

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE  
MEETING  
HELD AT 1:30, ON  
TUESDAY, 20 APRIL 2021  
VIA THE COUNCIL'S YOUTUBE PAGE, PETERBOROUGH**

**Committee Members Present:** Harper (Chairman), Casey (Vice Chairman), Bond, Brown, Hiller, Hussain, Hogg, Amjad Iqbal, Jamil, Rush and Warren.

**Officers Present:** Nick Harding, Head of Planning Peterborough and Fenland  
Daniel Kalley, Senior Democratic Services Officer  
Karen Dunleavy, Democratic Services Officer  
Chris Gordon, Planning Solicitor  
Nick Greaves, Principal Engineer

**52. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jones. Councillor Jamil was in attendance as substitute.

**53. DECLARATIONS OF INTEREST**

Councillor Hiller declared a pecuniary interest in agenda item 19/00272/OUT - Land Off Newborough Road, North Of A47 And West Of A16 Paston Peterborough PE4 7AA and would not take part in meeting.

Councillor Hiller also declared and a non-pecuniary interest on item 20/00846/HHFUL - 21 Cherry Orton Waterville Peterborough PE2 5XD in that he visited the applicant's property 12 months before the application was submitted and therefore, would remain in the meeting with an open mind.

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

There were no declarations to speak as Ward Councillor

At this point Cllr Hiller left the meeting for item 4.1 19/00272/OUT - Land Off Newborough Road, North Of A47 And West Of A16 Paston Peterborough PE4 7AA.

**55. PLANNING AND ENFORCEMENT MATTERS**

**55.1 19/00272/OUT - Land Off Newborough Road, North Of A47 And West Of A16 Paston Peterborough PE4 7AA.**

The Committee received a report, which sought permission for Up to 870 residential dwellings with access from Newborough Road; A 2 form entry primary school and playing field enough land for a three form entry primary school, 2.9 hectares, would be provided. A local centre of up to 0.25 hectares with up to 929 square metres of A1/A2/A3/A4/A5/D1, all Class E uses, open space, recreation areas and landscaping, which would include a buffer to the Car Dyke;

associated works and infrastructure; demolition of all buildings on site (Leeds Farm cottages and associated farm buildings), two foul water pumping stations under the outline planning permission, all matters, except access, were reserved for future applications and consideration.

The Head of Planning introduced the item and highlighted key information from the report and the update report, which included two late letters of objection in relation to the traffic volume on Newborough Road.

Kieran Rushe, the Agent and Andrew Wilson and Dan Griffiths the applicant's representatives addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application was a joint venture between Taylor Wimpey and Calco 100 who had owned the land since August 2005.
- The site had been allocated as part of the Norwood development in the Council's DPD since 2011 and 2012 site allocation and was included within the Council's housing figures for 2025-2026.
- The applicant had engaged with the Council for a considerable amount of time and other landowners to proceed with the plans of development for the site, however there had been some delays in finalising some areas of the application, the but applicant was in the position to submit a stage one proposal.
- A formal planning application was submitted in 2019 following statutory and public consultation. The applicant had worked with the various officers to resolve issues that had been highlighted, such as wildlife trust and the landscape team.
- There had been wide discussions held with Highways England and a detailed plan of highway conditions had been submitted, this included a traffic monitoring plan.
- There would be 2.9 hectares of land allocation for a primary school and playing fields central to the full development area.
- A retain centre would be provided and this was welcomed by Paston residents through the public consultation.
- The development would create new open space, landscape and a Car Dyke similar the one in Paston.
- The number five bus route would operate through the site and into the Town Centre, thus increasing the site's sustainability.
- There would be no issue of access for other neighbouring landowners and the master plan had been agreed. Therefore, there had been no constraints with the remainder of the housing allocation being delivered in the future.
- A section 106 agreement would be applied for additional money for affordable housing from the Combined Authority for each planning phase put forward, in order to boost the proposed allocation.
- The viability assessment undertaken with all parties had made the affordable homes allocation low due to several factors such as the costs in relation to house prices, housing percentages and the implementation of infrastructure. The site had carried a high infrastructure charge and on balance officers and consultants were recommending the scheme.
- House inflation would form part of the viability assessment which was robustly undertaken.
- The £2m shortfall for the provision of the school was due to a difference in opinion with the Council on how much funding the applicant would be required to provide.
- Taylor Wimpy had spent a considerable amount of time trying reach an agreement with the other landowners Church Commissioners, Milton Estates and the Co-operative to

deliver a full application for the housing allocation. Taylor Wimpey had developed their plans whilst the other landowners were currently working on their part of the application, and it was believed that submission was due for the Autumn 2021.

