

PLANNING & ENVIRONMENTAL PROTECTION
COMMITTEE

TUESDAY 10 JANUARY 2012 AT 1.30PM

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**UPDATE REPORT &
ADDITIONAL INFORMATION**

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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 shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 10 JANUARY 2012 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent/Supporters/Parish Council/Town Council/Neighbourhood Representatives
5.1	27	11/00885/FUL – LAND TO THE NORTH OF THE VILLAGE HALL, GUNTONS ROAD, NEWBOROUGH, PETERBOROUGH	Councillor David Harrington Mr Sam Metson (Bidwells)	Ward Councillor Agent
5.2	39	11/01808/FUL – 9 EXETER ROAD, MILLFIELD, PETERBOROUGH, PE1 3QL	Councillor John Shearman Councillor Pam Kreling Mr Makhtar	Ward Councillor Ward Councillor Applicant

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BRIEFING UPDATE

P & EP Committee 10 January 2012

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	11/00885/FUL	Land To The North Of The Village Hall, Guntons Road, Newborough, Peterborough. Development of 18 dwellings, associated access and parking.

a) Letter from Agent

I am writing further to the meeting of the Council's Planning Committee on 6th December 2011, where the above planning application was deferred for the second time.

At that meeting members of the Committee resolved to continue to seek a financial contribution from the development, despite the evidence submitted by the applicant and the advice of planning officers which makes clear that such a requirement is not viable. As you are aware, I attended a meeting with the Council's Head of Planning on 16th December to discuss the position of the Committee further and to seek to establish a way forward.

As I have previously made clear, we can understand that members are concerned that no financial obligations are proposed, but the financial appraisal submitted with the application demonstrates that the scheme simply cannot support what has been sought by the Council. Indeed, this has been accepted by officers in recommending approval of the application.

Nevertheless, the resolution of the Committee indicates that unless a financial contribution of some sort is provided the application may be refused. It would then be necessary for my client to take the application to appeal to obtain planning permission for a development which the Committee has deemed acceptable in all other respects. This is clearly undesirable from the perspective of both the applicant and the City Council due the potential for further time delays and costs to be incurred before the scheme is delivered. To this end, after further deliberation my client is prepared to put forward a proposal to seek to resolve the issue.

I have made clear to the Head of Planning that my client is now prepared to provide a financial contribution of up to £15,000 towards a specific infrastructure requirement within the parish of Newborough to help meet the aspirations of the Committee, the Parish Council and local ward member, Councillor Harrington. I hope that all concerned will take this gesture into account and adopt a similarly pragmatic approach to ensure that this matter can be brought to a successful resolution at the next planning committee meeting.

The terms for providing the contribution have been discussed and agreed with the Head of Planning and I must make clear that this is the only concession that my client is able to make. We maintain that the viability appraisal submitted with the application is robust, as confirmed by the Council's planning obligations officers, and providing this contribution will only add to my client's concerns about the costs of developing the site. Taking into account the officer recommendation to approve the application without any obligations, my client would be forced to appeal if any further requirements were to arise.

In addition to this financial contribution, I must reiterate that approval of my client's application will help to address identified housing needs in Newborough and ensure that the development of this stagnant, part-built construction site can be completed. I hope that members will take my client's positive approach on-board and help to ensure that the benefits that will arise from the scheme can be delivered without unnecessary delay.

2.	11/01808/FUL	<p>9 Exeter Road, Millfield, Peterborough, PE1 3QL. Change of use from residential to mixed use as a residential and teaching establishment for Arabic and Religious instruction on weekdays only – Retrospective.</p>
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a) Additional Representation

A representation has been received from Cllr Nadeem as follows:

I am writing in support of the Planning Application submitted by Mr Ali for change of use from residential to mixed use as a residential and teaching establishment at 9 Exeter Road for the following reasons:

- This type of establishment provides a valuable after school, educational need for Muslim children.
- This facility caters for children mainly within walking distances from the site, as people with cars prefer to go to larger Mosques and madrassas where car parking is available. Consequently, there wouldn't be a significantly greater increase in traffic and highway safety would not be compromised.
- The proposal will not disturb the existing dynamics of the property or the area due to the fact that only the lounge of the dwelling for a small period of time will be utilised as a classroom during weekdays only not the entire property.

