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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 23 JANUARY 2024
1.30 PM**

Council Chamber - Town Hall

AGENDA

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Supplementary Information

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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Committee Members:

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

Substitutes: Councillors: G Casey, J Allen, Mahmood, Bond and J R Fox

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 747474 or by email – democratic.services@peterborough.gov.uk



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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 AND ENVIRONMENTAL PROTECTION
COMMITTEE

23 JANUARY 2024 AT 1:30PM

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

UPDATE REPORT AND 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 (collectively) 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 shall not exceed five minutes, unless the Committee decides 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 objectors, applicants, agents or supporters (collectively) shall not exceed five minutes, or such period as the Chairman may allow with the consent of the Committee.

LIST OF PERSONS REGISTERED TO SPEAK

Agenda Item	Application	Name	Ward Councillor / Parish Councillor / Objector / Applicant
4.1	22/01510/FUL - Tranche TC2 London Road Peterborough	Councillor Wigin and Lindsay Sharp Jodie Aston – Hampton Parish Council Tony Edwards Matt Sladen Sophie Dury	Ward Councillors Clerk on behalf of Hampton Parish Council Objector Developer/Support Agent
4.2	23/00251/FUL - Exhibition Hall East of England Showground Oundle Road Alwalton	Councillor Knight Nick Harding Ashley Butterfield - AEPG Pamela Newbold - AEPG Mark Sitch - Stantec (for DHL)	Ward Councillor Agent Supporter Supporter Supporter

BRIEFING UPDATE

P & EP Committee 23 January 2024

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
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1 .	22/01510/FUL	Tranche TC2 London Road Peterborough , Erection of a Class E foodstore and three Class E(g)(iii)/B8 employment units with car parking, landscaping and other associated works
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Local Highway Authority

Following receipt of further information from the applicant, and having undertaken its own modelling work, no objection subject to conditions in respect of:

- (i) Provision of parking and turning in accordance with the approved plans
Officer note: the following additional condition, 37, is recommended accordingly:
 “The car parking, lorry parking/loading/unloading and associated turning areas hereby approved shall be laid out and ready for use prior to first operational use of the building in accordance with the approved site plan(s) prior to the first use of the building(s). The parking and turning areas shall thereafter be retained and shall not be used for any purpose other than parking and turning of vehicles, unless expressly permitted by the Local Planning Authority. Reason: In order to ensure that sufficient parking and turning space is available in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).”
- (ii) Submission and approval of cycle parking specification
Officer note: this is already covered within recommended condition 28
- (iii) Any gates to be set back 6.0m from the highway boundary
Officer note: the following additional condition, 38, is recommended accordingly:
 “Any gates or other means of enclosure provided across the vehicular accesses to Hampton Avenue shall be set back a minimum of 6 metres from the back edge of the public highway where it adjoins the site and open inwards only. Reason: In the interests of highway safety in accordance with policy LP13 of the Adopted Peterborough Local Plan”
- (iv) Closure of the supermarket car park outside opening hours
Officer note: this is already covered within recommended condition 26
- (v) Removal of redundant accesses
Officer note: recommended condition 25 requires details of facilitating works on Hampton Avenue to be approved, but for the avoidance of doubt the following additional wording is recommended:
 “(vii) Details of the removal of redundant accesses, the method of their reinstatement, and a timetable for the completion of reinstatement works.”
- (vi) Submission and approval of a scheme for electric vehicle charging provision
Officer note: this is already covered with recommended condition 29
- (vii) Provision of wheel wash equipment during construction
Officer note: wheel wash provision is already required by recommended condition 35
- (viii) Submission and approval of a Construction Management Plan
Officer note: this is already covered within recommended condition 16
- (ix) Details of offsite highway works
Officer note: these are already covered within recommended conditions 24 (Hampton Avenue/A15 London Road junction) and 25 (Hampton Avenue)
- (x) Submission and approval of a Travel Plan
Officer note: this is already covered within recommended condition 31
- (xi) Approval of onsite lighting to avoid glare to highway users
Officer note: this is already covered within recommended condition 12
- (xii) Removal of Permitted Development rights from all units to prevent sub-division, the installation of mezzanine floors, extensions (or any other floor area increase) and trade counters
Officer note: this is already covered within recommended conditions 32 (removal of Permitted Development rights for mezzanines etc) and 33 (no trade counter use). Nonetheless, for the avoidance

of doubt condition 32 is recommended to be augmented with the phrase “No unit shall be sub-divided into smaller units.”

