

Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 12 April 2011

**Members Present:**

Councillors – North (Chairman), Lowndes (Vice Chair), Hiller, Serluca, Todd, Winslade, Ash, Lane and Harrington

**Officers Present:**

Theresa Nicholl, Development Management Support Manager  
Amanda McSherry, Principal Development Management Officer  
Louise Lewis, Senior Development Management Officer  
Chris Edwards, Planning Information Officer  
Julie Smith, Highway Control Team Manager  
Jez Tuttle, Senior Engineer (Development)  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillor Burton and Councillor Thacker.

Councillor Winslade attended as substitute.

Councillor Hiller had notified the clerk prior to the meeting that he would be in attendance at about 3.00pm.

**2. Declarations of Interest**

- 5.1 Councillor Todd declared that she had been approached by a Mr Ikram prior to the meeting, but that this would in no way prejudice her decision.
- 5.2 Councillor Lowndes declared that she had visited the application site but as she had not discussed the application, this would in no way prejudice her decision.
- 5.3 Councillor Serluca declared that she had a personal and prejudicial interest, therefore she would leave the meeting for the duration of that item.

**3. Members' Declaration of intention to make representation as Ward Councillor**

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

**4. Minutes of the Meeting held on 22 March 2011**

The minutes of the meeting held on 22 March 2011 were approved as a true and accurate record.

## **5. Development Control and Enforcement Matters**

### **5.1 10/00907/FUL – Construction of multi purpose hall, conference area(s), library, ICT rooms, store room, other associated facilities and additional car parking spaces to be used in association with the existing mosque at Burton Street Mosque, Burton Street, Eastgate, Peterborough, PE1 5HD**

Planning permission was sought for a two storey extension to the existing mosque, to provide a multi purpose hall, conference areas, library, ICT rooms, store rooms and other associated facilities providing approximately 1150 square metres of additional floor space. The existing mosque had 995 square metres of floorspace provided over two floors.

There were currently 34 car parking spaces on site and a new car park area of 10 car parking spaces was proposed to the front of the existing mosque building, which was accessed from Burton Street, and 3 disabled car parking spaces in front of the new extension, which would be accessed from Star Mews.

The mosque site was located within a predominately residential area of two storey high residential housing. There was a tyre fitting business and indoor bowls centre in Burton Street. The two storey mosque building was currently accessed from Burton Street, with car parking available on site at the front of the mosque building. There were buildings accessed from Star Mews which were for commercial/industrial purposes at the time, these buildings would be demolished as part of the proposed development.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the proposed design and layout of the scheme, the impact on neighbouring sites, highways impacts and car parking. The recommendation was one of approval.

Members were advised that the scheme had been amended from the one that had originally been submitted. The massing of the building had been reduced and it was now felt that the relationship between the mosque and surrounding buildings was acceptable. All of the windows to the side elevations were to be obscured glazed in order to prevent overlooking. There had been an objection received from the police and local residents with regards to overspill parking onto the street and in response, the applicant had stated that the proposal would not increase parking on the site as the extensions were not to be implemented in order to try and increase the number of people attending the mosque, but simply to give the current attendees the best facilities possible.

Officers had concluded that any parking overspill would occur during large family gatherings, i.e. weddings and funerals and this could be managed by providing prior notification to the police and putting proper traffic management in place.

Members' attention was drawn to additional information contained within the update report. An amended site plan had been submitted which outlined all of the land owned by the applicant outside of the application site. Members were further informed that, subject to conditions, highways had no objections to the proposals. Traffic flow and parking had been observed at the mosque during Friday prayers, this being the busiest time for the mosque, and there was a high volume of visiting traffic but with the proper marshalling there had been no particular problems observed.

If Members were minded to approve the application, an additional condition had been proposed which requested a Construction Management Plan to be submitted and approved by the Local Planning Authority.

Comments had been received from the Police Architectural Liaison Officer, stating that traffic congestion could be managed if the area was well staffed by members of the mosque and with prior notice provided to the public of larger events taking place at the mosque.

Three further letters of objection had been received against the application and the key points highlighted by these objections were the loss of peace and quiet in the area, the increased traffic flow in the area, the insufficient car parking provision, the size of the building being not in-keeping with the surrounding buildings and late night noise disturbance.

Mr Salim Ibrahim, the Project Chairman and Mr Raza Rahim, the president of the Muslim Community at Burton Street Mosque, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The mosque had been built with the communities own funding, to enable people to attend and take their place as upright citizens of Peterborough
- Activities had always taken place at the centre, including women's group and interfaith activities, senior citizen groups and playgroups
- The drive for the project was to provide better facilities for the younger people in order to realise the vision of a community that was an integral part of the society as a whole
- The proposal would be funded by donations and members of the community
- The whole idea had been to enhance the centres provision to the community
- The growth of the community had been natural with some younger people moving away
- There would not be a large sudden increase in numbers attending the centre
- The facilities for the younger generations was vital and education facilities were key
- Senior members were also not forgotten and the enhanced facilities would provide comfort for them
- During the planning process, consultation had been undertaken with all relevant parties and adjoining neighbours
- Events had been held where concerns could be raised and discussed. As a result, the size of the development had been reduced and a strategy had been imposed to monitor the traffic issues
- The traffic flow strategy would be constantly under review and constant consultation would be undertaken with the relevant people
- There was a dedicated team who monitored the situation with the car parking
- Number 128 was not owned by the centre, however the owners had stated that the land could be used for the charities purposes
- More than 60-70 families lived within walking distance of the centre and the access from Star Mews would encourage people to walk
- There were contingency plans in place when there were larger functions, such as utilising the parking spaces at the bowling club
- Support for the project was across the whole community

The Highways Officer addressed the Committee in response to queries around parking and stated that site visits had been undertaken at the mosque. There were a number of parked cars situated along Burton Street during these visits, but these could not be directly attributed to the mosque. Minor congestion along the road had

also been observed, however this tended to be when the patrons of the bowling club were leaving the site at the same time as the members of the mosque. Going forward, possible restrictions along Burton Street were to be looked into.

Members requested confirmation that Highways were happy that the additional condition number three, as contained in the update report, could easily be complied with. The Highways Officer responded and confirmed that the condition would be able to be complied with. It was a standard condition on a lot of sites and these sites were monitored regularly. The Highways Officer further confirmed that work would be undertaken with people in the community around the parking situation.

Members questioned where the accesses onto the site would be situated. The Planning Officer addressed the Committee in response and stated that there were to be two accesses onto the site, one from Star Mews accessing the three proposed disabled spaces and one from Burton Street. The access from Star Mews would be a pedestrian access also.

Following debate and further questions to the Planning Officer relating to the provision of access for both vehicles and pedestrians, a motion was put forward and seconded to approve application, subject to the imposition of the additional condition as highlighted in the update report and an informative with regards to the mosque working with the Highways Authority to ensure that parking was managed at the site. The motion was carried by 4 votes, with 3 voting against and 1 abstaining.

**RESOLVED:** (4 for, 3 against, 1 abstention) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C8 as detailed in the committee report
2. An additional condition requiring a Construction Management Plan (CMP) to be submitted to and approved by the Local Planning Authority
3. An additional informative with regards to the mosque working with the Highways Authority to ensure that parking was managed at the site

**Reasons for decision:**

Subject to the imposition of the conditions the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- It was considered that the height, scale and mass of the extension would form an acceptable relationship with the existing mosque building and would not appear unacceptably dominate or visually harm the character of the area.
- It was considered that the siting, height, scale and mass of the proposed extension would not have an unacceptable overbearing impact on adjacent residential sites and first floor windows not fixed and obscure glazed unacceptably reduce their privacy.

It was therefore considered that the proposed development was in accordance with Policies CS16 and CS13 of the Core Strategy.

