

PETERBOROUGH



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 19 SEPTEMBER 2017
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors Casey (Vice-Chairman), Councillors Ash, Bisby, Brown, Clark, Amjad Iqbal, Hiller, Stokes and Sylvester.

Officers Present:

Nick Harding	Head of Planning
Simon Ireland	Principal Engineer (Highways)
Stephen Turnbull	Planning and Highways Lawyer
Richard Kay	Head of Sustainable Growth and Development
Dan Kalley	Senior Democratic Services Officer

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harper, Bull, Serluca, Martin and Bond.

Councillors Bisby, Brown and Sylvester were in attendance as substitutes.

28. DECLARATIONS OF INTEREST

Councillor Casey declared a personal interest in item 5 by virtue of being appointed to the Nene Park Trust,

Councillor Stokes declared a personal interest in item 5 by virtue of being appointed to the Nene Park Trust.

29. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

There were no declaration of intention to make representations as Ward Councillors were received.

30. MINUTES OF THE PLANNING AND ENVIRONMENTAL COMMITTEE MEETING HELD ON 25 JULY 2017

The minutes of the meeting held on 25 July 2017 were agreed as a true and accurate record.

31. THE PROPOSED SUBMISSION VERSION OF THE LOCAL PLAN

The Planning Committee received a report in relation to the proposed submission of the Local Plan.

The purpose of the report was to enable the committee to consider the proposed submission version of the Local Plan. The Head of Sustainable Growth Strategy introduced the report and stated that the committee were to receive an alternative recommendation, namely that the proposed submission Local Plan be deferred for 2-3 months in order for officers to fully understand new government policy.

The Head of Sustainable Growth Strategy informed members that on Thursday 14 September the Government published a paper entitled 'the right homes in the right places' which introduced a new standard method for calculating housing needs nationally, to replace local based methods. The new method would be applied across all local authorities. Compared with the Local Plan currently drafted, the new methodology would possibly result in 1,000 to 2,000 fewer homes being needed.

The Committee were informed that Peterborough had the option to use the new method or to continue with the current methodology, however the current methodology was potentially open to more challenges. It was therefore recommended that the new methodology should be used, which, in addition would make it easier to demonstrate a five year housing supply.

The two to three month deferment would allow officers to properly investigate the new housing method, and subsequently reconsider those sites that had been identified for development. Ultimately, a deferral was a decision that needed to be taken by Cabinet. If this was deferred a report would be brought back to Committee and the final approval for consultation would be made at Full Council.

The revised housing allocations would not affect the overall proportion of affordable houses, as this was worked out as an overall percentage of the number of houses built.

Martin Chilcott, Chair of Protect Rural Peterborough addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Protect Rural Peterborough (PRP) had been setup on the objections from over 300 residents in the Castor and Ailsworth area and over 1000 people had signed a petition to stop the development of 2 500 homes in what was to be know as Great Kyne.
- The proposal for such a large development was against LP 11 which did not permit development in the countryside and the site identified was 2km from an urban area.
- The development would not enhance the rural landscape of the area and Peterborough would lose one of its greatest rural assets.
- It was the view of PRP that not enough evidence had been supplied to show how the development could possibly enhance the local area.
- There would be a high risk of social and wildlife harm if the development went ahead. In addition the development highlighted 10 red risk factors which would be detrimental to the social and wildlife of the area.
- The decision to defer the submission of the Local Plan on the basis of a new single methodology from Government was welcomed.
- There was no argument against the need to develop and create a number of houses in Peterborough, however the scale being suggested in Castor was far to severe.
- Ideally there would be no more than 100 new homes being developed, which had already been deemed acceptable by residents of Castor and the PRP.

Robert Dagleish, on behalf of Milton Estates addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Although Milton Estates wanted to see development in rural areas across Peterborough, the 2,500 homes being put forward was overbearing and inappropriate for the area.

- The impact on the historic landscape would be massively and wholly unacceptable.
- The memorandum of corporation was against this type of development and would need to be updated in line with the Local Plan.
- The land to the north of the A47 was some of the best landscaped areas in Peterborough and needed to be preserved.
- There was no sustainability appraisal or evidence published along with the proposed submission of the Local Plan.
- It was the view of Milton Estates that Local Plan be reconsidered and the development proposed in Castor be removed. In addition the recommendation to defer was supported.

In response to questions raised by the speakers and Committee the Head of Sustainable Growth Strategy made a number of comments including:

- The national policy set out that Peterborough must be able to demonstrate a 5 year housing supply. The first step of the growth study was to identify areas that were within the urban area. However the next alternative was to look at urban extensions. This was not always possible due a number of factors, including sites that were deemed a flood risk or were of archaeological importance.
- There was no legal obligation at this stage to publish the evidence appraisals that had been used, however at the stage that the Local Plan is submitted for consultation all evidential data would be made available.
- The guidelines on how local residents should address their concerns were laid out in statute, however the Committee were re-assured that any comments made would be valid as long as they were not offensive.
- The representations made by members of the public would not be considered by the Council. Instead an independent inspector was to be appointed to look over the plan and to provide to the Council their recommendations.
- A new method would need to be worked on following the Government's guidelines, and also moving the base date from 2011 to 2016. In effect this would alter the number of houses needed as there would be a number of developments that would have taken place up to 2016 from 2011.
- A strategic overview of the Local Plan had been carried out, ensuring that the infrastructure would be able to cope with the large scale of development proposed, and policies in place to ensure delivery of infrastructure in the future.

Members of the Committee debated the report and as a whole agreed that the best way forward would be to defer the Local Plan so that new housing allocations and sites could be identified.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **RECOMMEND** to Cabinet that the Proposed Submission ('Publication Draft') Local Plan be deferred for a period of 2-3 months, to enable officers to (a) fully appraise the new method for calculating housing need, and (b) bring back to members (including this Committee) a revised housing target and a subsequent revised set of proposed allocations.

32. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

32.1 15/01106/OUT - LAND SOUTH OF OUNDLE ROAD AT EAST OF ENGLAND SHOWGROUND, OUNDLE ROAD, PETERBOROUGH

The Planning Committee received a report in relation to a revised offer for the number of affordable houses from 30% to 10%.

The Head of Planning introduced the report and stated that the application had been subjected to a S106 agreement, which provided for 30% affordable housing, however following viability studies the applicant was only able to offer 10%. The Committee were informed that the viability studies had been checked by the S106 officers and it was deemed that 10% affordable housing was acceptable.

Tim Mitford-Slade, the applicant's agents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The only way to deliver the scheme was to reduce the number of affordable houses in the scheme.
- The applicant although not able to offer a large percentage of affordable houses was creating a large housing scheme that would go towards the five year housing supply.
- There were a number of additional costs that had increased since the original application was approved.
- The full package of CIL payments were still due to be met.
- Due to the volatile economic climate the scale of costs to continue the development would mean that 30% affordable housing would make the scheme un-obtainable.

The Planning Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Government guidance made it clear that Councils needed to be mindful of viability costs when determining the acceptability of schemes proposing less than policy compliant levels of affordable housing
- Accepting the scheme would result in fewer affordable units than plan policy required. However if the scheme were refused then there would be no affordable units provided and no market housing being provided on the site.
- Members were informed that if they were minded to refuse the application the applicant had the right to appeal to an independent planning inspector and the inspector would refer to government guidance regarding relaxation of affordable housing requirements where there is a proven viability issue.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application with 10% affordable housing, subject to the S106 agreement. The Committee **RESOLVED** (7 in favour, 2 against) to **GRANT** the planning permission subject to relevant conditions.

32.2 17/00992/HHFUL - 185 BROADWAY, PETERBOROUGH

The Planning and Environmental Protection Committee received a report in relation to the Erection of a detached annex.

The purpose of the report sought approval for the erection of a detached annex to the rear of the garden, this was to be ancillary to the host dwelling.

The Development Management Manager introduced the report and update report.

