

PETERBOROUGH



MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 8 DECEMBER 2015

Members Present: Councillors Harper (Chair), Serluca (Vice Chair) North, Stokes, Martin, Sylvester, Okonkowski, Harrington, Lane, and Casey

Officers Present: Nick Harding, Head of Development and Construction (Item 5.1)
Lee Collins, Development Management Manager
Amanda McSherry, Principal Development Management Officer (Item 5.1)
Simon Ireland, Principal Engineer (Highways)
Paul Smith, Compliance and S106 Manager (Item 5.1)
Michael Freeman, S106 Officer (Item 5.1)
Hannah Vincent, Planning Lawyer
Gwen Markham, Legal Advisor (Item 6)
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Hiller. Councillor Casey was in attendance as substitute.

2. Declarations of Interest

No declarations of interest were received.

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

No Member declarations of intention to make representations as Ward Councillor were received.

4. Minutes of the Meeting Held on:

4.1 13 October 2015

The minutes of the meeting held on 13 October 2015 were approved as a correct record.

4.1 27 October 2015

The minutes of the meeting held on 27 October 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 15/01589/OUT – Fletton Quays, Land at East Station Road, Peterborough

The outline planning application was for a mixed use scheme, to include up to 14,000 square metres of new office units, up to 280 residential units, up to a 160 bed hotel, up to 975 square metres of ancillary development, floor space parking, associated infrastructure including improvements to London Road / Town Bridge Junction, diversion of the Public Right of Way, the demolition of Aqua House and the creation of a new riverside footpath and areas of public realm. The application also sought for the change of use of a listed railway engine shed to use Class B1 and a listed goods shed to use Classes A2, A3, A4, D1 and D2.

The Head of Development and Construction introduced the item and advised that Councillor Hiller and Simon Machen were in attendance as Peterborough Investment Partnership representatives. At no point in the application process had either representative acted in any capacity other than the applicant.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report and the completion of a S106 Agreement. The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report.

David Turnock, Peterborough Civic Society addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The Civic Society welcomed the principle of development at Fletton Quays.
- It was believed that the proposal before Committee lacked vision and would not provide the neglected site with the necessary level of attention.
- The location was key, with views of heritage sites. It was suggested that this provided an opportunity to include developments, such as a concert hall, or a university.
- The Mill heritage building should be integrated into the proposed scheme.
- The prospect of the footbridge not being provided within the development was accepted. It was disappointing that no condition was proposed to secure a footbridge landing site for future development.
- Issue was raised regarding the lack of railway connection, quay or pontoon.
- The height of the extension to the railway shed had been renegotiated. Concern was raised that the initial consultation carried out with Historic England were based on the original proposed heights and not the final heights included in the outline application.
- It was believed that the development could be improved if the applicant's took more time to cultivate the proposals.
- It was considered critical that building heights be kept down where possible, in order to preserve the views of the cathedral.

Councillor Serluca clarified that Vivacity had not objected to the proposals, however they had submitted their comments in a letter.

Councillor Hiller and Simon Machen, Peterborough Investment Partnership, and Jeremy Good, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- It was suggested that the proposed £120 million development would reinvigorate the area.
- The Fletton Quays site had been left unkempt for a number of years and it was believed that this proposal represented an achievable development for future generations.
- All consultees, bar one, had been supportive of the proposals.
- Many matters had been taken into consideration, included flood risks, infrastructure, soil contamination, heritage assets and the mural restoration.
- A full wildlife survey had been undertaken. Discussions were ongoing with 'Frog Life' with regard to managing the wildlife sites in perpetuity.
- The proposed scheme was commercially viable and deliverable. The applicants appreciated that the footbridge was important and were happy to accede to a condition to reserve space for a landing site.
- It was emphasised that the wider location of Fletton Quays, and how it could be linked in to the main city centre, would need to be considered in terms of any future development.
- The prospect of a pontoon or quay were aspirations. Further work needed to be

undertaken to establish the feasibility of such projects, particular in terms of third party involvement.

- It was suggested that, as the development was within the city centre, it was not vital for each dwelling to have multiple parking spaces. Furthermore, the applicant's advised that the multi-storey car park had the potential to cater for residential 'visitor' spaces if required, though this would be a matter the reserved matters application.
- The applicants were currently in negotiations with investors and believed that interest in the development was strong.
- It was suggested that a mixed use development would provide for different customers at different times of day.
- Discussions had been ongoing with Vivacity regarding the potential for an outdoor arts performance area or amphitheatre.

The Committee discussed the consultation undertaken with Historic England in terms of building height, and sought clarification. The Principal Development Management Officer advised that Historic England were aware of the final height levels proposed for the development and had been consulted on those grounds. The Committee further suggested that a condition to reserve a footbridge landing site would be appropriate.

A motion was proposed and seconded to agree whether the information on the commercial viability of the application should be exempt and the press and public excluded from the meeting when the information was discussed, by reason of paragraph 3 of Schedule 12A or Part 1 of the Local Government Act 1972, as it related to the financial or business affairs (past or present) of a particular body, or whether the public interest in disclosing this information outweighed the public interest in maintaining the exemption.

The Committee unanimously agreed to the exclusion of the press and public for discussion relating to information on the commercial viability of the application, and the meeting moved into exempt session.

The Compliance and S106 Manager, and S106 provided an overview of the commercial viability of the application and highlighted a number of key issues within the viability assessment. Following discussion the Committee were satisfied with the applicant's ability to adhere to the proposed S106 Agreement.

The meeting returned to open session.

The Principal Development Management Officer advised that the consultation with Historic England had been carried out with height identified in metres. The response from Historic England had referred to stories, which may vary within the specified height.

The Committee were happy with the outline proposals identified within the application and did not believe that the development would significantly obstruct any views. Members of the Committee were pleased to hear that the applicants intended to provide open space and space for performance art. The Committee were encouraged to see development in an area that had been left empty for a number of years.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, with an additional condition to secure a landing site for a footbridge. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to:

- 1) The conditions set out in the report;
- 2) The completion of a S106 Agreement; and

- 3) An additional condition to secure a landing site for a footbridge.

Reasons for the decision

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

- The principle of the mixed use residential, office, hotel, retail, restaurants, drinking establishments, etc. uses are considered to be acceptable on this city centre site. This in accordance with Policy CC6 of the City Centre DPD and Policy CS4 of the Core Strategy.
- The vertical limitations, and usage and zoning shown in the Parameter plans were considered to be acceptable, to form the basis of any future reserved matters applications.
- The proposed access arrangements, parking and traffic impacts are considered to be acceptable. There are no highway safety concerns with the development proposed. The development is therefore considered to be in accordance with Policy PP12 of the Planning Policies DPD.
- The proposed development would not result in substantial harm to the character and appearance or setting of any listed or locally listed buildings and would preserve the character and appearance of this adjacent City Centre Conservation Area. The limited harm arising was outweighed by the economic, social and environmental benefits of the scheme. This is in accordance with Policies CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD.
- Issues of impact on trees, ecology, archaeology, contamination and flood risk had all been considered and had not been found to be such that the development was inappropriate. The limited impacts could be mitigated by the use of planning conditions. The development was therefore considered to be in accordance with Policies PP16, PP17, and PP20 of the Planning Policies DPD and Policies CS17, CS21 and CS22 of the Core Strategy.

5.2 15/00922/OUT – Cranmore Bungalow, Thorney Road, Eye, Peterborough

Councillor Serluca left the meeting at this point.

The outline planning application was for the redevelopment of Alpine Lodge, Cranmore Gate and Cranmore Bungalow, comprising up to 17 residential units including the demolition of the existing buildings.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report. The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report.

Matthew Dalton addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Dalton had no general objection to development in Eye.
- As the owner of the business neighbouring the application site, and wishing to be a good neighbour, he had concerns with regards to the safety of residents and his staff.
- The road network was busy with regular vehicle movements. Concern was raised as to whether the traffic of an additional 17 dwellings would impact the safety of the road.
- The road adjacent already had six vehicular exits onto it within a short stretch. Two additional exits for 17 dwellings would have an impact.
- In busy periods it had been known for HGV's to queue on the road waiting to access Mr Dalton's site. This may cause issues with regard to residential properties.

