

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

20 APRIL 2021 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 – 20 APRIL 2021 AT 1:30 PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
4.1	19/00272/OUT - Land Off Newborough Road, North Of A47 And West Of A16 Paston Peterborough PE4 7AA.	Kieran Rushe Andrew Wilson Dan Griffiths	Agent Representative of Applicant Highways consultant
4.2	20/00846/HHFUL - 21 Cherryfields Orton Waterville Peterborough PE2 5XD	Cllr Day Keith & Vivian Marples Sonia Hough & Robin Hough Viv Leggatt Dr Neil Modha	Ward Councillor Objector Objector Objector Applicant

4.3	20/01502/FUL - 266 Eastfield Road Eastfield Peterborough PE1 4BE.	Cllr Joseph Derek Brown Mr Beddows Haq Taj Andrew Tregay	Ward Councillor Objector Objector Objector Agent
4.4	21/00132/FUL - 60 Hodney Road Eye Peterborough PE6 7YJ	Julie Scott	Applicant

BRIEFING UPDATE

P & EP Committee 20 April 2021

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1 .	19/00272/OUT	Land Off Newborough Road, North Of A47 And West Of A16 Paston Peterborough PE4 7AA , Outline application for the Erection of up to 870 residential dwellings with access from Newborough Road; provision of a two-form entry primary school and playing field; a local centre up to 0.25ha with A1/A2/A3/A4/A5/D1 use classes; open space and landscaping; and other infrastructure and associated works including demolition of all buildings on site, with access secured and all other matters reserved.

Two further letters of objection has been received from one of the properties on Newborough Road, and one from a relative of a resident on Newborough Road, raising the following concerns:-

Resident:- Why does this application make no mention of the 2nd opening onto the A16? If it is not to happen my original objections are still relevant.

The new Manor drive Academy is currently being built behind my property and the Paston Reserve housing development is still in progress. This is already causing heavy traffic on Newborough Road which will get worse as the entrance to the new estate is directly opposite the new school. We currently have heavy lorries passing by on a regular basis, and a road sweeper traveling up and down through out the working day. Further building traffic at the same time in this area will mean such severe delays on Newborough road it will become unusable with traffic backed up onto the A47.

I am very concerned about drainage as we have had flooding in the area. This last year has been very wet and land on both sides of road has been flooded. My own house had the rear part flooded due to water pouring into my drive off the road caused by the slits leading to the dykes becoming blocked by heavy traffic pushing the soil off the road into the drainage slits and blocking them. This will be an ongoing issue by pushing more vehicles onto our small country road.

Relative of resident:-

I have tried to make a public comment on this planning application but the system has either had the server down or not accepted it.

Although I live out of the area I am the daughter-in-law of Mrs Wood of Slate Barn Farm who lives opposite the proposed development. My main concerns are that the proposed entrance to the new estate is almost directly opposite that of the new Secondary school, the increased traffic and the flooding impact.

Has this application been viewed in conjunction with Planning Ref. No: 20/00848/FUL? This is the the Secondary school and sports facilities which also has access from Newborough road almost directly opposite to that proposed for this estate and is next door to Slate Barn Farm. This School is already being built and will impact traffic on the A47 and Newborough Road.

The planned access point on Newborough Road could cause a bottle neck with the schools and sports facilities and the increased traffic now using the road with the already built estate lower down towards Newborough by the Gypsy Site .

I am also concerned regarding drainage as that area already floods and I cannot see that the applicants have consulted with Anglian Water regarding the correct draining of the area. In the past culverts have been filled in which have caused flooding of local housing.

Thank you for your consideration.

I have been trying to post my comments since 12/4/21. I have been able to comment in the past and are a registered user of your system.

