



MINUTES OF THE EXTRAORDINARY PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

HELD AT THE TOWN HALL, PETERBOROUGH ON 26 JULY 2016

Members Present: Councillors Harper (Chairman), Serluca (Vice Chairman), Bull, Casey, Hiller, Stokes, Martin, Sylvester, Clark, Bond, and Ash

Officers Present: Nick Harding, Head of Planning
Reuben Taylor QC
Hannah Edwards, Planning and Highways Lawyer
Janet Maclennan, Senior Development Management Officer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

Councillor Hiller declared, in relation to agenda item 4.1, that he had attended meetings with the objectors and relevant Council officers. He had not, however, expressed any opinion on the application and was no predetermined.

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

No Members' declaration of intention to make representations as Ward Councillors were received.

4. Development Control and Enforcement Matters

4.1 16/00252/FUL – Queensgate Shopping Centre, Westgate, Peterborough

The Committee was presented and application for the part demolition, alteration and extension of Queensgate Shopping Centre, Westgate, Peterborough, including the change of use and erection of roof top extension to provide for uses within A1, A3-A5, D2, and other associated works.

The Head of Planning provided an overview of the application and highlighted a number of key issues within the report and update report. An overview was also provided following the judgement from the judicial review claim (*R (on the application of Hawksworth Securities PLC) v Peterborough City Council and Ors*), in the Council's favour.

Peter Breach, Hawksworth Securities, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- With regard to the judicial review of the previous Planning Committee decision for Queensgate being judged in the Council's favour, Hawksworth would not be appealing the decision.
- It was believed there were a number of points in favour of the North Westgate development, including the priority given to it in the Local Plan, the regeneration of a derelict site, the provision of a significant number of residential development, and a new leisure quarter.

- Mr Breach invited the Committee to compare the two schemes. It was considered that the previously uncertain viability of the North Westgate scheme, in the eyes of CBRE, had been reassessed by a new independent consultant (GVA) and found to be viable.
- North Westgate had recently received a proposal from a large property association, and was expecting a similar approach from an international firm shortly.
- Mr Breach would be happy to co-operate with the Council and others in relation to other viable alternatives for the site, however was not aware of any options himself.
- The Committee was urged to defer the decision until further information was received on the alternative options for North Westgate.
- In relation to potential compulsory purchases, Mr Breach estimated that these would take 14 to 16 months to agree.
- The market determined what would be included on the site. An arts centre was possible within the development, however, it was uncertain as to whether this would draw in the required level of footfall.

Paddy Bingham, Invesco, Guy Thomas, Lend Lease, Ian Gilbey, Pinsent Masons, Andrew Goodwin, CBRE, and James Fennell, NLP, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Bingham reiterated Invesco's commitment to delivering the Queensgate scheme, in order to properly compete with neighbouring areas.
- The proposal in front of the Committee today was the next stage of a suite of improvement schemes for Queensgate.
- The improvements that had already taken place had seen a 10% increase in visitor numbers and spending.
- The funding for the proposals was in place as well as all the relevant pre-lets being agreed.
- John Lewis was still supportive of the proposals, which included alterations to their store.
- Odeon were in line to provide the cinema facilities, as well as a number of national brands for the restaurant offer.
- The proposal would allow for Queensgate to open later into the evening and improve the connectivity of the city centre.
- The shopping centre required updating if it was going to continue maintain its attraction.
- Invesco owned two plots of land within the North Westgate area, which they did want to address. However, the focus was on the Queensgate development for the time being.
- If permission was granted by Committee, it was expected that work on the proposal would begin in January 2017, following the Christmas period.
- Mr Thomas advised that he did not consider the North Westgate development to be viable in its current form, considering its deliverability. If was, however, considered, that there were alternative options for the site that would be viable.
- Mr Bingham advised that Invesco would be willing to work with Hawksorth and the Council in order to progress the development of the North Westgate area.

The Committee discussed the application and whether or not the development would have an impact on the views and setting of surrounding heritage assets. The Head of Planning advised that views of the development would be limited and obscured in the main by the existing multi-storey car parks.

The Committee acknowledged the submissions from the objectors and considered the viability of the North Westgate development. It was believed that Queensgate was a key attraction for Peterborough and required investment in order to maintain its status, increase its footfall, and enhance the city's night-time economy.

It was noted that North Westgate also required development, in order to enhance the approach to the city from the train station. It was considered that the granting of the Queensgate application would not stop further development in North Westgate and it was hoped that the owners of sites could work together.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, subject to the conditions set out in the report. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision:

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

- The principle of a city centre cinema and restaurant provision with additional retail provision for the city centre was acceptable. This was in accordance with the vision for the City Centre, Policy CC3 of the City Centre DPD and Policy CS4 of the Core Strategy;
- The scale, proportions, design and use of materials would harmonise with the existing centre. This was in accordance with Policy CS16 of the Core Strategy and Policy PP2 of the Planning Policies DPD;
- It was accepted that the resultant bulk and mass of the extension would have a negligible adverse effect on the setting of some listed buildings and the City Centre conservation area. However this was outweighed by the benefits of the scheme to the vitality and viability of the city centre through the likely increase in visitor numbers through cinema and restaurant offer, improved night time economy, employment, and improved pedestrian connectivity. This was in accordance with the NPPF and Policy CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD; and
- The site was accessible by a choice of means of transport and the proposal was supported by a transport statement and travel plan and would not result in any adverse highway implications. This was in accordance with Policies CS14 of the Core Strategy and Policy PP12 of the Planning Policies DPD.

Whilst it was accepted that some limited harm would be caused to the character and appearance of the conservation area and that great weight was to be given to the preservation of the same, the benefits of the proposed development are considered to outweigh that harm.

Whilst it was not considered that the proposed development was required to be subject to a comparative assessment against the North Westgate scheme, such an assessment has been carried out. It has been concluded that:

- Both schemes are, in solely financial terms, viable;
- That whilst the North Westgate scheme had some advantages over the Queensgate scheme these were not so compelling to outweigh that with the delivery of the former it was less certain that the North Westgate scheme would come forward as it was at a significantly less advanced stage (outline

- permission, less occupier interest / occupier interest not as advanced), had land use elements where demand was weak or the uses were untested and required a significant amount of land assembly still to be undertaken; and
- The implementation of the Queensgate scheme would not certainly prevent an alternative scheme for North Westgate coming forward

Thus, having reviewed the comparative merits of the schemes, it was not concluded that the refusal of planning permission for the proposed development would deliver any material advantage in the public interest; rather it was considered on balance that a refusal of planning permission for the proposed development would be likely to result in material disadvantage to the public interest since this would put at risk the delivery of a town centre cinema and further investment in the town centre coming forward.

Chairman
1.30pm – 2.30pm