

# Public Document Pack



## PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 12 DECEMBER 2023

1.30 PM

Council Chamber - Town Hall

### AGENDA

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**Additional Information**

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#### Emergency Evacuation Procedure – Outside Normal Office Hours

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle.*

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<http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=Protocol%20on%20the%20use%20of%20Recording&ID=690&RPID=2625610&sch=doc&cat=13385&path=13385>

#### Committee Members:

Councillors: Iqbal (Chairman), M Jamil (Vice Chairman), W Fitzgerald, Hussain, Sharp, Warren, Jones, Hogg, Bond, B Rush and C Harper

Substitutes: Councillors: G Casey, Mahmood, Seager and Howard

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – [karen.dunleavy@peterborough.gov.uk](mailto:karen.dunleavy@peterborough.gov.uk)



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Karen Dunleavy on 01733 452233 as soon as possible.

**Did you know? All Peterborough City Council's meeting agendas are available online or via the modern.gov app. Help us achieve our environmental protection aspirations and view this agenda online instead of printing it.**

**CASE OFFICERS:**

Planning and Development Team: Jim Newton, Sylvia Bland, James Croucher, Matt Thomson, Asif Ali, Molly Hood, Karen Ip, Connor Liken, James Lloyd, James Croucher and James Melville-Claxton

Minerals and Waste: Alan Jones

Compliance: Lee Walsh

**NOTES:**

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer, Head of Planning and/or Development Management Manager as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

## PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

12 DECEMBER 2023 AT 1:30PM

- 1 Procedure for Speaking
2. List of Persons Wishing to Speak
3.  
Briefing Update

# UPDATE REPORT & ADDITIONAL INFORMATION

## PETERBOROUGH CITY COUNCIL

### PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

#### Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

**The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.**

**MPs will be permitted to address Committee when they have been asked to represent their constituents. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.**

**The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.**

1. Objectors.
2. Applicant or agent or supporters.

**LIST OF PERSONS WISHING TO SPEAK**

<b>Agenda Item</b>	<b>Application</b>	<b>Name</b>	<b>Ward Councillor / Parish Councillor / Objector / Applicant</b>
<b>5.1</b>	23/00488/FUL - 16 Heath Road, Helpston	Cllr Over/Parish Councillors Joseph Dobson and Arthur Cross  Annabel Tighe/ John Downey  John Dickie	Ward Councillor  Parish Councillors  Objectors  Agent
<b>5.2</b>	21/02004/MMFUL - Eye Landfill Site, Eyebury Road, Eye, PE6 7TH	Cllr Simons, Cllr Steve Allen  Chris Cutteridge  James Stewart – Irvine	Ward Councillors  Objector  Applicant
<b>5.3</b>	23/01310/FUL - 1 Grove St Woodston	Cllr Thulbourn Cllr Coles	Ward Councillors
<b>5.4</b>	23/01386/FUL - 43 Viney Close, Eastfield, Peterborough, PE1 5LS		

## BRIEFING UPDATE

**P & EP Committee 12 December 2023**

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1 .	23/00488/FUL	<b>16 Heath Road Helpston Peterborough PE6 7EG</b> , Erection of 2no. detached dwellings with associated hard and soft landscaping

Since the Committee report was finalised, three further representations have been received from members of the public.

Two of these representations raise concerns that have already been highlighted by other objectors previously and these matters are addressed within the main report.

A third representation makes the following new observations (in summary):

- Site description does not mention the pond
- Proposal section does not refer to the fact the pond would have to be filled in to realise the proposal
- Planning Policy section - Although the Helpston Neighbourhood Plan 2021 to 2036 is listed, it has not been properly taken into account. Policy C1 has been ignored, whilst Policy A2b has been neutered by unfortunate Semantics.
- Future owners have not been taken into account in terms of No. 16
- The sentence 'Furthermore this part of policy A2 criterion b of the Neighbourhood Plan is worded as "should" rather than the mandatory "must" or "will" of criteria a, c and d"' is a serious misinterpretation and is inconsistent with the Paragraph 7 Recommendation.

