

**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 19 FEBRUARY 2013**

Members Present: Councillors Serluca (Chairman), Casey (Vice Chairman), Hiller, North, Todd, Stokes, Shabbir, Sylvester, Lane and Harrington

Officers Present: Nick Harding, Group Manager, Development Management
Jez Tuttle, Senior Engineer (Development)
Sarah Hann, Acting Senior Engineer (Development)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

There were no apologies for absence received.

2. Declarations of Interests

Councillor Todd declared a personal, non-prejudicial interest in item 5.8, Perkins Sports Association, as it was situated within her ward, but that this would in no way affect her decision.

Councillor Harrington declared a personal, non-prejudicial interest in item 5.1, Stanground Surgery, in that was acquainted with Mr Damani, an objector to the application, but this would in no way affect his decision.

Councillor Shabbir declared a personal, non-prejudicial interest in item 5.1, Stanground Surgery, in that he was acquainted with Mr Damani, an objector to the application, but this would in no way affect his decision.

Councillor Shabbir also declared a personal, non-prejudicial interest in item 5.5, Newark Court, in that he was one of the statutory invitees to the Panel which had been discussing the development, however this would in no way affect his decision.

Councillor Hiller declared a personal, non-prejudicial interest in item 5.5, Perkins Sport Association, in that his wife was employed by Caterpillar, the owners of Perkins Engines, but that this would in no way affect his decision.

3. Members Declaration of Intention to make Representations as Ward Councillor

Councillor Stokes declared that she would be speaking on item 5.3, R & P Meats, on behalf of local residents.

4. Minutes of the Meetings held on:

4.1 8 January 2013

The minutes of the meeting held on 8 January 2013 were approved as a true and accurate record.

4.2 22 January 2013

The minutes of the meeting held on 22 January 2013 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

The Chairman addressed the Committee and stated that, with Committee's approval, it was proposed to take item 5.4, 39 The Green, Werrington, first. The Committee agreed to the proposal.

5.1 12/01832/HHFUL – Two storey side extension to dwelling, 39 The Green, Werrington, Peterborough

The application property was situated along the north side of The Green, close to the junction with Fulbridge Road. It was of brick and tile construction. The dwelling was located in a backland location to the rear of the Werrington Green Church Centre. To the south of the dwelling was the rear garden of no.2 Crester Drive, to the west was the rear garden of no.4 Crester Drive and to the west of the rear garden of the dwelling was the rear garden of no.6 Crester Drive. To the east of no.39 was the long rear garden of no.41 The Green. The dwelling was originally wholly two storey in height although it had been extended by way of a single storey extension that was located alongside the east facing elevation and to a point half way along the rear elevation.

The character of the immediate area was principally residential. The application had its vehicular access directly off The Green between no.41 and The Church Centre. The front elevation was set back approximately 50 metres from the public highway with the front elevation of the dwelling was partly visible from the public highway.

The proposal was a re-submission following on from a similar scheme that had been previously withdrawn. The proposal was for a two storey side extension with a width of 6.2 metres and a depth of 7.03 metres. The proposal would involve the demolition of an existing single storey, flat roof side extension to the west side of the dwelling. The proposed extension would represent an increase in the width of the dwelling by 78%.

The ground floor of the extension would be comprised of a lounge and the first floor would add two additional bedrooms, giving a total of five for the dwelling. Also proposed was a modest single storey rear extension centrally located that would not extend beyond an existing single storey rear elevation of the dwelling.

The proposed south facing wall of the two storey side extension would be 6.1

metres away from the shared garden boundary with no.2 Crester Drive. The west facing wall of the extension would be 5 metres from the garden boundary with no.4 Crester Drive. The north facing wall of the extension faced into the garden of the application dwelling.

Fenestration for the extension:-

- i) South facing front elevation – Ground floor – One high level obscure glazed lounge window; and
First floor – One bedroom window to be obscure glazed
- ii) West facing side elevation – Ground floor – Two large clear glazed windows to serve the lounge; and
First floor – Two high level bedroom windows
- iii) North facing rear extension – Ground floor – Patio doors
First floor – A French door arrangement to a bedroom that was to be fixed closed

The internal ground floor level of the extension would have to be raised to be in keeping with that of the existing dwelling and the materials used would match those of the existing dwelling.

