

AB

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

6 JULY 2021 AT 1:30PM

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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 – 6 JULY 2021 AT 1:30 PM

LIST OF PERSONS WISHING TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
4.1	21/00477/FUL - 17 Crowland Road Eye Peterborough PE6 7TP	Kevin Rayner Mr Jarvis	Objector Applicant
4.2	20/01678/FUL - The Black House Farm Crowland Road Eye Peterborough	John Johnston	Objector
4.3	21/00420/HHFUL - 12 And 14 Lime Tree Avenue Millfield Peterborough PE1 2NS		
4.4	21/00546/HHFUL - 1 Peakirk Road Deeping Gate Peterborough PE6 9AD		
4.5	21/00386/FUL - Land Adjacent To 415 Eastfield Road Eastfield Peterborough PE1 4RE	Cllr Jackie Allen	Ward Councillor

BRIEFING UPDATE

P & EP Committee 6 July 2021

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	21/00477/FUL	17 Crowland Road Eye Peterborough PE6 7TP , Proposed workshop, store and replacement hobbies classic car garage

- 1) An email was submitted by the Agent in support of the application on 28/06/2021 as follows:

Dear Mr Kalley,

Thank you for your letter dated 23 June 2021 regarding the *call-in* of the above application to the 6th July committee. I would like the following bullet points to be included in your report to the committee:

- **PRECEDENT** The BSD commercial buildings, immediately to the west of the application site are more than double the size and height of our proposal and have existed for years with no nuisance to neighbours.
- **APPLICATION SITE USE** Mr Howard Godsland, the site owner, has traded as a funeral director from the site for decades, and since retiring he has traded vintage vehicles from the site and has continued to do so until this day. In 2011, a new bungalow was approved on the site, *but was never implemented* and the site has been used for business ever since.
- **BUSINESS HISTORY & PROPOSED SITE USE** PSCC Window Film Ltd. currently trades from 30 Crowland Road (the private house of the applicant, Mr Desmond Jarvis). Mr Jarvis has planning consent to extend his house and wishes to relocate his business across the road to the application site, and this relocation equates to a *planning gain*.

PLANNING POLICY LP4

- My client is registered disabled and has been searching for a suitable alternative site within easy walking distance from his home for some 2 years without success. He needs a secure site which can be locked up at night, as very expensive cars are sometimes on site overnight waiting for their owners to collect them the next day, and the application site ticks all his boxes.
- The scale of the development **is** commensurate with the scale and character of the existing settlement. You only have to look at the 12A Green Road site to the immediate west, to see the council approved BDS buildings, 6 metres to eaves and more than double the foot print of our proposal.
- Assuming that LP4 (or similar policy) was operative when the council approved BSD's development, then the impact of our scheme will have far less adverse impact than that of the BSD approved development.
- Mr Godsland has, and still does, trade vintage vehicles from the site. In other words, the sites use has been, and is still commercial. The local highways network will remain the same and complies with all the regulations.
- There will be no impact, adverse or otherwise, to the local employment situation, save that jobs will be saved and maintained for my client, his receptionist, two technicians and an apprentice technician.
- The proposal, being close to my client's home, will obviate the need for two motor car journeys (himself and his daughter receptionist), leaving two technicians to arrive and depart by car, albeit they work off-site 50% of the time. The young apprentice uses public transport to travel to and from work.

PLANNING POLICY LP17

- Where was this Policy when the BSD site was approved? By the way, the objector from no. 12 instigated the BSD operation at 12A Green Road for her son, and whilst we have no problem with this, it seems rather rich for her to object to our proposal.

ACCESS & MANOEUVRING SPACE

- Bearing in mind that fire engines with turntable ladders have been driven into and out of the yard, there will be no problem with access or turning.

EXISTING LOCATION & PROPOSED SITE

- On approval of the application, the 30 Crowland road site will be shut down to enable Mr & Mrs Jarvis to implement their recently approved house extensions. Two technicians will work on the new site, or off site, as the work demands. When off site, they will travel direct from home, and when on site, they will park their cars on the site.

PARKING

- The window tinting business is by appointment only, so there will be one car in the workshop, which will then be replaced by the next customer's car. The disabled bay will be used solely by disabled visitors, as the name suggests, and not by Mr Jarvis who will walk to and from work.
- Royal Mail are the chosen couriers who arrive with their van at 4.30pm every day to deliver inward parcels, and collect outward going parcels for the on-line side of the business. The Royal Mail van is on site for all of 5 minutes.
- You will see from the site plan that there is room for even more parking if you decree that this is necessary.

EXISTING BUILDING

- The existing building is and will be used to store vintage vehicles. The new building will be for working on those vehicles, polishing etc.
- You will note if that 2no. existing vintage vehicle buildings are to be demolished, as shown on the *Site Plan as Existing*.

