore find conflict with Policy CS16 of the CS and Policy PP4 of the DPD which seek to create healthy places that safeguard the living conditions of occupiers.

Other Matters

15. The appeal site is located within a 'Key Service Centre' which has a range of shops, services and facilities to meet the day to day needs of future occupiers, along with good public transport links to Peterborough. Such locations are supported for housing by local and national policies. Nevertheless, the benefits of this along with some local support, do not outweigh the harm I have identified.

Conclusion

16. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR