

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 19 OCTOBER,
ENGINE SHED, SAND MARTIN HOUSE, BITTERN WAY, PETERBOROUGH**

Committee Members Present: Harper (Chairman), Hiller (Vice Chairman), A Bond, Brown, Dowson, Hogg, Amjad Iqbal, Rush, and Warren.

Officers Present: Sylvia Bland, Development Management Group Lead
Karen Dunleavy, Democratic Services Officer
Chris Gordon, Planning Solicitor
Nick Greaves, Principal Engineer
Emma Naylor, Senior Strategic Planning Officer

25. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sharp and Ishfaq Hussain. Councillor Rush was in attendances as substitute.

26. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 7 SEPTEMBER 2021

The minutes of the meeting held on 7 September 2021 were agreed as a true and accurate record.

27. DECLARATIONS OF INTEREST

No declarations of interest were received.

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

There were no declarations to speak as Ward Councillor.

29. STATEMENT OF COMMUNITY INVOLVEMENT

The Committee received a report on the Statement of Community Involvement.

The purpose of the report was to present the Planning and Environmental Planning Committee as part of the formal process towards adopting an updated Statement of Community Involvement (SCI).

Senior Strategic Planning Officer introduced the report to Members and asked for them to endorse the SCI before formal approval at Cabinet.

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

- There had been no formal consultation on the SCI as the Local Authority (LA) was not obliged to do so.
- Meetings could be held on a virtual platform and this could be included within the SCI document.

RESOLVED:

The Planning Environment Protection Committee considered and endorsed the updated Statement of Community Involvement (SCI) to Cabinet, prior to Cabinet considering whether to formally adopt the updated document. The Committee **RESOLVED** (9 For, 1 Abstention) to **ENDORSE** the Statement of Community Involvement.

AGREED ACTION

The Committee endorsed the report and agreed that the wording in relation to approval of smaller planning applications would be amended to state Ward Councillor instead of District Councillor.

REASONS

Peterborough City Council (PCC) were required, by regulations, to review their SCI every five years, from the date of adoption. Adoption of the SCI would ensure that PCC continued to satisfy the regulations regarding SCIs.

30. PLANNING AND ENFORCEMENT MATTERS

30.1 21/00477/FUL - 17 CROWLAND ROAD

The Committee received a report, which outlined the conditions that the applicant had not agreed to since planning consent was approved by the Committee on 6 July 2021: C10 and C11

In addition, the Committee was informed of a minor change requested by the applicant to proposed Condition 3 which secured opening hours, the Agent requested that to tally the online hours for Saturday the opening hours should be amended from 08.00am-12.00noon to 08.00am-1.00pm.

The Development Management Group Lead introduced the item and highlighted key information from the report and the update report. The Officer recommendation had changed to one of **APPROVAL** since the report had been published:

Officers proposed to alter Condition 10 to remove the personal restriction and clarify the relationship between the main use (window tinting) and the ancillary uses. Upon further consideration, it was considered that an amended Condition 10 alongside a new condition 12 would ensure that the permission would still restrict the use to windowing tinting purposes only, ensure that the other spaces within the proposal remain ancillary to that use and prevent sub-division of the space which may not require planning permission. Sub-division of the development may result in additional parking movements, need for additional parking provision, additional impact on neighbouring properties and impact on the character of the site.

This would have similar restrictions to that which was sought to be achieved by way of a personal permission. The altered conditions included:

C10 - The space within the building hereby approved labelled 'Workshop', on the approved drawing no.4690/2 would be used solely for the application of window tint to motor vehicles, and the other spaces within the building hereby approved labelled 'Store' and 'Office' and 'Reception' would remain ancillary uses for the window tinting use.

C11 - by removing 'sub-unit' and replacing with 'space', to avoid any confusion in relation to business units or sub-units. The rest of the condition remained unchanged.

C11 - The space within the development hereby approved labelled as 'hobbies (classic cars)' on the approved drawing no.4690/2 would be only used in conjunction with the occupation of the dwelling known 6 as 17 Crowland Road and would only be used for ancillary purposes to 17 Crowland Road.