NOISE

- Mr Jarvis' business generates no noise. The loudest sound comes from a domestic hair dryer which is used to warm the glass for tinting. The BSD site comprises motorbike tuning and metal fabrication, need I say more?

SITE VISIT

- I note that the planning officer is not doing site visits due to COVID-19 (unlike the council's Building Inspectors). However, Mr Jarvis would welcome you to witness a typical window tinting operation at his now premises, completed with face masks and any other PPE you desire. You would then see how innocuous his business is.
- In light of the compelling information, Mr Jarvis asks to be treated in an even-handed manner as was the BSD applicant.

On receipt of this email, my client may wish to add his own thoughts, and if so, I will convey them to you this week.

Officer response

The matters raised above are addressed within the Committee Report.

2) Councillors on site queried the height of the adjacent BSD commercial building to the rear of the site. The height to the apex of the BSD building is approximately 4.4m.

2.	20/01678/FUL	The Black House Farm Crowland Road Eye Peterborough, Change of use of redundant agricultural building to 2 no. two bedroomed Holiday lets
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Further comments

1) Eye Parish Council has submitted the following in response to receipt of the Committee notification letter:

'Thank you for this notification.

Eye Parish Council requested this application to be referred to the committee because of the following:

- The roadway into Black Horse Farm is shared and is disputed. It is a single-track road and exits onto the busy and fast Crowland Road with limited visibility causing a concern for motorists.
- Some of the original plans/drawings were incorrect.'

2) Correspondence from Planning Agent Mr Hartley, received Monday 28th June 2020

'Thank you for your letter dated 23 June 2021 regarding the *call-in* of the above application to the 6th July committee. I would like the following bullet points to be included in your report to the committee:

Planning Officer

- Mr Gandy has requested evidence of my client's right to a 5 metres wide access drive and this has been provided in the form of a Full Title Plan and Register from H.M. Land Registry, which Mr Gandy has acknowledged and approved.
- Mr Gandy has continued to recommend the whole scheme for approval.

Councillor Nigel Simons / Eye Parish Council

- Eye Parish Council, following their meeting on 15 April, requested Councillor Simons to call-in the application because of their perceived problem with the drive width. Councillor Simons did explain to them that the access issue had been resolved, but they still wanted the application to go before committee, so he agreed, (wrongly in my opinion), to call it in.

Neighbour

- My client has a mendacious neighbour who is intent on blocking her application and it could be that he has influenced the Parish Council to make their bizarre call-in decision.

Decision

- The drive issue, being resolved to Mr Gandy and to Highway's satisfaction, there is no basis whatsoever for this call-in to interfere with the planning process and recommendation for approval.

On receipt of this email, my client may wish to add her own thoughts and if so, I will convey them to you this week.

Officer response on select matters: The Local Highway Authority object to the proposed development, as described in the Committee Report, however the Local Planning Authority do not consider that this objection is sufficient to recommend the proposal for refusal.

3) A letter of objections was received from Mr Johnston, from Lakeside Manor Farm on Monday 5th July. The matters raised are followed where necessary by an Officer response:

Highway safety and parking provision

"Planners write, '*Pedestrian visibility splays have also been requested by the LHA*'. Planners then respond, '*The site is not served by any public footways. It would be too dangerous to enter or leave the site via foot...*'.

These statements run in complete contradiction of PCC planners' very own published claims about pedestrian access when, on 27 September 2016, they stated that a pathway does exist along the along the Crowland Road passing our property which allows pedestrian access, encouraging people to reduce their use of cars in compliance with all the green sustainable standards. Therefore, the LHA objection should be upheld".

Officer response: There is no footway directly connecting to the access of the site. Site photographs clearly demonstrate this. Additionally, it is not clear which PCC Planning Officer advised in 2016 that there is a footway, nor are Officers aware of this correspondence and this is long before the submission of the current planning application.

Other Matters/Rights of Access/Private driveway

"Planners have made an error in stating in that 'such matters cannot be taken into consideration'. But then they go on to say, in direct contradiction, they take those same matters into consideration and make a recommendation based on them. Planners became involved in a demonstration (taking part/ observing/reviewing) with the applicant on my driveway and make a recommendation based on one **random demonstration** to grant access. Did the demonstration only use one small car or were two involved? Did they include a demonstration of larger vehicles, perhaps two vans? Yet planners make a judgement that **all vehicles of any size** can pass when they incorrectly state 'This stops the need for **any** vehicles to reverse back onto the Crowland Road'. The demonstration also clearly involved driving outside the 5 metre 'right of access' width along my driveway and planners make a decision based on their involvement with an illegal manoeuvre. Everything about planners' involvement in taking into consideration a demonstration on my private driveway and the erroneous recommendation based on this should be struck from their document because they should not have become involved".