The Group Manager Development Management addressed the Committee and gave an overview of the proposal. The recommendation was one of refusal for the following reasons:

- i) The proposed rear facing first floor bedroom window, floor to ceiling in design, of the extension would allow overlooking into the rear garden of no.6 Crester Drive to the detriment of the privacy the occupiers of that property;
- ii) The proposed extension would, due to its scale, mass and siting, have an adverse overbearing impact upon the amenities of the occupiers of no.2 and no.6 Crester Drive;
- iii) The proposed south facing elevation of the extension would be detrimental to the character and the appearance of the existing dwelling due to the type, size and positioning of the ground and first floor fenestration; and
- iv) By having to restrict overlooking of the rear garden of no.2 Crester Drive, bedroom 5 (drawing no.RTA/102 refers) would be afforded a poor internal amenity with only a high level window in the west facing elevation and a fixed closed obscure glazed within the south facing elevation

Members' attention was drawn to additional information contained within the update report. An objection had been received from the local resident residing at no.6 Crester Drive.

Councillor Paula Thacker addressed the Committee on behalf of the Applicant, Mr Anton, who was also present to respond to questions from Members. In summary, the issues highlighted included:

- A previous application had been submitted, however following Officer's

advice, this had been revised. This revision included a reduction in the size of some of the windows and the imposition of obscure glazing in certain windows on the front elevation overlooking the chapel;

- The chapel was only used on a Sunday;
- The depth of the extension would be 3 metres from the existing lounge, and not 7.03 metres as stated within the report;
- The building was built in the 1950s, prior to any new build in the surrounding area;
- One large tree had been removed by a local resident which allowed for overlooking into the Applicant's property;
- The extension would be completed within eight months.

Following questions to the speakers, Members commented that the existing building was relatively modest and the proposed extension would not be incongruous, but rather would enhance the existing property. The plot was adequate in size for the extension and it was not felt that there would be any undue overlooking issues. With this in mind, Members further commented that the obscure glazed window in the front elevation should be removed.

Following debate, a motion was put forward and seconded to grant the application, contrary to officer recommendation. The motion was carried by 9 votes, with 1 voting against.

RESOLVED: (9 For, 1 Against) to grant the application, contrary to Officer recommendation, subject to:

1. Officers being given authority to secure revisions to the positioning and size of the windows on the front elevation of the extension in order to improve the appearance of the development. This to include the removal of the proposed obscure glazed window;
2. Officers being given authority to apply the appropriate conditions.

Reasons for the decision:

The Committee felt that the proposed extension would enhance the existing, modest, property and would be in keeping with the surrounding area.

The plot was adequate in size for the extension and it was not felt that the extension would cause issues relating to overlooking.

5.2 12/01812/FUL – Construction of 14 x two-bedroom apartments with associated car parking and amenity space, Former Petrol Filling Station, Oundle Road, Orton Longueville, PE2 7DF

The Committee was advised that this application had been withdrawn by the Applicant.

5.3 12/01919/FUL - Extension and alterations to provide consulting rooms and administrative offices including alteration to access road and provision of new staff parking, Stanground Surgery, Whittlesey Road, Stanground,

Peterborough

The application site was comprised of a primary health care facility located at the junction of Peterborough Road and Whittlesey Road. There was a shared car park to the immediate south of the site which served patients attending the surgery and the adjacent Dental Clinic. Access to the site was granted from Peterborough Road via a shared access road of approximately 4.5 metres in width. To the north of the site lay a public footway and landscaping strip along Whittlesey Road. The south and east the site was abutted by Stanground College playing fields and to the west, the site lay adjacent to the Co-Operative Funeral Directors. The site fell outside any identified district or local centre.

The application sought planning permission for the construction of single storey extensions to the north and south of the existing building to provide new consulting rooms and administrative offices. As a result of the proposed extension, the internal space of the existing surgery would be reconfigured and a new ancillary dispensary created.

The proposed dispensary was to be located within the existing building with no separate or independent access and would extend to a floor space of only 32 square metres. On this basis, it was considered that the dispensary was an ancillary element to the main use of the building as a Medical Centre/Doctor's Surgery and therefore fell within Class D1 of the Town and Country Planning (Use Classes) Order (as amended), the same use class as the surgery itself, not Class A1 (retail). As an ancillary use to the main building, it was permitted development and therefore the creation of the dispensary did not require planning permission from the Local Planning Authority.

The scheme had been amended following refusal of application reference 12/01331/FUL for the same proposed extensions. This earlier application was refused for the reasons as outlined in the committee report.

- R 1 The proposed development did not provide adequate space within the curtilage of the site for the required parking facilities. This would result in cars parking within the access and in unsafe locations on the adjoining public highway and would therefore cause detriment to highway safety. The proposal was therefore contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and emerging Policies PP12 and PP13 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following Examination 2012).
- R 2 The proposal would result in an intensification of use in terms of traffic movements to and from the site. Due to the insufficient width of the existing access road into the site, the proposed development would have an adverse effect on the safety of users of the adjoining public highway which is contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and emerging Policy PP12 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following Examination 2012).