- There was one access point into the site that would be sufficient for the current application however, a monitor and manage condition had been imposed to ensure that it would be sustainable. The traffic management data would need to be submitted on a regular basis to the Council to ensure that the access point had not caused issues to the proposed 200 home development.
- Parking would be monitored to ensure that it would not cause the same issues being experienced in housing developments such as Hampton and Hampton Vale.
- Access to the proposed two hundred houses could be accommodated on the current Newborough Road. The developers would need to provide evidence that further proposals could be accommodated using the access points on Newborough Road and the A16 in order to gain Highway approval.
- The £2m school funding shortfall was identified following a viability assessment where land provision over financial costs were considered. The full proposal of 2,000 homes required a three-form entry school to be provided eventually. The current developer Taylor Wimpey and Calco 100, had provided enough land for the provision of a three-form entry school during the first phase of the development and therefore had met the contribution criteria. This had left a £2m gap needed to fully operate at two-form entry school and it was expected that the funding would be met by the Council or other Government funding in the meantime. The next Norwood Estate developer would eventually need to pay a pro-rata payment towards the school provision; however, it was uncertain whether the viability assessment would produce an issue for the phase two part of the development.
- The implementation timeline for the school to be built had not been finalised to date and discussions were underway between the developer, the Council's Planning and Education Departments. The key issues highlighted had been the safety of school children travelling to a site where construction would be taking place; when the land would be given to the Council to start the process and where the £2m funding shortfall could be met.
- The proposal would limit the development to 200 houses to start with despite the highway's mitigation proposed by the applicant and the Council's monitor and manage condition. This was due to the proposed Norwood Estate Road infrastructure currently being explored by the Council's Highways Team, Highways England and the Cambridgeshire and Peterborough Combined Authority. This was to avoid the Council having to remove any road infrastructure implemented by the developer.
- The number five bus would not travel down the A16 until highway infrastructure had been developed. There would be a bus stop within the development and a turning point.
- There was an A47 and A16 junction improvement scheme for about £1m as part of the developer's proposals. However, the Council had not wanted the scheme to be installed, only to be removed by the CPCA improvements. The funding would be better placed towards the CPCA proposed improvements rather than introducing a scheme that could be replaced in the near future.
- The current junction proposals were acceptable to the Council Highways Team and would be monitored to ensure that it was suitable for the volume of traffic.
- A speed restriction was being proposed for the school access site for Newborough Road to reduce it to 30 miles per hour.
- The Paston Reserve development had included roundabouts to allow buses to turn around once the route was completed. However, there had been also an issue to get a bus operator to provide a service in that area. The Council would insist that the Norwood

Estate scheme would include turning points at the reserve matters position of the application, so that the same issue could not occur.

- The current travellers' site was located on the Paston Reserve development; however, it was accessed through Norwood Lane. The existing access would be altered to allow entry from the Paston Reserve highway scheme. In addition, the Norwood Estate development would take place either side of Norwood Lane which would help police the current fly tipping issues.

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

- Members commented that the application was difficult to consider and that it was clear that benefits would outweigh the harm, particularly in relation to providing a school, a centre for shops and housing.
- There was a concern in relation to the number of affordable homes being offered and it was felt that ten percent was not enough to meet the Council's housing goals.
- Members raised concerns in relation to the second highways access point and when these would be achieved.
- Some members felt that there was too much uncertainty and confusion about the section 106 funding and the £2m shortfall for the school.
- Some Members were concerned that the full scheme could not be put forward due to agreements with other landowners.
- Members felt that access to the site had not appeared to be safe by foot.
- Members were advised that it was not unusual for a part development proposal to be submitted and that due process for everyone to engage had been followed and tested independently by professionals. In addition, funding was being sought by the developer to increase the number of affordable housing by accessing the combined authority schemes. The school provision was the Council's responsibility, and the highway issues were part of a bigger scheme through the CPCA. It was therefore the Council's view that the developer had provided the best scheme possible at this stage.
- Members were advised that it was not possible to finalise the highways infrastructure beyond Norwood Lane as this was out of the applicant's control due to landownership and future highway schemes being developed. To resolve the issue a monitor and manage scheme would be introduced, which was being imposed as a condition. The pedestrian schemes were not ideal and the only way this could be more attractive would be through the preparation of land on the Norwood site.
- Some Members commented that the timing of the application was not ideal however, housing and school places were needed to meet the growth of the City. The application was similar to Southbank where development was slow, however, it was about getting something started.
- Some Members felt that they would be more comfortable with a full application which included highways improvements, school and a public transport offer rather than the site being developed over a long period of time. There was a great deal of uncertainty about the application and the situation with the Manor Drive development where improvements were awaited, and situations similar to this should be avoided.
- Members were advised that there were two parties unable to work together at the early planning stage however, it would not be a strong enough reason to refuse the planning application and avoid it going to appeal.
- Members commented that the limit of 200 houses and traffic mitigation was acceptable and there had been no point in the applicant introducing a highways scheme that would be removed due to the CPCA improvement scheme. Therefore, the applicant's funding contribution was better placed with the CPCA.
- Members were disappointed with the viability assessment and that it had imposed a shortfall on the relevant authorities to meet school places and affordable housing, however professional consultants had assured the Council that the proposals were in accordance. In addition, it was not ideal that the development would not all happen at

the same time, however, there were other factors to provide a school and affordable homes, which outweighed the doubt some Members had.

#### **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 For, 5 Against, 0 Abstentions) following the Chairman's casting vote to **GRANT** the planning permission subject to relevant conditions delegated to officers.

#### **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 site formed part of an allocated urban extension therefore the principle of housing, school and local centre uses were considered to be acceptable and in accordance with Policies LP5 and LP35.
- Subject to conditions, the impact on the highway network was considered to be acceptable, in accordance with Policy LP13.
- Viability appraisals had demonstrated why a policy compliant position in respect of affordable housing and S106 contributions cannot be achieved.
- The proposal would not result in any unacceptable landscape impacts, in accordance with Policy LP27.
- The provision of a landscape buffer would assist in mitigating the impacts on the Car Dyke, in accordance with Policy LP19.
- Issues of noise, contamination, drainage and ecology could be suitably dealt with by way of conditions in accordance with Policies LP17, LP33, LP32, and LP28.

At this point Councillor Hiller joined the Committee.

#### **55.2 20/00846/HHFUL - 21 Cherryfields Orton Waterville Peterborough PE2 5XD**

The Committee received a report, which sought permission for the 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 seven new Air Conditioning (AC) units located within acoustic housing and the removal of two existing AC units, and associated alterations (Part-retrospective). The development had been carried out on the application site without the benefit of planning permission and whilst the application was part-retrospective the application would result in: the removal of the black mosaic tiles to the front elevation, the removal of the aluminium surrounds on the windows and on other parts of the building, the AC units located on the ground floor side elevation would be removed with the total proposed AC units on the property to be seven, the rear covered area would be amended so that it was level to the previously approved single storey rear extension under ref 18/00938/HHFUL.

In addition, the outbuilding clad in bamboo and grass on the roof was not included within the current application, Class E of Part one Schedule two of the General Permitted Development Order (2015) placed no restrictions on the type of external material that could be used. Officers from the Enforcement team had previously advised that the outbuilding appeared to comply with the provisions of the above-mentioned Class and as such would not require the grant of planning permission. Members were asked to note the current application had been revised multiple times with the following being undertaken: The extent of the grey render had been reduced from the majority of the dwelling to just the ground floor level of the dwelling; Introduction of off-white render to the first floor level; Removal of the black mosaic tiles from the front elevation at first floor level; Removal of aluminium surrounds on the windows and other parts of the building.

The Head of Planning introduced the item and highlighted key information from the report and the update report. The Officer recommendation was to approve the proposal.

The Committee agreed to a 15 minute extension to the speaking time.

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

- Cherryfields was one of the nicest and best kept streets in the ward.
- All of the houses on Cherryfields had brown and reddish brick and remained in the same character and design to which the whole estate was originally built. The Applicant's house currently had grey external walls and black shiny tiles and was very different in context to the surrounding estate.
- The Black mosaic tiles were not in keeping with the existing materials used on other properties. They were a highly polished shiny finish, which reflected the sunshine onto a neighbouring resident's kitchen blinds.
- The Current grey render was a breach of planning and should be covered in the same off-white render proposed.
- The Local Plan stated that Development proposals would contribute positively to the character and distinctiveness of the area and residents felt that 21 Cherryfields, Orton had not.
- Residents were also concerned that the proposal was a part-retrospective application, however it had been witnessed that cables had been installed, AC units were put up right next to and in view of their back gardens and this had caused them distress.
- One resident had stated in their objection that the AC units would cause a noise disturbance for neighbours. They would be installed with no regard to the visual amenity of the neighbours
- Another resident commented that the AC Units would be large and the view from their bungalow, which would be extraordinarily unsightly and more in keeping with an industrial commercial area.
- The AC units to the rear of the house would be in direct line of the neighbours principal bedroom windows.
- Questions should be asked about why there were so many AC units needed on a residential property and whether there been a change of use of the building.
- The retrospective application suggested that the AC units would be covered in acoustic boxes to mitigate noise and it had been suggested this option might not impact the design and character.
- The report outlined the size and colour of the units, however, it was felt that the recommendation had not appeared to be suitable for a residential property and would be in the direct eyeline of residents' gardens and patios.
- The commercial type AC units would easily be viewed from the gardens of 22, 23, 24 and 25 Cherryfields. The view of this structure would have a significant impact on how residents enjoyed their 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 would not directly back onto their gardens.
- The 21 Cherryfields property appearance was so different to other properties on the street, which was why residents had requested a change to the paint colour.

Keith & Vivian Marples, objectors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The rear of the objector's garden shared a boundary with one side of 21 Cherryfields and there was a full view of the applicant's first-floor side and rear elevations.
- The main concern was the positioning of the air conditioning units and the acoustic housing that were to be constructed at first floor level, which would be fully visible to the neighbouring properties.
- The AC units would be visible whenever the objector used their kitchen or rear garden. The extensive flat roof had already been installed and the applicant wished to install seven AC units and enclosures.
- The flat roof would be 15 ft and depth of 1 metre and was a dominant structure.
- There had been no way that the view could be screened because of the location and height.
- The black cabling had supplied existing units which was large and unsightly, which was more in keeping with those found serving commercial units. The same cabling would be used on the four AC units on the side façade, which would be an eyesore.
- It was uncertain why applicant could not install the AC units at ground level to the rear of their house.
- The report stated that the units would be large, but they would be installed back from the neighbouring properties to provide some mitigation against a dominate or overbearing impact. The objector felt that wherever the AC units were placed, they would dominate any scene whether it be domestic or commercial due to the overwhelming size of them.
- There were six AC units already installed on the house not two.
- The colour of the tiles were exceedingly shiny and the objector's view had been significantly affected.

Sonia Hough & Robin Hough, objectors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The objector was speaking on behalf of much of the neighbourhood, which included house numbers 4, 12 22, 23, 24 and 25 Cherryfields and all had commented via the planning portal.
- The planning processes had not been followed correctly and the colour and footprint had deviated significantly.
- The retrospective application had deviated vastly to the original application, and these were not small changes. There were items that had been included which would not have been granted for the original application.
- All comments submitted on the planning portal were not in support of the application. Many residents would suffer an impact from every aspect of the property, but specifically the streetscene and rear gardens.
- If the AC units were installed at ground floor level the proposal would be more visually acceptable.
- The shiny black tiles never formed part of the original application. It was felt that all materials should have been passed through planning approval process.
- The Planning Enforcement team were contacted in April 2020 about the clear breaches, however, there had been no action for a long time.
- There had been a clear lack of regard for the planning process from the applicant.
- Concerns were raised over how the planning department would ensure that the applicant followed the process going forward.
- Concerns were raised about why the Council was considering a retrospective planning approval rather than enforcement action.

Viv Leggatt, objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The main concern for the objector was in relation to the installation of the air condition units as it would be a visible nightmare for them.
- It would only be apparent how unsightly the AC units would be, and this could only be appreciated during a site visit.
- There had been no correspondence received about the planning application and the objector had no access to technology.
- It was felt that the AC units would detrimentally impact the objector's garden.
- There was no problem with the AC units being installed at ground floor level.

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

- Dr Modha was speaking on behalf of his parents who had worked hard to create a medical centre in the area.
- Dr Modha had been involved in administering the Covid-19 vaccination.
- The applicant's father had significant health needs and the changes were required to take care of his current and future medical needs. This involved temperature control within the house.
- The applicant's parents had lived in the house for 35 years.
- There had been previous applications for installation of the AC units.
- The layout plan had allowed for the applicant's parents to care for his children in an efficient way whilst Dr Modha and his wife continued to work for the NHS.
- The house was once painted white, and neighbours had objected to this. Now many of the houses were painted white.
- There was no uniformity in relation to the colour of houses on the estate and one had been painted yellow.
- Dr Modha's parents and appointed experts had made every effort to find solutions and remedy concerns raised and the planning department had found the proposals acceptable and complied with LP16 and LP19.
- The applicant and parents' intention was not to upset residents however, they had been caught up in the Covid 19 vaccination programme which was happening alongside the planning application.
- The applicant's parents had employed professionals to carry out the work to be in keeping with the environment and wanted to work with the planning department to make the proposal outcome right.

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

- Members commented that the applicant's house was overbearing in terms of colour and the addition of the AC units.
- The photos had also not matched those submitted with the application following an independent site visit. Members were advised that the photos provided were of a historic street view and from when the application was being processed. Therefore, the front driveway had shown a different material and colour to those submitted to the Committee by the case officer.
- Members were advised that the changes to the front elevation without planning permission, would invoke a temporary stop notice and an application for a retrospective planning permission would be required.