C12 - The spaces within the building hereby approved labelled 'Store', 'Workshop', 'Office' and 'Reception' on the approved drawing no.4690/2 would not be sub-divided and no mezzanine floors would be inserted, without prior written approval of the Local Planning Authority.

The removal of the personal restriction from within C10 meant that a further condition was required to ensure there would be no adverse intensification of the site by way of sub-division, which would not necessarily require planning permission.

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

- The proposed parking for 17 Crowland Road was the same distance as social distancing of 2m adjacent from the objector's property.
- The applicant had informed the Committee of inaccurate distances between properties.
- There were trees and hedges that had not been indicated on the planning application and there were inaccuracies between the application and the planning report. In addition, it was felt that the trees near the objector's property would be destroyed.
- There was a clear height difference between the applicant's and objector's property which had demonstrated that there had been a privacy intrusion and noise impact.
- Complaints had been registered in relation to the noise impact.
- There was a vintage fire engine clearly visible from the objector's property. However, the objector had stated that the hobbies garage was mainly for renovations on cars.
- There had been a total compromise of the applicant's entire living area, which included a living room, dining room, kitchen area, patio and a bedroom.
- Conversations had taken place with the Director of Planning, who had empathised with the applicant.
- It was felt that the height, workshop dimensions, boundary and parking places of the applicant's premises would cause an impact on lorry manoeuvres and lead to reverse manoeuvres onto a busy road.

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

- The applicant agreed with the amended conditions however, condition 3 and 11 were not welcomed. There had also been a confusion over what conditions were being imposed.
- The applicant was concerned about the implementation of condition 10 in relation to the development permitted use would be only for his personal use. It was envisaged by the applicant that the hobbies garage could be sold for retirement or could be passed onto family members as inheritance. Therefore, the applicant had desired an EG classification instead.
- The agreement with the owner of 17 Cromwell Road was to purchase the whole site for a hobbies garage and store the owners fire engine, which would remove it from the neighbour's view. If 17 Cromwell Road was sold the site would be tied to the new owners which concerned the applicant. Furthermore, the applicant felt that the connected use of the land should be removed as he had purchased it and it would not cause parking issues for the 17 Cromwell Road owners.
- The hobby garage window tinting was not common business and if it was restricted to the use class rather than to the applicant personally, then it could be sold on for that purpose only. This in turn would protect the neighbours.

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

- Members were informed that the amended condition 3 had related to operating times from 1 – 5pm.
- Clarification was provided to Members over condition 10, which was proposed in order to restrict the commercial business use of the premises to window tinting only. The applicant had requested an E(g) classification, however, this would risk the business changing to a different use if sold in the future. This could cause issue for numbers 17 and 19 Crowland Road in the future.
- Condition 11 would ensure that the premises being tied into 17 Crowland Road would restrict future the use and increase in noise disruption for that property. Members commented that an E(g) classification would allow a noisier business to operate in the hobbies garage and that to restrict this type of commercial activity was acceptable.
- Members commented that the conditions proposed by Officers were reasonable.
- Members were advised that they were being requested to vote on the whole application.
- Members commented that it had seemed sensible to hobbies business should be personalised to the applicant in order to avoid nuisance to the neighbouring properties.
- Some Members felt that there was not enough separation from an industrial area and a domestic area.
- Some Members felt that implementation of a hobbies area could be more calming rather than industrial environment.

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, 2 Against, 1 Abstention) 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:

- In the interest of neighbour amenity, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- In the interest of the current and future occupier amenity of 17 Crowland Road, in accordance with Policy LP17 of the Peterborough Local Plan (2019).
- In the interest of neighbour amenity and highway safety, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019).

30.2 21/00832/HHFUL 40 WESTWOOD PARK ROAD

The Committee received a report, which sought permission for a revised scheme submitted for determination. The initial scheme included:

- Alterations to the front elevation to create an enclosed porch;
- The removal of the existing garage and summer room and replacement with a ground floor rear extension. This extension would project beyond the existing rear wall by 12.8 metres;
- A first-floor level rear extension projecting beyond the rear wall by 5.7 metres to create two en-suite bedrooms.
- A loft conversion for an additional two en-suite bedrooms with Velux rooflights.
- An annexe sited next to the rear boundary with dimensions of 6.45 metres deep x 10.81 metres width to accommodate a gym, shower room, sauna, kitchen and seating area.
- The applicant was requested to remove the proposals for the annexe, to reduce the depth of the first-floor extension by 1 metre and to reduce the depth of the ground floor extension in line with the rear extension at 42 Westwood Park Road.