2 .	20/00846/HHFUL	21 Cherryfields Orton Waterville Peterborough PE2 5XD , Installation of external wall insulation with grey render at ground floor level and off-white render at first floor level, mosaic tile at first floor level to the rear, and the installation of 7no. new AC units located within acoustic housing and the removal of 2no. existing AC units, and associated alterations (Part-retrospective)
-----	----------------	--

1. An objection was received from the occupier of 24 Cherryfields in the form of a report (Appendix 1) produced by the neighbour outlining their objection based on the size of the acoustic housing for the air conditioning units and the impact on the view of the neighbouring gardens, namely nos.22, 23, 24 and 25. The report also included pictures to support the objection put forward. The report can be summarised as follows:

- a. The extension flat roof at No.21 has already been built and is an imposing structure and now will house 4 of the 7 ac units. The flat roof structure with added units will be an even imposing and ugly view with no screening to be constructed or trees planted to hide this 'commercial scenery'.
- b. Significantly sized commercial type structure that will be easily viewed from the gardens of 22, 23, 24 and 25 Cherryfields, impacting on how we enjoy our gardens.
- c. The existing cabling is unsightly and often used on commercial properties rather than domestic ones.
- d. Unclear on 'some mitigation' referred to in the Committee Report in relation to the overbearing and dominant impact of the AC units. To neighbouring gardens 'some means a large and overbearing structure that can't be screened.
- e. The acoustic housing is a large imposing structure unusual for domestic properties whatever their size. Difficult to visualise dimensions on a plan so the height will be a wheelie bin with a food waste bin on top, the width will be more than 7 wheelie bins in line and the depth will be of one and a half wheelie bins.

Officer Response:

The impact of the AC units including the acoustic housing units was considered with the Committee Report and Officers took the view that whilst the units would be visible, they would be visible against the backdrop of the existing two storey building and would be located at first floor level. The acoustic housing units would not be significantly closer to the adjacent neighbouring properties to result in an adverse level of overbearing impact on the enjoyment of their garden amenity area. Further, for the sake of clarity, in relation to the 4 AC units including the acoustic housing located on the side elevation on the

flat roof structure adjacent No.22 Cherryfields, Officers took the view that with the location of the units on the Flat roof structure which is approximately 2.9m in height would allow the AC units to be set back from No.22 allowing for a sense of separation. The height of the flat roof structure would result in the most prominent views of the acoustic units to be viewed against the backdrop of the existing house and would not block any outlook of the neighbouring properties into the surrounding area.

2. An objection was received from the occupier of 25 Cherryfields which included a document with photos referring to multiple elements of No.21 Cherryfields (Appendix 2). The report refers to multiple photos of works around the application site.

Officer Response:

It is considered that the material considerations raised within the report have been addressed within the Committee Report.

3. An email was sent to members of the Planning Committee on 12/04/2021 from the occupier of No.25 Cherryfields noting that 26 objections have been raised by number 12, 14, 15, 22, 23, 24 and 25 Cherryfields. The email inviting them to view No.21 Cherryfields from the road, as well as front and rear gardens in line with social distancing rules.

Officer Response:

No comment from Officers.

CIlr Day Statement:-

21 Cherryfields – Planning Meeting
20th April

I have visited residents in the neighbouring properties to see for myself this building. The first thing to point out is that this is one of the nicest and best kept streets in our ward. All the houses on the street have brown/ reddish brick and remain all remain in the same character and design to which the whole estate was originally built in. This house now has grey external walls and black shiny tiles and is very different in context to the surrounding estate. Resident's have commented that:

‘- Black mosaic tiles are not in keeping with the existing materials in use on this or other properties. They are a highly polished shiny finish off which the sunshine reflects and have resulted in closing our kitchen blinds when the sun is reflected off these tiles. - Current grey render is a breach of planning and should be covered in the same off-white render proposed.

The Local Plan states that ‘Development proposals would contribute positively to the character and distinctiveness of the area’. Residents do not feel that the design of this building contributes positively to the character and distinctiveness of the area.

Residents are also concerned that this is a part-retrospective application and they have seen cables been put up, AC units put up right next to and in view of their back gardens and have been very distressed by the changes that have been made, as one resident states in their objection: ‘The AC units will cause a noise disturbance for neighbours. They are also being sited with no regard to the visual amenity of the neighbours’ and another says ‘The attenuation units for the AC Units will be large. The view from my bungalow will be extraordinarily unsightly and more in keeping with an industrial/commercial area.’.

And another ‘The AC units to the rear of the house in direct line of sight and sound and relatively close to our principal bedroom windows.’

The planning committee may wish to ask the questions of why so many AC units are needed (7 in total) on a residential property. Has there been a change of use of the building?