- Officers had requested that grey and off white would be a suitable colour for the front elevation, however Committee could request an alternative colour.
- Members were also advised that if they were minded to refuse all elements of the planning application in respect to render colour or siting of the AC units, the team would follow up with an enforcement notice to request removal of them.
- Members commented that there had been no reason why the AC units could not be moved to the ground floor level.
- Some Members felt that the appearance of the property was subjective, however many would think that the alterations had looked out of place.
- Members felt that the seven AC would be detrimental and overbearing for the neighbours despite the officers' views. LP 16 had stated that any development should contribute to the character and distinctiveness of the area. Policy LP 17 permission would not be granted for development that would be overbearing. Therefore, only the residents of the property should see the AC units not the neighbours.
- Some Members felt that the applicant had tried to compromise with the planning department, however, the AC units would be too overbearing for neighbours.
- Members were advised that the positioning of the AC units on a first floor level was submitted by the applicant rather than being recommended by the officers.
- Members felt that the applicant had undertaken the work on the property and disregarded the planning regulations, therefore breaking the rules.
- Members also felt that the proposals were negative for the neighbours and that the colour should be reconsidered, and the air conditioning units repositioned to the ground floor level.

#### **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** (8 For, 3 Against, 0 Abstention) to **REFUSE** the planning permission.

#### **REASON FOR THE DECISION:**

1. The siting of the air conditioning units (in their associated enclosures) at first floor level would represent a significant bulky, unattractive and alien addition to the dwelling. As such the units (in their associated enclosures) would not represent good design and therefore would be contrary to NPPF paragraph 130 and adopted Peterborough Local Plan Policy LP16 and LP17. The benefits to the applicant of the units were insufficient to outweigh the harm arising from the appearance of the units / enclosures.

At this point the Committee took a short break.

#### **55.3 20/01502/FUL - 266 Eastfield Road Eastfield Peterborough PE1 4BE**

The Committee received a report, which sought permission for the demolition of the existing dwelling, No. 266 Eastfield Road, with a replacement dwelling to be constructed in its place. In addition, three two-storey dwellings, comprised of one detached dwelling and two semi-detached dwellings, were proposed to the rear of site, each with parking and private garden spaces. An access road was proposed to link the rear of the site to the existing access opening to Eastfield Road.

Swing gates were proposed adjacent to the front elevation of the replacement dwelling and a bin collection point was proposed to the front of site, surrounded by soft landscaping provisions.

Following comments received by consultees, members of the public and in the opinions of officers, the following amendments were made:

- Deletion of Plot 5: A fifth dwelling was proposed to the rear-most part of the site, nearest to the boundary shared with number seven College Park.
- The entrances gates would be set back to enable access to the three dwellings to the rear of site had been relocated from being adjacent to the bin collection point to being set in 1.8 metres behind the front elevation of Plot 1.
- Bin Collection Point: The bin collection to the front of site was to be enclosed with soft landscaping to three elevations, rather than a hard boundary that was previously proposed.

The Head of Planning introduced the item and highlighted key information from the report and the update report. The Officer's recommendation was to approve the proposal.

The Committee agreed to a 15 minute extension to the speaking time.

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

- There were several objections to the proposal as it was out of character to the area.
- The current proposal was contrary to the area Under the local plan LP16 and LP 28.
- If the proposal was approved the development would set a precedence for other houses in the area with large gardens.
- The property at 270 Eastfield was not a comparable size to the proposed application and was a much larger site.
- The plan to demolish the property and replace it with a smaller one was contrary to planning policy.
- The loss of garden space was contrary to biodiversity and the need outweighed the loss according to planning policy.
- The Council was committed to addressing the climate change emergency and should be at the forefront of any development proposal.
- The Conservation Officer had raised objections as it would not enhance the appearance of the conservation area.
- The application was contrary to planning policy LP13 and the additional traffic would present issues not only with volume, but with increased air pollution. The area already experienced issues with traffic and speeding which had been tested by community Speedwatch.
- There had been more of a need for social housing.
- The properties such as 220 Broadway that had been mentioned in the report had not been a comparable size or layout to the proposal for 266 Eastfield Road.

Derek Brown, objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The objector's garden had backed on to 266 Eastfield Road, in addition, the objector was speaking on behalf of owners of other neighbouring properties in Eastfield Road.
- The existing house was one of a group of similar good quality detached properties on the edge of the park conservation area.
- The proposed development was entirely contrary to the character and local distinctiveness of the area, which had good sized traditional detached properties in generous gardens.
- The existing house was set in the centre of the plot viewed from Eastfield Road and occupied most of its width.