The revised scheme removed the annexe entirely and reduced the depth of the first-floor extension, however, the applicant had not agreed to reduce the depth of the ground floor extension.

The current proposal would create a seven-bedroom property. It would also provide for two car parking spaces on the driveway. The proposed roof and facing materials would match the existing dwelling. The various elements of the proposals would comprise:

- Alterations to the principal elevation to create an enclosed porch;
- The removal of the existing garage and summer room and replacement with a ground and first floor rear extension. The proposed extension would extend the existing dwelling to the south by 1.7 metres;
- The ground floor rear extension would have an overall depth of 12.8 metres providing an open plan kitchen, dining and living area. Part of the ground floor extension would project 8m beyond the first-floor extension with a flat roof to a height of 3.2 metres;
- The first-floor rear extension would extend by a reduced depth of 4.7 metres providing two en-suite bedrooms. It would have a hipped roof to match the existing dwelling;
- loft conversion for two en-suite bedrooms with rooflights.

The Development Management Group Lead introduced the item and highlighted key information from the report and the update report.

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

- The objector stated that the applicants not been in consultation with him in relation to the development plans. Furthermore, mediation had been requested to resolve the conflict, however, there had been no progress on this.
- The objection was for the first-floor extension, and it was uncertain why the applicant was being permitted to an extra 1.2 metres.
- There was a boundary wall near the objector's living area and fence and the development would be located too close to the objector's property, which would cause and issues with foundations and access to maintain the boundary wall. Furthermore, the applicant could apply to locate his extension closer to number 38 Westwood Park Road.

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

- The rear single storey extension proposal had caused issues which had resulted in the Officers recommendation of refusal. Furthermore, there had been an objection in relation an overbearing impact on the neighbouring seating area as a result of the proposed development.
- There had been an extension built by the objector at number 42 Westwood Park Road which was visible from the applicant's sitting room, and it had been felt that a double standard approach had been applied. There had also been gap at number 42, which was the same distance that had been proposed by the applicant's proposal.
- There had been an extension at number 50 Westwood Park Road, which was larger than proposed by the applicant.
- There had also been extensions on neighbouring properties on Westwood Park Road with a shorter gap between houses than what had been proposed by the applicant.
- A complaint had been made in relation to the Applicant's treatment through the planning process.

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

- Members were advised that three parking spaces had met the standards for the proposed extension.
- Members were advised that the planning process had taken a longer timescale due to the negotiation undertaken to adjust the size of the extension, however, was felt that a compromise could not be reached with the Applicant and that the final proposals would result in over development which would impact on number 42 Westwood Park Road.
- The flat roof could be condition for the use of a Juliet balcony only if the proposal was approved.
- Members were advised that there had been some negotiations throughout the planning proposal to amend the layout, however, this option had been exhausted.
- Members commented that the proposal had not appeared to be any amenity loss however, the massing would present an overbearing impact. Members were advised that the Juliet balcony could also present an overlooking view from side to side.

- Members were advised that the impact on the amenity of the neighbours living room had concerned Officers.
- Members were advised that permitted development had existed for the proposed site but had not allowed high extensions close to a boundary. In essence, there presented a concern for the neighbours.
- Some Members felt that the parking bays would not be enough for the property following the extension.
- Members commented that the applicant had been over ambitious with their proposals and felt concerned about the Juliet balcony. The ground floor element was also too big.
- Members commented that the land could accommodate the proposed extension, however, it would be detrimental to the neighbours.
- Members were concerned with the mass of the proposal and 1.2 metres of wall sticking up above a fence next to a patio with a gap of 30cm was overbearing.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (9 For, 1 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 given below.