**5.2 10/01705/FUL – Proposed two storey side extension and ground floor rear extension at 90 Vere Road, Peterborough (Part retrospective)**

This application had arisen as a result of unauthorised works being reported to the Planning Compliance (enforcement) Team. Work had already started to construct the rear extension without obtaining either Planning Permission or Building Regulations approval.

Permission was therefore sought to construct two extensions to the property at 90 Vere Road, Peterborough.

The first part of the application sought permission to erect a two storey extension to the side of the dwelling. This would result in the width of the dwelling being extended by approximately 2 metres and would bring the end wall up to the boundary with the adjacent property. The purpose of this was to extend the third bedroom and create an additional room for use as a study on the first floor. The ground floor was to be left open to create a covered passageway to the rear.

The application also sought permission to erect a single storey extension to the rear of the dwelling. This proposed extension measured approximately 9 metres from the rear wall of the original dwelling and was to cover the entirety of its width. The purpose of this extension was to create an enlarged kitchen measuring 23.5 square metres and a new lounge with ensuite WC measuring a total of 31.9 square metres. The proposal would also create an additional WC in place of the area currently occupied by the kitchen.

Subsequent communication with the applicant had revealed that the purpose of the rear extension was to be an annex for the applicant's disabled mother.

The Planning Officer addressed the Committee and stated that an amended plan had been submitted for the application. Members were advised that the overall depth of the extension was now to be 7 metres and set in by ½ metre from the neighbouring property on the right hand boundary. The proposals for the two storey side extension remained the same. The extension was still substantial but due to its reduction in length and its offsetting from the boundary to the right of the proposal, Officers felt that the proposal was now acceptable and the recommendation was one of approval, having previously been one of refusal.

Following debate Members commented that as there were two speakers who were due to be present who were not in attendance and as there had not been an amended report provided outlining the subsequent changes proposed, a motion was put forward and seconded to defer the application to a later date. The motion was carried by 8 votes, with 1 abstaining.

**RESOLVED:** (8 for, 1 abstaining) to defer the application to a later date.

**Reasons for decision:**

The Committee agreed that in order for it to be able to make an informed decision on the application, the item was to be deferred to allow for an updated report to be circulated and for the speakers to be in attendance in order to answer any questions Members may have on the application.

Councillor Serluca left the meeting.

**5.3 11/00073/FUL – Construction of 4 x 1 bed flats and 6 x 2 bed flats in a 3 storey block at 38 Elm Street, Woodston, Peterborough**

It was proposed to construct a single block containing ten flats over three floors. The block, although on the site of 38 Elm Street (now demolished), would face onto and read as part of Silver Street. The block was designed to pick up on some of the features of neighbouring buildings, and followed the existing building line along Silver Street.

The block would have a ground floor elevation incorporating some bay windows, a plain first floor with windows and the second floor would be mostly within the roof space, lit by dormer windows.

The vehicular and personal access would be from Elm Street. This would be functionally the “front” of the building, although the more detailed elevation would be on the Silver Street side, where there would be a row of small private gardens, the same depth as neighbouring front gardens, separating the building from the street. The car parking area would be on Elm Street, and the amenity space directly behind (or in front of) the block, next to the parking area.

This area was characterised on the Silver Street side by Victorian terraced housing with a strong, regular 2-storey ridgeline. On Elm Street there was some terraced housing, leading to later semi-detached housing. There were larger houses facing onto London Road to the east of the site. There was notable on-street parking congestion, as few of the dwellings on Silver Street had off-street parking, but those immediately adjacent to the application site had access to parking at the ends of their gardens, accessed from Elm Street. On Elm Street and the adjacent residential streets there was more available off street parking, but not every house was so provided for.

The site itself had been cleared of the house and garage block that previously occupied it, and was currently reverted to low-level scrub.

There was a large tree adjacent to the south east corner of the site, the crown of which overhung the site.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principles of development, residential amenity, neighbour amenity, highway safety and parking and the design and character of the area. The recommendation was one of approval.

Members’ attention was drawn to additional information contained within the update report. There had been a previous appeal decision associated with the site and this decision was appended to the main report for Members’ information. Members were further advised that the proposal was considered to be acceptable by Officers and the issue highlighted in the appeal had been overcome.

