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Minutes of a Meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 26 January 2010

Members Present:

Chairman - Councillor North

Councillors – Todd, Kreling, Thacker, Winslade, C Day, Ash, and Harrington

Officers Present:

Nick Harding, Planning Delivery Manager (Items 5.1 and 5.2)
Jez Tuttle, Senior Engineer (Development) (Items 5.1 and 5.2)
Richard Kay, Strategic Planning Manager (Item 6)
Gemma Wildman, Principal Strategic Planning Officer (Item 6)
Carrie Denness, Principal Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Lowndes, Councillor C Burton and Councillor Lane.

Councillor C Day attended as substitute.

2. Declarations of Interests

5.2 Councillor Thacker stated that she sat on the Werrington Neighbourhood Council but she did not have a personal or prejudicial interest in the 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 8 December 2009

The minutes of the meeting held on 8 December 2009 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 09/01186/R3FUL – Floodlit all weather sports pitch, improved local play area and car parking at Westwood Grange, Mayors Walk, West Town, Peterborough

The application sought planning permission for the construction of a new all weather floodlit sports pitch, relocated children's play area and associated car parking. The

application scheme was similar to that which Members resolved to grant planning permission for as part of the outline application 07/01946/OUT. This outline application originally sought permission for residential development, an all weather floodlit sports pitch and associated car parking. However, due to changes in priority, Peterborough City Council was now seeking to construct the sports pitch, children's play area and car parking prior to the erection of the residential dwellings and as such, the scheme was removed from the residential application and the current planning application submitted.

The proposed all weather pitch would be enclosed by 4.5m high steel mesh fencing and built to the specification of the Football Association for a '3rd generation' pitch. The lighting columns would stand at 14 metres in height and consist of three floodlighting lumieres angled at the horizontal. Access to the pitch itself would be gained directly from the existing changing rooms on the site.

The children's play area was proposed to be relocated from its existing position to the north east of the site and would provide more modern play equipment as well as a central seating area. The existing foot and cycle path which ran north south through the application site would be realigned and given a sinuous shape to connect the proposed new play facilities to the proposed residential development to the north east.

The proposal also sought permission for a new 117 space car park which would formalise the parking arrangements for the site. It was proposed that a new access would be created to the north east of the site which would allow vehicular access through the proposed residential development and ultimately off the Atherstone Avenue roundabout. The current access from Mayors Walk was proposed to be retained on a temporary basis pending the approval and construction of the residential development.

The Planning Officer addressed the Committee and gave an overview of the proposal and the main issues, these being the impact of the pitch on neighbouring amenities with regards to noise and light spillage from the proposed lighting columns, the impact on visual amenity also with regards to the lighting columns and the proposed metal mesh fencing. Issues surrounding car parking, access and possible flood risks were also highlighted.

Members' attention was drawn to additional information contained within the update report. Further consultation responses had been received from the Head of Transport and Engineering, the Drainage Engineer and the Environment Agency. Members were advised that no objections to the amended plans had been received from the Head of Transport and Engineering, however, conditions relating to full details of access and construction vehicle cleaning equipment had been recommended. Members were further advised that the Drainage Engineer had no objection to the proposal and did not foresee any major flood risks as a result of the implementation of the all weather sports pitch and associated works. The Environment Agency also had no objection to the proposals.

The conditions detailed in the committee report had been reviewed and simplified in order to make them clearer and a condition relating to the provision of a barrier to the northern pedestrian access had been deleted as there was already a barrier in place. An additional condition had also been added to deal with the issue of community use of the sports pitch. All of the revised conditions were highlighted in the update report.

A letter of objection had been received from a local resident and the main concerns highlighted were the amount of rubbish which was regularly left on the playing field and the foreseeable problems with drainage of surface water.

The Planning Officer addressed the Committee and stated that, with regards to the concerns highlighted about the drainage of surface water, the car park area would be

paved with porous block paving and the pitch would be replacing a current sports pitch, therefore the drainage of surface water would be no more of a problem than it currently was.

After debate and questions to the Planning Officer, Members expressed concern regarding the possible increase in noise levels that the development may cause and the impact of this increase on local resident's properties.

After further debate, a motion was put forward and seconded to defer the application on the grounds that clarification was required with regards to the potential noise impact on local residents. Members requested that the item be deferred to allow for further noise assessments to be completed on the site and for details of any noise mitigation used on other all weather pitches in the area to be provided.

RESOLVED: (6 for, 2 against) that the application be deferred to a later date.

Reasons for the decision:

The Committee requested a deferral on the application in order that a further noise assessment could be undertaken on the site and to allow for further details of any noise mitigation used on other all weather pitches in the area to be provided.

5.2 08/01471/FUL - Deed of variation to the first and second schedule of the S106 agreement for the phase 1 regeneration of the Werrington Centre – Planning Application REF 08/01471/FUL

The proposal sought approval for a deed of variation to the First Schedule 'Car Parking Provision' and Second Schedule 'Public Art' of the S106 Agreement for the regeneration of the Werrington Centre (application reference 08/01471/FUL).

In order to avoid any further delay to the implementation of the scheme for Phase 1 of the Regeneration of the Werrington Centre it was proposed that a variation to the S106 agreement was approved to allow the owner to progress to Option 4 and for the owner to make the contribution of £177,000 to the Council. The delay up to that point was not the fault of the applicant and it seemed unreasonable to delay further the start of the development. The Council could then provide the car park at the Bowls Club Site (Option 2) subject to budget provision to make up the shortfall. The owner had also offered that the claw back be extended from 5 to 10 years.

Internal meetings had taken place and an indicative scheme had been produced by Strategic Property. The scheme was considered acceptable and had been agreed in principle by the Highways Section and Landscaping Team.

The Asset Management Manager had requested funds to provide a car park at the Ken Stimpson School (Option 1) to be identified within the 2010 to 2011 budget, up to the value of £500,000. The provision of the community car park had been highlighted as a priority and would cover all issues including private finance imitative (PFI) costs. The estimated cost of providing a 100 space car park at the Werrington Bowls Club (Option 2) was £360,000, however this proposed a high specification construction which could be reduced. Discussions were continuing with Strategic Property. It was also to be acknowledged that while costs could be reduced, long term maintenance/management of the car park would have to be considered. It was envisaged that the car park would be managed by City Services. However, these were matters that were the responsibility of the Council rather than the owner.

The owner had always maintained that it could not enter into an agreement to allow the community car park to form part of the new Centre Car Park as the third party

purchaser would not agree to this restriction. However, the owner had made an undertaking that there was no intention to introduce any changes to the present management of the car park in the immediate future while it remained in the ownership of the Howard Group.

Furthermore, it was proposed that the Second Schedule for a contribution of £50,000 to public art be amended to read 'public art or community projects'. This would enable flexibility and allow for monies to benefit community projects as identified.

The Planning Officer addressed the Committee and gave an overview of the proposal including the four different options available. Members were advised that it was recommended to proceed with option 4.

Members' attention was drawn to additional information contained within the update report. A written representation had been received from Werrington Neighbourhood Council highlighting numerous concerns.

Mr Alan Smith, an objector and a representative of Werrington Neighbourhood Council, addressed the Committee and responded to questions from Members. In summary, the concerns highlighted to the Committee included:

- When planning permission was granted in 2009, the community car park had been a requirement of the S106 agreement
- Option 1 was a legitimate planning requirement
- Constraints on the current car park had not been realised
- The initial estimated costs had been too low
- The Werrington Neighbourhood Council had no confidence in the delivery of the car park
- The Werrington Neighbourhood Council's recommendation was not to modify the S106 agreement to ensure parking would be available

Councillor Fower, an objector and City Councillor, addressed the Committee and responded to questions from Members. In summary, the concerns highlighted to the Committee included:

- Any obligations on the developers would be lost if option 4 was progressed
- The proposal would put financial restraints on Peterborough City Council
- An agreement had been signed by the developers stating that spaces would be provided until further parking became available, therefore option 2 should be progressed

Mr Mann, the agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Phase 1 of the regeneration of the Werrington Centre had been halted due to the issue surrounding the car park
- The regeneration of the centre was a major project that would bring numerous benefits to the local community, including jobs and highway improvements
- Option 1 had been explored but was no longer feasible
- It was important that HPG began work on the site before the end of March, therefore an application for Option 2 would not be possible as similar issues to those already experienced may arise and cause further delays
- It would not be possible to enter into a formal agreement with regards to the car parking arrangements
- There were no plans to introduce charges at the car park

Members expressed concern regarding the proposals and the Planning Officer addressed the Committee in response to these concerns. Members were advised that money for the car park had been highlighted in the budget for the forthcoming financial year and if considered a priority the car park would be built.