- The proposed replacement house squashed what appeared as half of a pair of semi-detached properties right on the North East boundary in order to provide access to the back garden.
- The Conservation Officer commented that the proposed application was a strangely narrow building, which would be squeezed to the boundary with a locally listed property next door and would shoehorn in an access road. This would appear contrived and totally out of character with the area.
- Back-garden developments at 220 Broadway and opposite 266 Eastfield Road were cited as precedents for the development however, these were very poor precedents as neither required demolition of the existing house and both houses had retained substantial gardens. The property at 220 Broadway was within a conservation area.
- The property at 270 Eastfield Road was also cited as a precedent but the property was not a housing development, it was a facility for care of adults with special needs, in addition, the character of the existing property had been retained.
- The amenity of all neighbours would be affected to various extents, with gardens being overlooked from windows of the proposed three storey properties just a few metres away.
- The neighbours on Eastfield Road would be much more significantly affected by overlooking and number 244 would have the large bulk of the three storey houses cover their entire garden.
- It was felt that the height of the proposed properties were a particular concern as the roof line would be higher than the properties in Eastfield Road and College Park.
- The neighbours at 264 Eastfield Road would also suffer from traffic from the proposed access road, which would be only one metre from their back door.
- There were concerns about the loss of the green back garden space which was characteristic of the area and supported a wide range of plant and animal life.
- There had been direct connectivity of the garden with wider habitats providing an extensive green corridor to Central Park.
- Most of the substantial trees on the site would be removed including lime trees with preservation orders.
- The remaining trees would dominate and severely shade the proposed small back gardens, which was felt to be an unacceptable loss of green space.
- The development would also cover 70% of the site with houses, roads and hardstanding.
- The Officers' report was incorrect in stating that gardens of the proposed houses were larger than those of neighbouring gardens in College Park. With such a large loss of green space it would be inevitable that the proposed extensive buildings would reduce biodiversity.
- The proposal would be totally out of character with the area and would seek to demolish a good quality detached house to enable over-development of four houses.

Mr Beddows objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Development surrounding the objector's homes had increased significantly over the years and this included care homes.
- The neighbouring care home could be affected, and it was uncertain whether the patients, carers or medical staff had been consulted.
- There were three yew trees near to where the current house was located.
- The care home had lights on constantly and this had affected neighbouring properties.

Haq Taj objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There would be an invasion of privacy if the application was granted.
- The objector lived on the edge of Broadway and Eastfield Road.
- There would be impacts for parking despite the eight car parking spaces being included within the proposal.
- The current wildlife would be affected.
- There was a lot of light from the neighbouring property.
- There was a tree missing from the photos on the proposed land.

Andrew Tregay, the Agent for the applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application proposed the demolition and erection of three family homes to the rear.
- The Council Officers had been consulted and the application was suitable and appropriate location for development.
- The Design team had worked hard to ensure that the design matched the local aesthetic and character of the area.
- A mix of brick and render materials would be used to match nearby properties.
- Windows placements had been carefully considered to benefit from maximum light and protect the privacy of neighbours.
- The Planning Officer had confirmed within the report that the proposal had complied with planning policies.
- The Highways report cited one movement every hour on average, which resulted in a minimal impact on the highway network.
- The local Highway Authority had confirmed that there was capacity within the local network to accommodate the proposal and had no objection to the scheme.
- Each property had been designed not to be overshadowed by existing trees so that there was no need to remove them. The trees also provided a buffer to the conservation area and the gardens proposed would have no tree cover, which was acceptable to the Council's Tree officer.
- All other matters such as drainage had been acceptable.
- The comments made by the Conservation Officer were not positive, however, the comments were noted. The streetscene in the area was quite diverse and this had been reflected in the design.
- The Local Plan LP9 deterred the removal of substantial buildings such as large family homes in the City, however the proposal was for family homes in a space that was unused. In addition, there was a need for more houses in the City and the proposal met those needs. The need for the proposal had been offset by any perceived harm against the loss of amenity for the area.

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

- Members were advised that if a tree was missing the Officer would have noticed it.
- Members felt that the Victorian design was attractive the two and a half storey approach was acceptable.
- The proposal would replace a property without any character. Replacement with a narrow brand-new property was also acceptable as they were pleasantly designed family homes.
- Some Members felt that there was a danger of losing the large family homes with character for the sake of constructing more houses on a large plot.
- Some Members concerns were in relation to trees overshadowing and damage risks to other properties. There could also be dispute over the general maintenance of large trees.
- The front house would look very similar to what was currently in situ.
- The whole scheme was balanced and very well thought out, it had also been located in the City Centre with reasonably sized gardens.
- There was no valid reason why the proposal should not be accepted.