- The proposed development, by virtue of its siting, height, scale and orientation of the single storey rear extension, would result in an unacceptably overbearing impact to the adjacent residential dwelling of No.42 Westwood Park Road. The proposal would result in significant overbearing impact to the immediate outdoor seating area and main habitable spaces located to the rear of the property such that unacceptable harm to the amenity of occupants would result. The proposal was therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

30.3 21/00335/FUL - NEWPORT FARM, NEWPORT WAY, UFFORD, STAMFORD

The Committee received a report, which sought permission for the construction of a single dwelling house, formation of pond and re-wilding of land.

The proposed dwelling would for all intents and purposes demolish the existing barn, and in its place erect a new dwelling within the original footprint and roofscape of the existing building.

At ground floor there would be an entrance, snug, study, open plan living, dining and kitchen space, a boot room and utility space, larger and plant room, with a guest suite with its own en-suite bedroom and living room. At first floor, there would be three en-suite bedrooms, all served by roof terraces.

Materials proposed include dry stone walling, vertical oak boarding and zinc cladding with a zinc roof. Solar panels were proposed on the southern elevation. The scheme included provision for parking two cars on the driveway.

The Applicant had set out within the Covering Letter, and expanded upon within the Design and Access Statement, that the principle of residential development had been established

due to the 2020 prior approval application. The Agent referred to case law and a scheme which was approved by South Kesteven District Council, whereby this approach was supported by Officers.

The Development Management Group Lead introduced the item and highlighted key information from the report and the update report, which included updated conditions and an additional representation.

Mr Dickie, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicant was not a property developer and had bought Newport Farm to provide a home for his family.
- The original permission was for a class Q scheme and the parish council had stated that the revised proposal had gone against these principles.
- When considering a class Q building project, the agent would look to respect the original built form. The design had been defined by the scale and mass of the existing grain barn.
- There were little class Q developments that had been implemented as originally conceived. The legislation had promoted the two-stage design approach with Q class developments. It was astounding that anyone would think that the approved scheme had been a better design than the final proposal.
- The proposal was designed from the outside in, which had taken an undesirable building and elevating it to a higher quality. In summary the proposal had promoted an innovative alternative to the approved scheme that would provide a family home that would not only act as a reminder of its heritage but add to the architectural diversity of Ufford.
- The proposed heat source pumps would be air sourced to provide hot water and heating to the property.

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

- Members were advised that permitted development rights under Class E for outbuildings would be removed to ensure that the appropriate planning permissions were sought for the erecting of a shed or summer house, however, a dog kennels would not be classed as an outbuilding.
- Members commented that they had not agreed with the Parish Council's assessment of the design. Furthermore, it was felt that the design was striking and one that had resembled the building that it would replace.
- Members commented that the design was of a high quality. There were equal dissenters as supporters of the proposal, however, it would be contentious in a rural setting.
- The design was in keeping with the design of the original barn and was of a high standard.
- Members commented that the proposal was a better design than the original approved design and the conditions had been effectively applied.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission 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 application site was situated within the open countryside outside the settlement boundary, however, there had been a legitimate fall-back position which had a realistic prospect of being implemented. The proposed scheme was considered to be an improvement in design terms, whilst sitting within the original mass and scale of the agricultural building. As such, the overall design quality was considered to be a betterment compared to the development which had already been permitted on the site under Class Q prior approval. This benefit was considered to outweigh the conflict with Policy LP2 and the Peterborough Design and Development in Selected Villages SPD (2011), and was accepted in this instance;
- The application site was not considered to be in an isolated location and accorded with paragraph 80 of the NPPF(2021);
- The proposed dwelling would not have an unacceptable harmful impact to neighbouring amenity, and would provide satisfactory amenity for future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- The proposal would not have an adverse impact on the biodiversity value of the site, and would accord with Policies LP28 and LP29 of the Peterborough Local Plan (2019);
- The development would make provision for dealing with known and unsuspected contamination, in accordance with Policy LP33 of the Peterborough Local Plan (2019);
- There were no Highway safety concerns and parking could be accommodated on site, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

CHAIRMAN
1.30 - 3:32PM

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