On the site visit undertaken on the Friday prior to the Committee meeting, Members had raised questions with regards to the nature of the bin storage. In response to these concerns Members were advised that if the bin collections were undertaken by the Council then the bin provision necessary to serve ten flats would be two, 1100 litre bins for ordinary rubbish and two each for recyclable refuse, therefore four in total. The dimensions of the bins would be 1210mm wide by 1100mm deep. Members were advised that there was sufficient space on the site to accommodate these bins within an enclosure for which the refuse crew would be provided with a key for as standard practice. A condition had been proposed requesting a design for the bin store to be submitted for approval. The agent for the application had previously indicated that the refuse collection would be undertaken by a private company, however designing the bin store to accommodate Peterborough City Council requirements was acceptable (as a secondary option).

The proposal was a resubmission following the previous appeal decision in February 2010. The previous appeal had been dismissed due to overlooking 40 Elm Street by windows above ground floor level to the side of the proposal.

Councillor Matthew Lee, Ward Councillor, addressed the Committee and stated that he had originally come before the Committee to talk about policy CS10, which was the requirement that the development made a contribution towards the city being an environment capital. Councillor Lee felt that the original refuse collection in the plans had not initially lived up to that requirement and as the application had been extremely controversial amongst the local community Councillor Lee felt that providing revised plans for the bins storage prior to a decision being taken on the application would be preferable. Councillor Lee also requested clarification as to the amount of S106 money which had been agreed for the development.

In response to the queries raised by Councillor Lee, the Planning Officer addressed the Committee and stated that the S106 contribution was in accordance with the Planning Obligation and Implementation Scheme (POIS) document, £36,000 being the pooled contribution for strategic and neighbourhood infrastructure. Travel packs would also be requested for new occupants containing bus timetables etc. This would contribute towards residents utilising sustainable transport in the area. There would also be a monitoring fee enabling the S106 to be monitored. With regards to the bin issue, there was a visitor cycle parking area which was not particularly necessary, this could be utilised for the bin storage if required.

Members sought confirmation from the Highways Officer that they were happy with the proposals. The Highways Officer addressed the Committee and stated that she was happy and did not see any part of the proposal as being unachievable. The plans for the bins stores would be looked at and commented upon.

Members questioned whether the words "in perpetuity" could be added into condition C8 relating to the windows. The Planning Officer advised that this change would be implemented to the condition.

The Planning Officer further addressed the Committee and stated that once the plans had been submitted for the bin storage, condition C10 relating to bin storage would be amended prior to the decision notice being issued, and would state that the applicant would need to construct the bin store in accordance with the approved plan.

Following further brief debate, a motion was put forward and seconded to approve the application subject to the proposed amendments to conditions. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990
2. The conditions numbered C1 to C19 as detailed in the committee report, including the proposed amendments to conditions C8 and C10
3. If the S106 had not been completed within 2 months of the date of the resolution without good cause the Head of Planning Services will be authorised to refuse planning permission for the reason R1 as detailed in the committee report

**Reasons for decision:**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The proposal would contribute towards meeting a local and national housing need
- The proposal was for residential development in a residential area
- Adequate parking and access could be provided
- The proposal would not have any unacceptable impact on the amenities of occupiers of neighbouring properties
- Satisfactory levels of amenity would be provided for future residents
- The design of the proposed building was appropriate to the area
- The applicant had agreed to make a contribution to the infrastructure needs arising from the development

The proposal was therefore in accordance with Saved Policies H7, H16, T9, T10, and IMP1 of the Peterborough Local Plan 2005 (First Replacement); Planning Policy Guidance 13; and Policies CS10, CS14 and CS16 of the Peterborough Core Strategy.

The meeting was adjourned for ten minutes.

Councillor Serluca and Councillor Hiller joined the meeting.