Councillor Richard Ferris, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was concern over the proliferation of buildings being erected in people's gardens
- It was positive that the application had been amended to a single storey dwelling ancillary to the main residence.
- The annex was to be used by the applicant's disabled son, allowing him to have his own living quarters.
- There was an understanding of the concerns raised by local residents, however this was a more exceptional case.
- If approved there needed to be conditions attached ensuring that the annex did not affect the amenities of local neighbours.
- It was important that this application did not set a precedent for future applications and that decisions needed to be taken on their merits.

David Turnock, Objecting, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There had been a total of four objections raised by local residents living within the vicinity of the proposed development.
- The application would eat away at the conservation area which was on the boundary line of the property.
- There would be more pressure on parking.
- If the application was to be approved there needed to be conditions restricting the installation of any kitchen appliances.
- The rear and side windows needed to either be removed or altered to ensure that there was no loss of amenity to neighbours.
- The character of the area needed to be considered when making a decision on the application.

Phil Branston, Agent on behalf of the Applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was agreed the rear and side window would be double glazed and that they would be opaque. In addition it was agreed that rear window would only open from the top.
- There would be no kitchen fitted, however it was not possible to restrict the use of appliances such as a microwave.
- The side entrance was 1m wide was considered adequate to get an ambulance stretcher down, if this was not possible there was direct access via the back door of the main residential dwelling.

The Planning Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- A condition could be inserted so that the rear window was to be obscure glazed and non opening, the side window was also to be obscured and the

hinged window was to be hung on the left hand side. In addition the smaller rear window could be top opening only.

- In terms of highway's earlier objection, now that the application was an annex ancillary to the main dwelling the properties were seen as one and therefore parking was no longer an issue.
- This was an exceptional application as the purpose behind the annex was to provide accessible accommodation to the applicants disabled son.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously to **APPROVE** the planning permission subject to relevant conditions.

REASONS FOR THE DECISION

Subject to the imposition of the attached conditions including the alteration of condition 4 to read:

Notwithstanding the approved plans, prior to the development first coming into use:

1. The rear facing high level window shall be obscure glazed (to level 3) and non opening
2. The bathroom window shall be obscure glazed (level 3)
3. The side elevation window shall be obscure glazed (level 3) with the side hinged window(s) being hung on the left side and the smallest window being top hung and shall from then on be retained in that form.

and taking into account the health needs of the proposed occupant, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The proposal will not unacceptably harm the character of the Broadway Conservation Area, the amenity of the occupiers of neighbouring dwellings or highway safety; in accordance with policies PP2, PP3, PP13 and PP17 of the Peterborough Planning Policies (DPD) 2012, policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

32.3 17/01167/FUL - THE BLUE BELL, 10 HIGH STREET, GLINTON, PETERBOROUGH

The Planning and Environmental Protection Committee received a report in relation to a new alfresco dining area, to include loose and fixed seating with Jumbrella; Works to Willow tree and planting of replacement trees; New step and disappearing path to the grass field; New timber posts, festoon and wall lighting; New screens to partially enclose dining area ; New fencing and new planting; New green oak square arches down the garden

The Head of Planning introduced the report and update report. Members of the Committee were informed that Glinton Parish Council had now withdrawn their objection

Joe Grieves, on behalf of the applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application had been debated and scrutinised for many months before reaching this stage.
- The application was synthetic to the neighbouring properties and was to be a great improvement to the local area.
- The new al fresco dining area would bring a better food offering for local residents.
- This application would now remove smokers from the area and ensure that customers would have a better experience.

The Planning and Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- This application would only enhance the local area and provide benefits to the local community.

The Planning and Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions.

REASONS FOR THE DECISION

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

- The character and appearance of the Listed Building and its setting, as well as the surrounding Glinton Conservation Area, would not be unacceptably impacted upon by the proposed development. The proposal is considered to accord with Sections 66(1) and Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (amended), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).
- The proposal would not unacceptably harm the amenity of surrounding neighbours, in accordance with Policy PP3 of the Peterborough Planning Policies DPD (2012).
- Trees to the application would not be unacceptably harmed by the proposed development, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

Chairman
1:30pm – 3:57pm