#### **RESOLVED:**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (7 For, 4 Against, 0 Abstentions) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

#### **REASON FOR THE DECISION:**

Subject to the imposition of the 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 principle of development was acceptable.
- The character and appearance of the site and the surrounding Park Conservation Area would not be adversely impact upon by the proposed development, in accordance with Policies LP16 and LP19 of the Peterborough Local Plan (2019).
- The proposal would not adversely impact upon the amenity of nearby neighbours, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- The amenity of future occupiers would be acceptable, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- The dwellings would be constructed to appropriate housing standards, in accordance with Policy LP8 of the Peterborough Local Plan (2019).
- The proposal would not unacceptably impact upon the safety of the surrounding highways, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- Trees on and immediately surrounding the site would not be unacceptably impacted upon by the 80 DCCORPT\_2018-04-04 19 proposed development, in accordance with Policy LP29 of the Peterborough Local Plan (2019).
- The proposal would not unacceptably impact upon any protected species on-site or within the immediate area, in accordance with Policy LP28 of the Peterborough Local Plan (2019).
- The proposed development would not be at adverse risk of flooding, in accordance with Policy LP32 of the Peterborough Local Plan (2019).
- No known buried heritage assets would be adversely impacted upon by the proposed development, in accordance with Policy LP19 of the Peterborough Local Plan (2019). The application site would not be unacceptably impacted by any known contamination, in accordance with Policy LP33 of the Peterborough Local Plan (2019).

#### **55.4 21/00132/FUL - 60 Hodney Road Eye Peterborough PE6 7YJ**

The Committee received a report, which sought permission to erect a two-bed bungalow with an attached garage building and associated alterations. The proposed development would measure approximately 19.8 metres long, the ridge height of the development would be approximately 4.9m and the eaves height of the development would be approximately 2.45 metres.

The Head of Planning introduced the item and highlighted key information from the report and the update report.

Julie Scott, the applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Planning policies LP16 & LP17 were cited as the reasons for refusal, however the applicant felt that the proposal complied fully with both policies, which the applicant contested.
- There was no pattern of development currently on Hodney Road.
- There was a modern house situated on Hodney Road with Darth Vador gargoyles and an over imposing driveway near to a quaint thatched cottage. The applicant's bungalow would be small in comparison to those existing on Hodney Road.
- The amenity would not be lost for Neighbour's as the bungalow could be constructed 10 metres away from their property and would not be much higher than their garage. There would also be ample garden space for 60 Hodney Road and the bungalow.
- The willow tree was perfectly healthy despite how many cars had parked in the area where the driveway had been situated for several years. In addition, there had been no fatalities caused by vehicles maneuvering onto the narrow road.
- The house opposite to 60 Hodney Road had been given permission for a driveway.
- Members were encouraged to view Hodney Road for themselves to understand full perspective of what was being proposed.
- The willow tree had always been a featured on the driveway and the applicant would not want it to be harmed. If planning permission was granted an appropriate tree survey would be conducted and complied with.
- The objections raised by the Eye Parish Council and North Level Drainage Board had been noted however, there was another house situated directly opposite to the bungalow being proposed. In addition, it was felt that the proposal was situated within the village envelope.
- There had been a pig farm located within the back of the current property historically, therefore there should be no issues with erecting another property with car parking.

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

- Members were advised that there had not been enough adequate turning area for a car to park, neither was there a large enough garage to accommodate a parking option. Therefore, the proposal could not accommodate a parking area for two cars.
- Members were also advised that the Local Plan contained a proposal map and this was marked out by settlement. There were areas that had not had the settlement boundary around them, therefore they were classed as open countryside. The entire proposed area was part of the countryside, which also included the current house.
- Members were advised that the other property opposite the proposal that had installed a four-bed house, which had gone through the planning process in 1988. It was also advised that planning policy had changed since the installation of the four-bed house opposite to number 60 Hodney Road.
- Some Members commented that the proposal appeared to fit a property into an existing piece of land. In addition, the car parking proposed seemed to provide enough parking

required. However, there was an issue with the property that would be situated at the back of the proposed development as it would abut up to the neighbouring garden and would impact their amenity.

- Members commented that the Local Plan was very clear about what a village boundary was and that this should be adhered to. If the application was permitted, it could set a precedence for other large gardens in the area.
- Members also commented that it was important to note the Eye Parish Council and Local Drainage Board had also objected to the proposal for 60 Hodney Road.
- The proposal was also contrary to many of the planning policies which made it unacceptable.
- The applicant stated that they wanted a property they could manage to live in, however the proposal was for a very large bungalow.
- Some Members commented that they were not too concerned about the lack of a turning circle on a driveway. The road was not too busy for the option of reversing onto the driveway.
- Members commented that a great deal of work had been undertaken to develop planning policies, which had gone through the appropriate processes to approve.
- There was no evidence that the tree would not be harmed, nor the drainage issues mitigated.