In conclusion I'm of the opinion that the proposal will not affect the amenity of the neighbours neither have a detrimental impact on the character of the area or have a negative impact on the free flowing of traffic.

In addition, since the report was drafted officers have received 3 letters of support from local residents. All three residents have children who attend the classes and they confirm that the children walk to the property.

b) Amended Reasons for Refusal

No reference should be made to adopted Local Plan Policy T10. This is because the Policy expresses the car parking requirement as maxima not minima. The reason for refusal should therefore read as follows:

R 1 The use of the dwelling (retrospectively), in part as a children's teaching establishment, would by virtue of the number of children attending and the subsequent level of activity that would be generated, along with the associated numbers number of vehicles accessing the property, adversely impact upon the general character of the immediate area that is dominated by dwelling houses, particularly when taken with the existing Madrassa in close proximity, and would be detrimental to the amenity of the occupiers of those properties. Hence the proposal is contrary to policy CF10 of the Peterborough Local Plan (First Replacement) 2005 and policy CS16 of the Adopted Peterborough Core Strategy which state:-

CF10 Planning permission for the development of land, or change of use of an existing building, to provide a new place of worship or religious instruction will be granted, provided that:

- (a) the development would provide a safe and convenient access by foot, cycle and public transport, and would be sufficiently well located in relation to its intended catchment population to offer a reasonable prospect of a substantial number of trips by these modes;

(b) the noise and disturbance likely to be caused by the use of the premises would not be unacceptably detrimental to the amenities of occupiers of nearby properties; and

(c) the vehicular traffic and pedestrian activity likely to be generated would not be unacceptably detrimental to the amenities of occupiers of nearby properties or be likely to result in unacceptable congestion or hazard to road safety;

(d) any associated car parking to be provided would not be unacceptably detrimental to the character or appearance of the area.

CS16 High quality and inclusive design will be required for all new developments as part of a strategy to achieve an attractive, safe, healthy, accessible and sustainable environment throughout Peterborough. Design solutions should take the following principles into account:

[...] New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

R 2 There is insufficient space within the site curtilage to provide parking facilities for the combined residential occupancy of the dwelling and the children's teaching establishment. This results in the vehicles of the parents delivering and collecting children attending the school having to park within the public highway that would block, by way of parking in unsafe locations, the free flow of traffic within Exeter Road. This is detrimental to highway safety. The proposal is therefore contrary to policy CF10 of the Peterborough Local Plan (First Replacement) and policy CS14 of the Adopted Peterborough Core Strategy DPD which state:

CF10 Planning permission for the development of land, or change of use of an existing building, to provide a new place of worship or religious instruction will be granted, provided that:

(a) the development would provide a safe and convenient access by foot, cycle and public transport, and would be sufficiently well located in relation to its intended catchment population to offer a reasonable prospect of a substantial number of trips by these modes;

(b) the noise and disturbance likely to be caused by the use of the premises would not be unacceptably detrimental to the amenities of occupiers of nearby properties; and

(c) the vehicular traffic and pedestrian activity likely to be generated would not be unacceptably detrimental to the amenities of occupiers of nearby properties or be likely to result in unacceptable congestion or hazard to road safety;

(d) any associated car parking to be provided would not be unacceptably detrimental to the character or appearance of the area.

CS14 The transport strategy for Peterborough is to: (i) reduce the need to travel, especially by private car; (ii) deliver a sustainable transport package capable of supporting a bigger and better Peterborough; (iii) support our UK Environment Capital aspirations; and (iv) assist in improving the quality of life of people.

[...all new development should demonstrate that appropriate and viable opportunities have been taken to achieve (or assist in achieving) the following aims:

Reducing the need to travel, especially by private car ...Supporting proposals to develop and enhance the City Centre and District Centres in order to improve connectivity and reduce the need to travel, especially by private car.