Officer response: The Case Officer has visited the site twice and only met the Applicant face-to-face once. As per any site visit on any application, Officers attempt to understand the site context and identify any potential constraints. No 'vehicular movement demonstrations' have occurred with officers present, nor have they been requested by Officers. The matter of 'Right of Access' are as per page 9 of the Committee Report.

Driveway 5 Metre Width (not 5.5 metre as stated by planners)

PCC planners might have thought to invite the owner of the driveway to clarify measurements when they became involved with demonstrations on my land to decide access matters.

In response to the errors and uncertainty let me assure the PCC planners that by the time of the meeting next week I will, at the entrance to my driveway and over its length where required, clearly limit the **legal 5 metre width with guide markers**, bringing the advantage of deterring vehicles from cheekily driving over the soft side services channels running down both sides of my driveway, which will avoid a risk of damage to utility service supplies. There are **no 'passing places'** as planners claim in order to draw their conclusions. Nothing other than a single vehicle is able to use the driveway, despite planners or others trying to suggest otherwise.

In the past weeks builders working on the yet to be approved holiday-lets buildings have parked their cars on my driveway blocking me in. I have had to ask them to move their vehicles off my driveway as there is simply no place for cars to pass each other.

Also, some large delivery vehicles to the Black house, which Ms Phillips does not allow to turn in her small yard by her house, stop in the Crowland Road and manoeuvre to reverse along my 300 metre driveway - as happened most recently on 19 April this year when a large six wheeler Butler Fuels tanker blocked the Crowland Road before reversing 300 metres to deliver her fuel. Such activity would only increase with multiple dwellings.

Officer response: To reiterate, no 'demonstrations' between local officers and the Applicant have occurred. Reference to 'demonstration' within the Committee Report refer to the plans submitted, not physical on-site demonstration.

The Committee report states that the Applicants "tried to demonstrate that the access width is more than 5.5 metres wide for the first 10 metres into the site" (page 7). The Applicant tried to meet the standard requirement requested by the Local Highway Authority on proposals where two-way traffic is required. Officers have not said that the access is 5.5 metres in width.

Further to the uncertainty of the original drawings previously provided on access width, the Applicant has submitted a document demonstrating a right of access measuring 5 metres in width. Upon review and further to visiting the site, it is considered that this 5 metre width exists, alongside additional openings along the track that readily allow two vehicles to pass one another, as well as the turning head to the west of site. The term 'passing place' has been used to describe these areas.

With regards to the point on builders and poor vehicular parking, this is a private civil matter between the two landowners. It appears that there is sufficient space within the site for construction vehicles to park without impacting upon the use of the access.

With regards to the point raised on delivery vehicles, again this is a private civil matter. The only point to add is that the use of the holiday lets would comprise standard family vehicles of those wishing to use the holiday lets. Deliveries can already occur to Black House Farm. There is nothing to suggest that deliveries would increase because two holiday lets are in operation.

Driveway rise

"Planners make no mention of the fact that my driveway rises in height towards its mid-point effectively restricting the view from either end. Increased traffic on my single lane driveway would necessitate frequent lengthy reversing when opposing vehicles eventually notice each other. Without question, sorely inconvenient and a serious loss of amenity to my family as the current owners and users".

Officer response: It is not considered that the amenity of nearby properties, including of that at Lakeside Manor Farm, would be adversely impacted upon by the proposed development. There are areas to enable vehicles to pass one another and the turning space to Black House Farm and Lakeside Manor Farm is considered to be sizable. Combined with space for vehicles to pass, it is not considered that the lengthy reversal manoeuvres would occur.

Traffic flow predictions

Planners have not provided their methodology, formulae involved nor their workings regarding traffic flow to enable objectors to form any objections. Could planners please provide this information to enable properly argued objections.

Officer response: No information was provided by the Applicant relating to their business model for the proposed holiday lets (such as number of stays per year, length of stays etc.) but this is not a requirement to be put forward under Policy LP11 (Part A). There is a principle of development to support the proposal as set out in the report. The view taken is subjective, but Officers consider the following points: there are two 2-bed holiday lets, each which could be occupied by 1 family. The generation of traffic to and from the site would increase beyond the single family which currently occupy Black House Farm. Only because the scale of traffic is increasing, this does not mean that the increase is unacceptable and that is the view Officers hold, with justification already provided on page 7 of the Committee Report under Section d) Highway safety and parking provision.

Post fire event

Within the last ten years, the building, subject to the application, was burned down following an incident with applicant burning old horse waste and was rebuilt following an insurance claim.

Officer response: The burning of horse waste is not a material planning consideration. With regards to any past fire event, reasonable structural repairs of an existing structure would not require planning consent.