- Further concerns were raised with regard to noise levels. Mr Dalton advised that the noise survey carried out had been during the quietest time of year for his business. He suggested that further information should be gathered in peak business times.

Following questions from the Committee, the Principal Engineer (Highways) advised that, as an outline application, no decision surrounding site access was required. However, two indicative accesses had been provided, similar to those already existing. It was predicted that the majority of the HGV's from the adjacent site would turn north to the A47 and avoid the application site. The impact of the development on the road was considered to be negligible and the Highways Authority was content with the proposed levels of visibility.

The Committee discussed the application and raised concerns in relation to the noise levels resulting from the business adjacent to the site, and whether further information needed to be gathered in busier periods. The Development Management Manager advised that noise was a key issue, though a number of provisions had been proposed by the applicant to mitigate the problem, including gabian walls and alternatively orientated windows for the proposed flats.

The Committee raised concerns that the residential development was not outlined within the current Local Plan and that a significant amount of development was already taking place in the surrounding areas. Discussion was had regarding the ability for fire and rescue vehicles to properly navigate through the site

A motion was proposed and seconded to agree that the application be deferred, contrary to officer recommendation, in order to collect further information in relation to noise impact. The motion was defeated, four voting in favour, five voting against.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation, for the reasons of overdevelopment and noise impact. The motion was carried, five voting in favour, four voting against.

RESOLVED: (five voted in favour, four voted against) that planning permission is **REFUSED** for the reasons set out below

Reasons for the decision

The application was considered to represent overdevelopment in the area, and would result in an unacceptable level of noise impact on the residents of the proposed dwellings.

5.3 Application to Register Land at Longthorpe Playing Field as a Town and Village Green Under the Commons Act 2006

The planning application was for the registration of land known as Longthorpe Field as a Town or Village Green under section 15(2) of the Commons Act 2006.

It was officer's recommendation that application be refused. The Planning Lawyer provided an overview of the application and highlighted a number of key issues within the report and the additional information.

Keith Markham addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Markham was a parent Governor at Longthorpe Primary School.
- It was believed that the registration of the land in question as a Town or Village green would be statutorily incompatible with its use as a school playing field.

- It was suggested that the intention behind the application was to prevent the school from erecting a fence around the field.
- The school did not wish to close off the entire field.
- Child safety was paramount. Children playing on an open field presented issues such as litter, potential for children to run off and intrusions from outside sources.
- Mr Markham supported the officer recommendation to refuse the application.

David Worth, Applicant, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The application had been submitted in order to preserve the open access to the field, which was being threatened.
- 163 objections had been received, however the notification of the application only asked for objections.
- Four letters of support had been received, two of these from School Governors. It was suggested that earlier support for the application had been received from 152 households.
- OFSTED had visited the school previously and had been happy with the open field arrangements.
- It was understood that the field belonged to the Council and not the School. Mr Worth believed that erecting a fence on the land would take away amenity from local residents.
- The open space adjacent to the application land was considered inappropriate for community use as it was populated with trees.
- It was believed that the problems encountered by the school as a result of the open field were greatly exaggerated.
- There was an existing Village Green on the other side of Longthorpe. This was, however, small and a considerable distance away.

The Committee believed that a compromise would be the most fortuitous outcome, however, understood that no such agreement was forthcoming. Discussion was had regarding the possibility of a fence being erected on the land. The Committee considered that the safety of school children should have significant weight attached to it.

A motion was proposed and seconded to agree that the application be refused, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that the application for registration of land known as Longthorpe Field as a Town or Village Green under section 15(2) of the Commons Act 2006 be **REFUSED** for the reasons set out the Inspector's preliminary ruling report.

Reasons for the decision

The application land was held and used for a specific statutory purpose. There was manifestly an incompatibility between use of the application land as part of Longthorpe Primary School and registration of the land as a Town or Village Green.

Chairman
1.30pm – 4:30pm