- (xiii) Relocation of the pedestrian crossing within the supermarket car park to prevent queueing onto Hampton Avenue.

Officer note: this is already covered by recommended condition 30

Applicant

Has requested minor amendments to the extent of the Ashbourne Road footway extension, and amendments to a number of the draft conditions, as follows:

- (i) Condition 8 (Noise Management Plan)

Requests rewording so that the information is submitted and approved prior to the occupation of each unit.

Officer comment: The requested amendment is reasonable and a minor rewording of condition 8 is recommended accordingly

- (ii) Condition 20 (Waste Collection Strategy)

Requests rewording so that the information is submitted and approved prior to the occupation of each unit.

Officer comment: The requested amendment is reasonable and a minor rewording of condition 8 is recommended accordingly

- (iii) Condition 23 (Restricted foodstore delivery hours)

Requests deletion of this condition.

Officer comment: The operator of the foodstore is not yet confirmed and in any event, it would be an unreasonable and unnecessary threat to the amenity of nearby residents for unrestricted 24-hour deliveries to the foodstore to be permitted. A delivery hours restriction is commonly imposed on such permissions at appeal. No revision to condition 23 is recommended.

- (iv) Condition 26 (Car Park Management Scheme)

Requests the deletion of element (i) (“Means to allow the use of not less than 22 car parking spaces in the adjacent commercial units' car parking areas for overspill shopper parking during times of peak demand”).

Officer comment: The Local Highway Authority's final consultation response as reported above does not recommend any overspill parking provision for the supermarket unit nor any flexible use of the commercial units' car parking. The requested partial deletion is reasonable and an amended condition 26 is recommended accordingly.

- (v) Condition 29 (Electric Vehicle charging points)

Requests the deletion of the word “public” from the condition.

Officer comment: The requested amendment is reasonable and a minor rewording of condition 29 is recommended accordingly

- (vi) Condition 35 (Wheel wash provision)

Requests the deletion of this condition, claiming it is already controlled by recommended condition 16.

Officer comment: This condition has been requested by the Local Highway Authority and provides additional clarity and certainty to sit alongside the Construction Method Statement details required by recommended condition 16. No revision to condition 35 is recommended.

- (vii) Section 106 Heads of Terms

Requests item (ii) is amended to require the Ashbourne Road footway extension to accord with that shown on submitted drawing reference ‘S-0.060 Revision I - Proposed site plan’

Officer comment: The applicant asserts that extending the footway up to the secure perimeters of the service yards would encourage pedestrians and cyclists to access those service yards in conflict with heavy goods vehicle movements, which would be unsafe; and that the secure cycle parking within the service yards would be most safely accessed down the side of each unit onto Hampton Avenue. This is accepted, and the requested revised wording of Section 106 item (ii) is recommended accordingly,

Public consultation comments

4 further letters of objection received reiterating comments in respect of traffic congestion; road safety; noise/disturbance; outlook; lack of need on retail competition grounds; alternative locations for commercial development would be preferable; and loss of wildlife habitat.

1 further letter of support received reiterating the long-vacant nature of the application site and welcoming additional shopping choice.

All material issued raised have been covered in the main report and in the comments and amended conditions above.

2 .	23/00251/FUL	Exhibition Hall East Of England Showground Oundle Road Alwalton , Temporary change of use from Sui Generis Showground and F1 exhibition hall to B8 car storage and distribution with ancillary car preparation and maintenance, and installation of hardstanding (part retrospective)
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Condition C8 updated

The original version of Condition C8 within the Committee Report (11/01/2024) defined a car transporter as anything over 7.5 tonnes and capable of carrying more than one vehicle. The Applicant provided further information into the types of car transporters used on site and the impacts of the car transporters on the local highway network in terms of capacity.