**5.4 11/00232/FUL – Revised proposals to include moving boundary to Plot A, loft play room and option for photoelectric panels to the roof slope, of planning permission 10/01503/FUL – Construction of 4 bed, 2 storey house with detached double garage – Plot B – The Haven, Second Drift, Wothorpe, Stamford**

The proposed development was a four-bedroom house with a detached double garage. The house proposed was of two storeys, of a main block with projecting gable-end features to front and rear. The proposed dwelling would be about 11.5 metres wide, set 7 metres from the boundary with the neighbouring plot (Cromwell House) and about 2 metres from the boundary with Plot A (on the approved scheme this latter measurement was 3 m, this boundary had moved, but this had no material impact). The height to eaves would be about 5.2 metres and height to ridge of about 9 metres. Access was proposed via a new entrance from Second Drift, which would be shared with the dwelling on Plot A. The proposal differs from the approved scheme in that:

- a. The boundary fence with Plot A was different (1 metre different);
- b. There was a loft room with 2 rooflights however the height of the house was unchanged; and
- c. Solar panels were proposed.

The application site was part of a plot known as The Haven. The site had already been divided, with the rear part of the garden developed as a single dwelling. The front part of the site was shown as two plots known as plot A and plot B (subject of this application). The application site was comprised of an area of about 40 metres deep and 18 metres wide. The front section of the plot was comprised of an existing verge and hedge line, behind this would be the garage and shared access/turning area, then the house and garden. The site sloped in two directions.

The Planning Officer addressed the Committee and gave an overview of the differences in the proposal to that which had previously been approved. Members were advised that the main issues for consideration were the principle of development, the impact on the character of the area and the impact on the amenities of occupiers of neighbouring dwellings. The recommendation was one of approval.



Members' attention was drawn to additional information contained within the update report. Councillor David Over had submitted comments on the application stating that the proposal was a repeat of the original refused application and there was a lot of local opposition to the application.

A neighbour had also commented that the proposed solar panels would not be in keeping with the area however, the need to generate energy from renewable sources should be given significant weight. Members were also informed that the conditions attached to the previous proposal would also be attached to the current proposal, if Members were minded to grant the application the conditions would be updated to reflect the newly adopted Core Strategy. A previous condition had also been discharged for a landscaping scheme earlier on in the year therefore approval would encompass this discharged condition.

Councillor David Over, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Councillor Over had recently been to a Parish Council meeting attended by a number of residents concerned about the proposals being undertaken in Second Drift
- Residents had found it difficult to put across any objections to the proposals as there was confusion about which policies were relevant at any one time
- The planning history started back in 2001, it was about time that it was sorted out
- The Village Design Statement implications held very limited weight
- There appeared to be a lack of knowledge about the village by both developers and Planning Officers
- Wothorpe was not close to a wide range of facilities, as stated in the committee report
- The road was a bridleway and Burghley estates had no legal obligation to look after a bridleway
- There would be an issue with flooding in the future if building commenced
- Good quality houses, which fitted in with Wothorpe, were required
- The idea of solar panels was excellent

Mr John Gibbison, on behalf of the applicant Hereward Homes, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Flooding had occurred on Second Drift at the bottom of the road through lack of maintenance of a ditch and drain across the road. This had been addressed by simple maintenance
- The photo panels had been included in the design in order to achieve the latest Standard Assessment Procedure ratings, however as locals had objected other measures had been taken to achieve the building regulations
- Apologies were given with regards to the number of planning applications put in for the site
- It was hoped that the latest changes would be acceptable to the Committee

Following debate and questions to the Planning Officer regarding the additional windows in the roof, positive comments were made with regards to solar panels and a motion was put forward and seconded to approve the application. The motion was carried by 8 votes, with 1 voting against.

**RESOLVED:** (8 for, 1 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the infrastructure needs of the area
2. The conditions numbered C1 to C9 as detailed in the committee report
3. If the S106 had not been completed within 2 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as stated in the committee report

**Reasons for decision:**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The site was within the settlement boundary
- A dwelling could be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- A suitable level of amenity could be provided for residents, including access and parking
- The proposed dwelling would not affect the character of the area to an unacceptable degree

The proposal was therefore in accordance with Policies H16 and T10 of the Peterborough Local Plan 2005 (First Replacement) and Policies CS16 and CS22 of the Peterborough Core Strategy DPD.