The retrospective application now suggests that the AC units will be covered in acoustic boxes to mitigate noise and it has been suggested they will not impact the design and character. However, as the report notes ‘The acoustic attenuation units housing the AC Units will be located on the rear and side elevations at first floor level. The acoustic units will be finished in powder coated aluminium with the colour to mirror the grey colour proposed on the ground floor level.’ That does really not sound like

something suitable on a residential property that will be in the direct eyeline of residents gardens and patios.

As one resident pointed out: 'The proposed acoustic housing for the 4 AC units is a significantly sized commercial type structure that will be easily viewed from the gardens of 22, 23, 24 and 25 Cherryfields. The view of this structure will have a big impact on how we enjoy our gardens.'

Residents would like to see the outdoor walls painted in more neutral colours, the black mosaic tiles removed and replaced with tiles in keeping with the character of the area and most importantly, the AC units placed in an area that does not directly back onto their gardens. We oppose this part-retrospective planning applicant and ask that you consider the concern and distress this has had on resident's and ask you make recommendations that will enable residents to continue enjoying the homes and gardens they live in.

Sonia and Robin Hough Statement:-

Firstly, I speak on behalf of the majority of the neighbours who have commented on the planning portal regarding this retrospective application.

The approved planning for this dwelling had conditions applied to it, regarding plans, the materials to be used and a defined process for gaining approval for any changes, material or otherwise, should they arise.

These processes have NOT been followed correctly and only when the enforcement office was contacted did any retrospective application become apparent.

The colour, finishes and even the footprint have all deviated significantly from the original approved plans, the owner has simply ignored the planning application process and proceeded as they wanted

Retrospective planning for this dwelling seems to now encompass a vast deviation from the original application, not just small items, items that should have been included with the original application, but in our opinion, if they had been included may have prevented the planning application from being granted.

There are no supporters for this application, all comments lodged are objections, and are from neighbours that would not be affected by the "street scene" but have the rear or sides of the building on view to them.

Street Scene is defined as something you see from the road, it has no regard for where the property can also be viewed from the side and rear, so if the front of the building needs to be acceptable then the side and rear elevations should be also, to the neighbours these are their permanent street scene.

No consideration for the local amenity has been made in the design and layout of the AC units, if they were located to the ground floor this would probably reduce the impact to the amenity and be more visually acceptable.

The shiny black tiles to rear elevation, this proposed style and colour tiles never formed part of the pre-existing building and as such are definitely a material change and should have been passed to planning for approval before installation not retrospectively.

The enforcement office was contacted numerous times by email from 4th April 2020, with no actions apparent, now we are waiting on a retrospective application which was made, 7th July 2020 for the owner to get themselves out of what should have been enforcement actions for clear breaches of approved planning conditions.

Other issues relating to the build and construction at this site, but not covered in this application have already been reported to the relevant departments for further investigation. This shows the complete lack of regard the owner and agent have for due process.

Questions to the committee, how will the planning department ensure that any new conditions are followed and are not deviated from yet again, followed up with even more retrospective applications until the owner finally gains what he wants regardless of impact to the amenity?

Also, these are not trivial changes, they are significant changes that directly affect the neighbour's amenity, they go directly against process, policy and conditions applied at previous approval, can you please explain how we are now at retrospective application rather than enforcement?

Viv and Keith Marples Statement:-

Statement – Viv and Keith Marples 24 Cherryfields. Adjoining neighbours to no. 21.

We live at no. 24 Cherryfields in a bungalow. The rear of our garden shares a boundary with one side of 21 Cherryfields and we have full view of their first-floor side and rear.

The visibility of the proposed Air Conditioning Units and their acoustic housing

Our main concern is the positioning of the air conditioning units and the acoustic housing. These are proposed to be constructed at first floor level and as such will always be fully visible to the neighbouring properties.

We will see the units whenever we are in our kitchen or rear garden. There is no way that we can screen the proposed units because of their location and height.

The black cabling supplying the existing units is large and unsightly, more in keeping with those found feeding commercial units than domestic.

If the retrospective planning is approved and the same type of cabling is used to feed the 4 AC units on the side façade, this will also be an eyesore.