After further debate, a motion was put forward and seconded to approve the proposed deed of variation to the S106 agreement and to allow the developer to progress to option 4. The motion was carried unanimously.

RESOLVED: (unanimously) to approve the proposal. This being:

1. A variation to the First Schedule 'Community Car Park' to allow the developer to progress to option 4 and make the contribution of £177,000 to the Council; and to the Second Schedule 'Public Art' to include 'Public Art and Community Projects' to the S106 Agreement for Phase 1 of the regeneration of the Werrington District Centre (ref. 08/01471/FUL)
2. The City Council to deliver the Community Car Park on the Werrington Bowls Club Site (Option 2) (subject to final budget being agreed).
3. To allow the owner to commence development on Phase 1 of the Regeneration of Werrington District Centre without undue delay providing benefits for the Werrington Community and the City as a whole.

The meeting was adjourned for ten minutes.

6. Peterborough Local Development Framework – Peterborough Site Allocations Document (Preferred Options Version)

A report was presented to the Committee which sought its comments on the Site Allocations Development Plan Document (Preferred Options Version).

The Planning and Compulsory Purchase Act 2004 introduced a new system of plan-making known as the Local Development Framework (LDF). One of the documents that the Council was required to produce as part of the LDF was the Site Allocations Document, which sat beneath (and took its lead from) the 'Peterborough Core Strategy'.

The Core Strategy set out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that were core to achieving or delivering that strategy. The Core Strategy was accompanied by a 'key diagram' which highlighted pictorially some of the key elements of Peterborough's development strategy, however it did not have a 'proposals map' drawn on an Ordnance Survey base. This was the primary role of the Site Allocations Document.

Members were advised that the detailed site boundaries of all allocations (for example, housing, employment, safeguarded land, district centres, and many more) were being proposed through the Site Allocations Document.

Members were further advised that there was one exception to this rule, this being that all land within the City Centre was excluded from the Site Allocations Document as any detailed allocations for new development in this location would be determined via the forthcoming City Centre Area Action Plan (CCAAP).

Regulations and guidance on the preparation of documents within the LDF provided for various stages, with differing opportunities for public involvement at each stage. It was common practice for documents such as the Site Allocations Document to reach a key stage known as the 'Preferred Options'. At this stage, the Council had to show what

options for allocating land had been considered and which land was preferred for allocating and why. Members were informed that the document had currently reached that stage.

Members were invited to comment on the draft document and the following issues and observations were highlighted:

- Members sought clarification as to how many gypsy and traveller pitches had been identified within the document. Members were advised that the Regional Spatial Strategy (RSS) had identified a need for 55 pitches in total, 30 of which had been identified through the Core Strategy. Planning permission had been given for 11 other pitches which left a total of 14. These 14 had to be identified within the Site Allocations Document.
- Members queried why more gypsy and traveller sites had been proposed for areas already containing existing sites. Could the proposed sites not been situated elsewhere? Members were advised that the proposed location of these sites needed to be deliverable, if not, then sites could be automatically allocated or illegal sites could be encouraged.
- Members expressed further concern at the proposed allocation of the gypsy and traveller sites within the Site Allocations Document and requested that these sites were reviewed and that the Committees concerns were to be relayed to Cabinet.
- A query was raised regarding why land off Itter Crescent had been allocated for housing when this would mean the loss of allotment land. Members were advised that this site was an executive homes site.
- Members requested that that concerns regarding the loss of allotment land to development were to be relayed to Cabinet.

Members were advised that comments on the gypsy and travellers sites and the loss of allotment land to development would be relayed to Cabinet.

RESOLVED: to comment on the draft Peterborough Site Allocations Development Plan Document (Preferred Options Version) before its submission to Cabinet for approval for the purposes of public participation.

13.30 – 15.57
Chairman