**5.5 11/00233/FUL – Revised proposals to include loft play room, of planning application 10/00975/FUL – Demolition of existing dwelling and construction of three-bed dwelling with detached garage, Plot A, The Haven, Wothorpe, Stamford**

The proposed development was a three-bedroom house with a detached double garage. The house proposed was of two storeys, of a main block with projecting gable-end features to front and rear. The proposed dwelling would be about 10.5 metres wide, set 6 metres from the boundary with the neighbouring plot (Thomas House) and 2 metres from the indicative boundary with the plot on the other side (this boundary had moved slightly, but this had no material effect). The height to eaves would be about 5.2 metres and the height to the ridge about 8.8 metres (this was a slight reduction from the previous proposal). Access was proposed via a new entrance from Second Drift.

The application site was part of a plot known as The Haven. The site had already been divided, with the rear part of the garden to be developed as a single dwelling. The front part of the site was shown as two plots known as plot A (subject of the current application) and plot B (to the north-west). The application site was comprised of an area of about 40 metres deep and 18 metres wide at the front, narrowing to about 14.5 metres wide at the rear. The front section of the plot was comprised of an existing verge and hedge line, behind this would be the garage, then the house and garden. The site sloped in two directions.

The application initially included a garden room, and a side utility extension. These aspects were withdrawn on Officer advice.

The application also proposed photo-electric panels, these had been withdrawn from the proposal by the applicant.

The internal layout was changed from that originally approved in order to accommodate the staircase to the loft.

The Planning Officer addressed the Committee and gave an overview of the differences in the proposal to that which had previously been approved. Members were advised that the main issues for consideration were the principle of development, the impact on the character of the area and the impact on the amenities of occupiers of neighbouring dwellings. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report. Further comments had been received from neighbours raising a number of additional issues in relation to the future use of the loft space, concerns about future applications for dormer windows, changes to the windows and a new door on the side facing Thomas House and proposed additions encroaching further on neighbouring properties.

Objections had also been made to some extensions to the property which had been part of the original application but withdrawn from the current proposal.

Members were advised that in the opinion of Planning Officers the impact of the internal layout change on neighbours would be minimal. There would be door on the side facing Thomas House instead of a kitchen window, however the site levels showed that the door would be set below the level of Thomas House, and given the existing boundary treatment there was unlikely to be any overlooking.

Councillor David Over, Ward Councillor, addressed the Committee. In summary the concerns highlighted to the Committee included:

- The character of the area was important and the in keeping of the area was important
- It was about time the site was sorted
- Could Highways look at right turning traffic onto Kettering Highway? The traffic along the road during rush hour was substantial and dangerous
- Solar panels were welcomed once again
- There were no objections to a playroom in the loft, but what could happen to the room in the future?
- The residents of Second Drift's views should be taken into consideration

As a point of clarification, the Planning Officer highlighted that the application did not propose solar panels however the future occupier may add them under permitted development rights if they wished.

Following debate a motion was put forward and seconded to approve the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C8 as detailed in the committee report

### **Reasons for decision:**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The site was within the settlement boundary
- A dwelling could be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- A suitable level of amenity could be provided for residents, including access and parking
- The proposed dwelling would not affect the character of the area to an unacceptable degree

The proposal was therefore in accordance with Policies H16 and T10 of the Peterborough Local Plan 2005 (First Replacement) and Policies CS16 and CS22 of the Peterborough Core Strategy DPD.

### **5.6 Provisional Tree Preservation Order Ref: 1\_11 – Trees at Firdale Close, Peakirk**

The trees (2 Maple, 3 Cherries, 3 Birch a Deodar and a Monkey Puzzle) were located on a small piece of open space adjacent to the B1443 Peakirk-Newborough Rd and the entrance to Firdale Close, Peakirk. The trees were all to the front of 1 Firdale Close. The front half of the site was unregistered land and the rear half under the ownership of 1 Firdale Close.