Taking each of the above in turn:

- For the avoidance of doubt, the proposed development will entail the loss of the existing pond on site, as referenced in the Drainage section of the main report and clearly shown on the submitted topographical survey and proposed site plan.
- Policy C1 of the Helpston Neighbourhood Plan concerns 'Views to Open Countryside and Gaps in an otherwise built-up frontage' and states that 'The defined views to open countryside are to be maintained as shown on Map 7. Gaps in built up frontages allowing key views in and out of the village shall be protected from in-fill as shown on Map 7. Developments will not be permitted which would significantly restrict these views to open countryside or restrict views out of the village from these gaps.' For clarity, the application site does not fall within/represent any of the protected views in or out of the village that are indicated on Map 7 of the Helpston Neighbourhood Plan. Therefore there is no conflict with policy C1.
- If no. 16 were to be sold in the future, potential new occupiers would clearly have the opportunity to decide whether the relationship with the adjoining development is appropriate for them. For the avoidance of doubt, officers are satisfied that the relationship is acceptable and would not result in an unacceptable overbearing impact, or cause unacceptable loss of light or overlooking.
- In legal terms, "shall" is commonly accepted as expressing a mandatory obligation, whereas "should" is used to express a recommendation or suggestion. It is therefore not considered that there has been a misinterpretation of policy wording and there is appropriate consistency in the use of terms.

All other matters raised by the objector are considered to be already adequately addressed in the main report.

2 .	21/02004/MMFUL	<b>Eye Landfill Site Eyebury Road Eye Peterborough</b> , Development and operation of a green waste Open Windrow Composting (OWC) Facility
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No Further Representations.

A review of the proposed conditions has established additional precision is required with regard to the wording of proposed Condition 10. The amended condition is as follows, with the additional wording shown in **bold type**.

“The total number of HCV movements for the purposes of all operations and development undertaken pursuant to Open Windrow Composting facility shall not exceed 30 per day between Monday and Saturdays inclusive, and none on Sundays, Public Holidays and Bank Holidays.

**Weighbridge records shall be submitted to the Local Planning Authority annually on a date to be agreed with the operator and shall be made available to the Local Planning Authority within one week of such request.”**

3 .	23/01310/FUL	<b>1 Grove Street Woodston Peterborough PE2 9AG</b> , Change of use to car sales/showroom and external alterations
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No Further Representations.

A review of the proposed conditions has established additional precision is required regarding the restriction of use to cars only. The new condition, C6, is as follows shown in **bold type**.

**C6: The development hereby permitted shall only be used for the sale or display of cars and for no other use.**

**Reason: To ensure the development would not give rise to unacceptable harm to the amenity or highway safety of the area in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019)**

4 .	23/01386/FUL	<b>43 Viney Close Eastfield Peterborough PE1 5LS</b> , Change of use from single dwellinghouse (Use Class C3) to residential care home (Use Class C2) for children with Special Educational Needs and Disabilities (SEND) / Learning Difficulties (LD) / Emotional and Behavioural Difficulties (EBD) and associated alterations
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Since the Committee report was finalised, a further four representations have been received from members of the public.

Some of these representations raise concerns that have already been highlighted previously and these matters are addressed within the main report.

Additional concerns in summary:

- Who can 100% guarantee that staff will be able to supervise their 8 – 18 year old child solely?
- If staff on site working 7am – 10pm or 10pm – 7am (nine hour shift) NO sleeping should be happening from staff on duty. So why is there a staff bedroom?
- Applicant would buy more homes in Viney Close and occupy more properties
- Due to the very short notice of the meeting that we should be able to know the outcome and that the Beeches should make themselves known to any residents that have objected to this Care home on the street.
- Planning Officer never returned my calls
- The internal configuration of the property would be unsuitable for children in an emergency evacuation especially if they have specific conditions/needs.
- The property nearly backs onto one of the city's parkways and is close to a bridge where people in the past with mental health issues have tried to end their own lives. Is this the right place for a home for children with the above conditions?

Taking each of the above in turn:

- The quality and standard of care is managed by the care provider and governed by **Care Standards Act 2000 legislation** and regulated by **Ofsted**.
- Government guidance for Childrens homes advises suitable accommodation and facilities should be provided for staff that sleep in the home overnight.
- This is not a material planning consideration. The Council cannot control who buys property and where they buy.
- This is a civil matter between the applicant and neighbours, not a material planning consideration.
- Planning Manager Lee Walsh made calls to the resident concerned and the matter was dealt with.
- There are exits to the front and back of the property. The internal configuration includes route of exit for both the occupants and for staff to evacuate the property. Further adaptations would be made if necessary to accommodate the needs of the individual children. This is regulated by Ofsted.
- Location and safety assessment would be included in the Local Area Risk Assessment, which is required by Ofsted. Ofsted registration and assessment comes after the planning process. With regards to the children's conditions, assessment and care plan is made by Children's commission before placement in an appropriate home. The location of the care home should meet the needs of the children who will live there before being placed.