#### **RESOLVED:**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (8 For, 3 Against, 0 Abstention) to **REFUSE** the planning permission subject to relevant conditions delegated to officers.

#### **REASON FOR THE DECISION:**

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons, which included:

- The proposal for the erection of a bungalow would be located on land outside of the Eye village envelope and outside the urban boundary of Peterborough. Further, the proposal had not met the rural exemptions allowed under Policy LP8 and neither met Policy LP11. The development outside of the village envelope, was contrary to Policy LP2 of the Peterborough Local Plan (2019). 99 DCCORPT\_2018-04-04 12
- The proposal by virtue of its siting in the rear garden of No.60 Hodney Road would not be in keeping with the local pattern of development within Hodney Road. The proposal, by virtue of its size, scale and massing would create an overly dominant development that would be out of character with the context of the site and surrounding area. The development would result in the overdevelopment of the application site causing a cramped form of development. Therefore, it was considered that the proposal would result in an adverse impact on the design and character of the site and surrounding area, contrary to Policy LP16 of the Peterborough Local Plan (2019).
- The proposed bungalow, by virtue of its size, scale and massing sited along the boundary and in close proximity to number 60 Hodney Road would result in an unacceptable level of impact on the main amenity area of number 60 Hodney Road. The proposal would result in an adverse impact on the main amenity area of number 60 Hodney Road and would be contrary to Policy LP17 of the Peterborough Local Plan (2019).
- The proposed development would result in dwellings being served by inadequate parking provision. The proposal was required, in accordance with adopted parking standards, to provide two on-site parking spaces as well as turning areas to ensure that vehicles entering the site and could leave in a forward gear. Insufficient information had been provided with regards the proposed parking and turning area provision on site in order to

adequately assess whether the manoeuvring of vehicles likely to be generated by the proposed development could be achieved without having an adverse effect on the safety of users of the adjoining public highway. Therefore, the proposal had not provided sufficient information to demonstrate that the parking and turning areas for two vehicles could be achieved on site in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- The proposed development had not demonstrated that an access of adequate width with appropriate vehicle-to-pedestrian visibility splays could be provided at the application site. Therefore, the manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety of users of the adjoining public highway by virtue of a substandard access with insufficient vehicle-to-pedestrian visibility splays which would result in an adverse impact on the safety of the users of the adjacent highway. As such the proposal was contrary to Policy LP13 of the Peterborough Local Plan (2019).
- The proposed development had not clearly demonstrated that a sufficient amount of outdoor amenity space would be provided to the future occupiers of the application site. The size and location of the Willow tree (protected by a provisional TPO) had not been adequately addressed by the application to demonstrate that the area to the side of the proposed development would be large enough to provide a sufficient amount of outdoor amenity space for the future occupiers of the development. As such the proposal had not adequately demonstrated that the private amenity space was well designed and located, and as such was contrary to Policy LP17 of the Peterborough Local Plan (2019).
- The construction of the proposed dwelling and the installation and construction work to form the new drive entrance/cross-over from the public highway, the drive, turning area and car parking space would impact upon the root protection area of the Willow tree (protected by a provisional TPO). No Arboricultural Impact Assessment was provided as part of the application, and neither any technical details were provided in reference to the construction of the proposed development to demonstrate that works could be carried out without adverse impact on the protected Willow. The necessary accurate and technical details had not been provided to accurately identify the extent of the root protection area as well as the impact of the proposed development including the driveway as well as the impact from the construction works. As such it had not been demonstrated that the construction of the proposed development and associated works could be carried out without adversely impact the root protection area of the Willow tree (protected by a provisional TPO). Therefore, the proposal had not demonstrated adequate consideration of the impact of the proposal on the Willow tree in question contrary to Policy LP29 of the Peterborough Local Plan (2019).
- Insufficient details had been provided with regards the disposal of surface water in relation to the proposed development. Given the location of the application site within an area of flooding caused by surface water it was considered that without the necessary details the proposed development had not demonstrated that an acceptable level of mitigation would be provided to prevent a risk of flooding caused by surface water within the area. Therefore, the proposal would be contrary to Policy LP32 of the Peterborough Local Plan (2019).
- Insufficient details had been provided with regards the disposal of surface water in relation to the proposed development. Given the location of the application site within an area of flooding caused by surface water it was considered that without the necessary details the proposed development had not demonstrated that an acceptable level of mitigation would be provided to prevent a risk of flooding caused by surface water within the area. Therefore, the proposal would be contrary to Policy LP32 of the Peterborough Local Plan (2019).

CHAIRMAN

1:30 - 6:11PM