The trees were easily seen from the B1443 and it has been assessed that the trees were worthy of protection.

The Planning Officer addressed the Committee and outlined the proposal. Members were advised that two letters of objection had been raised to the preservation order detailing that the branches were too close to the telephone wires and affected sound quality, the branches overhung the pavement, the order would prohibit future tree works and the owners of some of the trees was unknown so maintenance may be an ongoing issue.

Members were advised that the trees offered the village significant amenity value and that as a group they were worthy of protection. The order would not prohibit future tree works, an application would need to be made to the planning department for works to be undertaken.

Following debate and questions to the Planning Officer regarding the number of trees in a relatively confined area, the type of trees which could have TPOs placed upon them, the growth of the trees, Members commented that the trees deserved protection and as environment capital tree preservation should be encouraged.

A motion was put forward and seconded prior to the completion of discussion, therefore the proposal was withdrawn to allow discussion to proceed.

Members further discussed attaching tree preservation orders to appropriate specimens for particular areas. The Legal Officer addressed the Committee and stated that the Tree Preservation Order did not necessarily need to stay in perpetuity and could be revisited in the future if necessary.

Following further brief debate, a motion was put forward and seconded to confirm the Tree Preservation Order. The motion was carried by 8 votes for and 1 voting against.

**RESOLVED:** (8 for, 1 against) to confirm the Tree Preservation Order, as per officer recommendation.

**Reasons for decision:**

It was the opinion of the Case Officer that the TPO be Confirmed for the following reasons:-

- There was the potential for the loss of the trees or inappropriate pruning that could shorten the life of the trees.
- The trees offered public visual amenity value and it was considered that the loss of the trees and or inappropriate pruning would be of detriment to the greater public and the landscape in this location.
- It was the opinion of the Case Officer that trees could provide 20 years + visual amenity value based on their current condition.

**5.7 Provisional Tree Preservation Order Ref: 2\_11 – Trees at Bergen House, Wothorpe**

The trees were located in the gardens of Bergen House, 2<sup>nd</sup> Drift, Wothorpe. G1 (3 Oak), T1 (Oak) and T2 (Horse Chestnut) were located in the front garden whilst G2 (4 Willow) was located on the western boundary toward the middle of the garden.

All the trees provided landscape value as a group when viewed from the A43 – Kettering Road and the Public Footpath both on 1<sup>st</sup> Drift and to the east of 2<sup>nd</sup> Drift.

The Planning Officer addressed the Committee and outlined the proposal. Members were advised that there had recently been a change in ownership of the land and whilst the previous owners had been happy to maintain the trees this could not be a certainty for the new owner. Members were also advised that there may be the possibility of development proposals coming forward on the site, therefore it was important to protect the trees prior to any development coming forward.

There had been an objection submitted to the proposal which highlighted specific objections against the oak and horse chestnut trees being contained within the TPO.

Members were further advised that one of the oak trees had a fork in it and was extremely bent over. The Tree Officer had therefore approved the removal of this tree from the proposed order but in his opinion the other trees still had significant life left in them and were not diseased to an unacceptable degree and they did have significant amenity value.

Following debate, a motion was put forward and seconded to confirm the Tree Preservation Order as modified to reduce the number of oaks included in the order from 3 to 2. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to confirm the Tree Preservation Order application, as per officer recommendation.

**Reasons for decision:**

It was the opinion of the Case Officer that the TPO should be confirmed in a modified form (G1 being reduced from 3 Oaks to 2) for the following reasons –

- The trees offered public visual amenity value and it was considered that the loss would be of detriment to the greater public and the landscape in this location.
- It was the opinion of the Case Officer that the trees could provide 20 yrs + visual amenity value based on their current condition.
- One of the Oaks in G1 was unsuitable for protection due to its condition.

13.30 – 16.10  
Chairman