There are existing AC units which are ground mounted. Why can't the applicant have all of their units located at ground level to the rear of their house? The units and the cabling would then not be on view.

The Planning Officer admits in his report (section 5D 'Other', paragraph 3) that the units will be large but goes on to state that they will be sited back from the neighbouring properties to provide 'some' mitigation against a dominance or overbearing impact. Unfortunately, the very nature of the size and structure of these units, wherever they are placed, will dominate any scene whether it be domestic or commercial.

3 .	20/01502/FUL	266 Eastfield Road Eastfield Peterborough PE1 4BE , Demolition of existing dwelling, construction of replacement dwelling plus construction of 3no. new dwellings, along with access, parking and landscaping alterations.
-----	--------------	---

i) Comments received from Mr & Mrs B Shemeld, 262 Eastfield Road

With reference to the above, current application, we would respectfully draw your attention to the following:

The Planning Case Officer has assessed the proposal within the requirements of the Planning Policies, a framework of impersonal, general rules, which are rarely applicable directly to one proposal, as in this case.

A most important part of the Planning Officer's job is to interpret these rules as they relate to anyone, specific situation, and its impact on the local environment and its residents.

His interpretations can only be on an objective basis, but, by virtue of the fact that his decisions impact on people, must be tinged with elements of subjectivity, which allows for those decisions to be contestable.

The only expert response to the proposal which can be considered to be subjective, is that of the Conservation Officer, who objects to the proposal.

Local residents will interpret the impact of the proposal, on themselves, and their local environment in a purely subjective manner, which is the way that these decisions which impact of people's lives should be assessed.

Where the Planning Officer assesses areas of contention within the proposal, he prefaces his response with 'it is considered that...', which is where his interpretation is open to be contested, and, should not be accepted as correct, just because he is the Planning Case Officer.

This applies, particularly, to the following points which were raised in the Case Officers report:

It is not considered that the three dwellings proposed in the rear garden would unacceptably impact upon the established layout character of the surrounding area.

Officers are aware that the dwellings proposed to the rear of site measure approximately 9.8metres in height from ground level to the ridge (excluding the chimney) which are taller than the more standard two storey dwellings along the frontage of Eastfield Road. However, the nearest dwelling to Eastfield Road, Plot 2, would be approximately 58 metres from the public highway, which would also be predominantly screened by the existing dwellings along Eastfield Road that are set back from the public highway. On balance, it is not considered that the proposal would adversely impact upon the character and appearance of the site or surrounding area as this taller height would not be unduly prominent within the public realm. It would be necessary to secure full details of materials by way of a planning condition along with site levels to ensure that the site is not built up significant such that the height of the dwellings were increased.

*Fire safety: No comments were received by Cambridgeshire Fire and Rescue. Officers are aware of Building Regulation requirements with regards to the distance of dwellings from the public highway through Approved Document B. Sprinkler systems can be utilised and thus it is considered necessary to secure details of these matters prior to first occupation of Plots 2, 3 or 4. **It is reiterated however that fire safety is assessed through the building control stages post development to avoid the planning duplicating other legislation and it may well be the case that the Applicant cannot implement any planning consent (if granted) if building regulations approval cannot be obtained.***

It is accepted that the proposal would result in additional movements to/from the site in close proximity to the rear garden area of No.264. However, the movements are not considered to generate such a significant level of noise/general disturbance that unacceptable levels of harm would result to occupants.

We contest the Case Officers report in these matters and believe that these are prime examples of when his conclusions should not to be accepted.

Officer response: The starting point of assessing a proposal is whether it accords with the adopted Peterborough Local Plan (2019), unless material considerations indicate otherwise. None of the matters raised above would alter the position made by Officers.

ii) Agent - Verbal Statement

These comments are made by the applicant's agent in relation to the application at 266 Eastfield Road. As you are no doubt aware the application seeks the demolition and replacement of the existing dwelling as well as the erection of three new family homes on the large garden plot.

This submission is the result of pre-application discussions with your Council Officers with both parties working proactively to ensure a high quality development that blends with its setting. The site is well located within the urban area of Peterborough close to a number of facilities and bus routes, it is therefore a sustainable and appropriate location for development.