In considering impact on the local highway network, Paragraph 115 of the National Planning Policy Framework (2023) states that applications should be not refused or prevented on highways grounds if the impact on the highway network is 'severe'. Severe is not defined within the NPPF but the inference is clearly that the threshold to refuse on impact the local highway network is very high or significant impact. Officers considered the submitted information recommend that the appropriate control would be 3 or more vehicles. Officers are satisfied that the 3 or more vehicles would capture the vehicles in question that would result in the higher to significant impact on the local highway network. Officers have given weight to the existing Showground use and the conversion of the Arena, and the controls recommended via conditions for any events during the proposal as well as the temporary period for the proposal.

Therefore, the definition of a car transporter has been updated to refer solely to the number of vehicles that the car transporter will be capable of transporting. This has been for the ease of enforcing this condition as well as setting an appropriate threshold in accordance with paragraph 115 of the NPPF as well as Policy LP13 of the Peterborough Local Plan (2019).

C8 The total number of car transporter movements associated with the proposed development must not exceed 16 per day. For purposes of this condition a car transporter is defined as any vehicle capable of carrying 3 or more vehicles.

A vehicle movement is a car transporter, as defined above, entering or leaving the application site.

A log must be maintained recording the number of car transporter vehicles entering and leaving the site per day, from the date of this permission, and the log must be made available to the Local Planning Authority within 7 days of any written request by the Local Planning Authority.

Reason: In the interests of Highway safety and capacity, in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019). The modelling data submitted demonstrates that 16 movements of car transporter movements can be accommodated within the local highway network without a severe highway impact.

Pollution Control comments

The Council's Pollution Control made comments and stated that they have nothing further to add to their original comments of 25 April 2023.

Parish Council comments

Orton Waterville Parish Council made comments noting the alterations from the original submission. Further, support the recommended conditions made within the Committee Case Report (11/01/2024) and requests that all the conditions are imposed in their entirety.

Public consultation comments

16 further letters of objection received reiterating comments in respect of keeping the Speedway; Joseph Odam Way access unsuitable; highway impact; lack of neighbour consideration; Showground should remain as a community/leisure hub; local economy impact from stopping Showground activities; concerns over appearance; environmental impact; not new jobs being created; roads/infrastructure not built for heavy commercial use; noise concerns; increase in traffic impact;

Further public comments

1. Mr Simlo and Ms Dann made comments which they wished to raise to members of Committee dated 18/01/2024. The full comments have been added to the public file, but the comments can be summarised as follows:
 - Proposal has made lives of neighbours in Orton Northgate awful.
 - Preference would be for Refusal as it's inappropriate to have a growing industrial site within a residential area.
 - We are subject to an invasion of privacy and noise from HGV, van and car traffic using Gate 0 throughout the day and night on a daily basis despite the Applicant stating that Gate 5 will be used from 8th January. We have evidence of this.
 - To be clear we are complaining about any disturbance from any HGV and any gate 0 traffic outside reasonable hours (7am to 11pm) except for show traffic when a show is on.
 - No way of knowing if traffic using gate 0 is or is not DHL so this needs to be incorporated in any solution.
 - Do other companies have permission to carry out activities on site?
 - If application is approved then the following conditions are recommended: restrict all HGV movements to Gate 5 and Gate 0 only be used by Event traffic; restrict Gate 0 to operating hours 7am to 11pm; Support operating hours of 6am to 6:30pm Monday to Friday for Gate 5; restrict any more businesses on site; temporary period to be 3 years from commencement of use; route for rigorous enforcement.

2. Mr Gipp is also unable to make it to Committee and has raised comments which are summarised as follows:
 - Proposal against the Local Plan with the loss of the Arena and the alterations carried out to the Arena mean it cannot be returned back to its original use.
 - Applicant not interested in putting on any Events, the show planned in July is a one off.
 - Stadium has been destroyed and car park full of DHL cars.
 - Applicant has been rude when contacted by residents over breaches to operating hours.
 - Applicant has no interest in running the Showground as a leisure facility and only want to build houses and change the use of the Showground, contrary to the Local Plan.

All material issued raised have been covered in the main report and in the comments and amended condition above.

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