Amenity

The PCC state that given the isolated nature of the site, the only immediate neighbour to the new dwellings is the Black House itself. Yet my own grounds and my driveway overlook the Black House. Noise from multiple short let groups, particularly with outside lifestyle activities (which is why they will come) from Easter to autumn, will most certainly interfere with and adversely affect my family's current lifestyle. Further affected by the problems with multiples of current traffic levels on my driveway together with loose dogs and other visiting pets chasing wildlife.

Officer response: The report's focus was on existing the dwelling within the Black House Farm site given that it is adjacent to the stables. The impact to Lakeside Manor Farm is not considered to be

unacceptable, with the neighbouring dwelling approximately 90 metres from the entrance gate to Black House Farm and approximately 120 metres. The actions of future occupiers of the holiday lets cannot be controlled through the planning remit. There is nothing to suggest future occupiers would cause nuisances with regards to their activities. The point with regards to traffic has already been covered.

Supporting images

Finally, along the above comments, Mr Johnston submitted the following four photographs and supporting text to accompany the comments raised above:

“Images showing private entrance driveway now clearly restricted by guide blocks to its legal limit of 5 metres to deter illegal manoeuvring to form passing places”.



“Animals/dogs roam uncontrolled from the inappropriately fenced Black House gaining access to neighbouring property killing livestock and chasing wildlife despite complaints. Yet the applicant proposes ‘pet and dog friendly lettings’.



● 13 °C 55 °F 2021/05/26 10:46:04 0017



● 13 °C 55 °F 2021/05/26 10:46:05 0018

3.	21/00420/HHFUL	12 And 14 Lime Tree Avenue Millfield Peterborough PE1 2NS , Proposed rear ground floor extension, first floor rear extension and attic conversion and the addition of a side extension to No. 12
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No Further Comments

4.	21/00546/HHFUL	1 Peakirk Road Deeping Gate Peterborough PE6 9AD , Demolition of existing conservatory and erection of single storey side and rear extension
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Deeping Gate Parish Council confirmed that they have called this application in for the following reasons:

- the proposal would not have any unacceptable impact on the surrounding neighbours who have indicated their support.

Officer comment: Officers consider the proposal would have an adverse impact on the neighbour amenity as explained in the Officer's report.

5.	21/00386/FUL	Land Adjacent To 415 Eastfield Road Eastfield Peterborough PE1 4RE , Change of use from public open space to private garden
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Cllr Jackie Allen is in support of this proposal, and has called this application in for the following

reasons:

- The redundant sub power station is the first thing the eye is drawn to when viewing the piece of land in question.
- As this strip also attracts intermittent fly-tipping, I feel the repurposing of this strip will not deter from the neighbourhood amenities.

I have attached some pictures to show the view from Eastfield Road looking onto the green space. I have also established that the proposed plot would not interfere with any of the established trees in place.

I also believe that under no circumstances should the green space be used to park cars, regardless of the outcome of the decision and enforcement should be applied if this happens.





A letter of **support** has also been received from **Cllr Qayyum**, raising the following matters:

'The Singh family are a diligent, and well-respected family who have resided at the said address for many years.

Their application to acquire permission to gain the land specified in the application would see the potential benefit to the area. The piece of land has been disused for many years and has become a site for needles, fly-tipping, and the scene of regular anti-social behaviour. The family has over the years through their own goodwill maintained the land in addition to what the council already offers.

The land in question is hardly used for recreation, is a small space and any use of the space by the family would not be detrimental to the views of the ongoing traffic as that is the singular impact that would be considered.

The family have caring responsibilities for their frail and less able-bodied parent, the space that is required to look after her as well as their adult son and his family is now a necessity.

There are similar developments in more congested neighbourhoods that have historically been granted with the acquisition of green space.

I support the application under the premise that there is a reasonable use of the space, It is and would be well maintained with cost-saving implications by the Council'.

Officer Response:- This application has been recommended for refusal for three reasons. East Ward has a deficiency of 14.14 hectares of public open space, and it is expected that this Ward will realise a population increase of 20% (2,100 people) by 2036. Due to the constraints of the Ward, it highly unlikely that new, large and useable areas of public open space will be forthcoming in the future.

Officers would point out that the following;

- The existing back garden serving the Applicant's property is 379sqm in area (32m deep x 14m wide);
- The existing front garden serving the Applicant's property is 150sqm (15m x 10m); and
- This proposal would increase the overall garden area of the property by 133sqm.

This proposal would reduce the amount of public open space which is currently available, this the area of which benefits all residents who live within the immediate locality. Further to careful assessment by Officers, the benefits realised by the Applicant do not outweigh the loss to members of the public through the incremental loss of public open space, and as such the proposal is wholly contrary to Policies LP17, LP23 and Paragraph 97 of the NPPF (2019).

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