Given the existing urban fabric and neighbouring properties, massing and scale were a key consideration throughout the design process. The design team worked hard to maximise the separation between the existing built form and proposed development whilst ensuring the design reflected the local aesthetic and general character. As per the officers report the key separation distances are all acceptable and what could be expected in an urban environment. Window placement has been carefully

considered to both maximise natural light to the proposed dwellings and protect the privacy of neighbours. As set out in their report your planning officer is comfortable that the proposed development complies with your local plan policies.

We note some concerns from neighbours over the increase in traffic movements. As per the submitted highways report the estimated peak vehicular movements from the site, i.e 8am to 9am and 5pm to 6pm, will be 3 trips per hour equating to one movement every 20minutes on average. This will have a de minimis impact on the local highway network. The site can be entered and exited in forward gear with policy compliant visibility splays proposed. The Local Highway Authority have confirmed there is capacity within the local network, the site can be accessed safely and that they have no objection to the scheme.

Members may be aware there are a number of trees on and off site with two trees benefiting from Tree Preservation Orders. Each new dwelling has been designed to accommodate the various trees and minimise overshadowing thus preventing future pressure to fell them. Each property has areas of garden with no tree cover and the Councils Tree Officer has raised no objection to the proposals.

All other technical matters have been considered by your officers and deemed acceptable subject to conditions.

We thank you for your consideration of the application and respectfully request you vote to approve the application in line with the officer's report and proposed conditions.

4 .	21/00132/FUL	60 Hodney Road Eye Peterborough PE6 7YJ , Proposed 2 bed bungalow
-----	--------------	--

1. An email was received from the Council's Tree Officer stating that 9 letters of support (18 individuals) have been received for the making of the Tree Preservation Order 21/00003/TPO at 60 Hodney Road for the future protection of this tree because of its public amenity value and the threat that the above proposed development will have on its future health and vigour. The Council's Tree Officer asked that this information is provided to the Committee before considering the above application.

Officer response:

No further comments, the provisional TPO has been considered with the Committee Report.

Julie Scott Statement:-

My husband and I moved from the North to Eye in 1987. We moved to Hodney road when our family expanded in 2000. We both love living on the fringe of the village in a rural location. We totally support our Neighbours in the desire to keep and maintain the magnificent willow tree. This tree is a beautiful feature in our garden as it would be in the planned bungalow 'the willows'.

Since living in Eye, we have formed many strong friendships and have established local contacts such as our GP. However, we are finding the upkeep of our large house and garden physically beyond us. My husband is a pensioner and suffers with COPD and a bad back, I am semi-retired have had a knee replacement. In addition to the work burden of a large house and garden, it is an expensive house to run for just two people. A large portion of the house is unoccupied but still requires heating, cleaning and the payment of council tax.

The new 2-bedroom bungalow with a small manageable garden would be ideal for our needs. It would enable us to live in an area we love whilst the spare bedroom room would enable our family an occasional visit.

We think that the planning department has been unreasonable in recommending refusal for such a modest bungalow in keeping with the area. especially pertaining to the existing willow tree which we are very keen to retain and produce an arboricultural report if the application is approved.

The planning Department cite planning policies LP16 & LP17 as their sole reasons for refusal. We are no experts on such matters, but we contend that our scheme complies fully with both these policies: (LP16) An unbiased person viewing Hodney road and the surrounding area, would we contend, be hard pressed to consider that the area had any cohesive context or pattern of development. The area is totally

devoid of any set pattern of development, and certainly not one that would be possible to use as a template for future development. The proposed site is amply large enough to contain a modest, low rise, bungalow and there are many local examples previously approved and the small amenity area size would suit our needs perfectly.

(LP17) The bungalow is NOT a large building and being of a low height it would certainly not have an adverse impact on our neighbours, being a full 10metres away from their sitting out area adjacent to their house.

We would like you to take a further and objective view of Hodney road and its built form. It is not the royal crescent in Bath perhaps rated 10 out of 10, it's more like 2 out of 10 for aesthetic merit, and the proposal would only be uplifting to the quality of the area.

We are certain that you are aware that these policies are simply for guidance rather than blind obedience, and we are asking for your sympathy to interpret the general spirit of the policies rather than use them to facilitate a refusal.

We ask that you give our application your careful consideration and take into account the points outlined above.