This revised application sought to address the reasons for refusal by including a car park to the north west of the site (providing 30 additional spaces) and by widening the shared access from Peterborough Road to 5 metres in width with a separate 1 metre wide pedestrian footway.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. It was highlighted that a number of objections to the proposal had been received which focused on the dispensary aspect of the application, which did not require consent given its limited size and the lack of parking available on site, amongst other things. The recommendation was to grant the application subject to the satisfactory completion of the 21 day notification on PCC as landowner and the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report. There had been a large amount of further information submitted in objection to the proposal, which also focused on the dispensary aspect of the application. Members were also informed that within the additional information, it highlighted that Peterborough City Council should have served notice on the site as part landowner of the area to be used to improve the width of the access. This had now been completed, with the revised recommendation being to approve the authority to issue planning permission subject to the satisfactory completion of a 21 day notification period on Peterborough City Council as landowner.

Councillor Brian Rush, Ward Councillor addressed the Committee and responded to questions from Members. In summary the concerns highlighted included:

- There would be an increase in the number of vehicles to the site;
- Access to the site was shared by a number of premises;
- The access road led onto Peterborough Road and there was poor visibility;
- A survey had been undertaken by the Police along Peterborough Road and a large number of vehicles had been witnessed travelling in excess of the speed limit;
- In September 2013 a new school building was due to open in the area. Increased traffic would put the children at risk;
- It was unclear whether the property would house a dispensary or a pharmacy;
- If a pharmacy was implemented, this would go against Policy CS14, in relation to the promotion of sustainable transport;
- Provision of a dispensary would still increase the numbers of cars visiting the site;
- There would be a lack of car parking spaces and this would encourage parking along the roads.

Mr Phil Branston and Mr Shabbir Damani, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted included:

- The necessary notices had not been sent out to all the relevant landowners. One of those being Peterborough City Council;
- The land owned by Peterborough City Council was out for long term lease,

- therefore may not be available in the first instance;
- It had been confirmed by a Legal Representative that the titles did not concur with the land registry titles;
- A pharmacy was class A1 under planning rules and a Class D had been applied for;
- Planning Policy should be followed if applying for a pharmacy;
- The maximum number of car parking spaces available was 30, however seven of these spaces were owned by the dental practice, giving the surgery only 23 spaces;
- Consideration should be given for coach parking and drop off and pick up facilities, neither of which had been considered;
- Mr Damani's full concerns were outlined within the objection materials submitted to the Committee, this also included concerns of 1500 patients and residents whose objections had been submitted by the Patient Group of Halls the Chemist;
- The application had not been made with full disclosure as to the true extent of the proposal;
- The Co-op Pharmacy had applied to register at the surgery;
- The Highways Officers had highlighted a number of concerns;
- The land required for the widening of the access road was part owned by Stanground Academy;
- The exit junction onto Peterborough Road was extremely hazardous;
- There were currently two pharmacies in Stanground, meaning a dispersal of traffic volume. If one location was utilised, this would mean an increase in traffic burden to the site.

Ms Helena Ayre, Practice Manager, Mrs Lillian Swingler, Chair of the Stanground Patient Participation Group and Mr Robin Briscoe, Architect, addressed the Committee and responded to questions from Members. In summary the issues highlighted included:

- There current accommodation was insufficient for the provision of certain services for existing patients;
- Extra clinical rooms were needed to enhance patient care and the standard of accommodation raised;
- The proposal would raise the standards of accommodation within the building to meet current NHS guidelines;
- There would be no increase in the number of doctors operating at the practice;
- There had been a traffic parking survey conducted to identify the number of cars utilising the site during the week. The scheme submitted was in excess of those recommended by the Highways Department;
- The practice had always dispensed from the site;
- The patient population was steadily growing, some coming from Cardea;
- The dispensary would be open to all Stanground Surgery patients;
- The Co-op Pharmacy was due to move in any instance, however Stanground Surgery did not wish to have a full pharmacy on site;
- There were infrequent parking issues experienced at the current time and the increase in parking provision for was welcomed.

The Legal Officer addressed the Committee and stated that a number of points had been raised by the objectors relating to land ownership issues. Members were reminded that this was not a material planning consideration for the Committee, neither were issues relating to business competition in the locality.

The Highways Officer addressed the Committee and summarised the initial concerns. It was advised that all of the concerns had been addressed and therefore there were no objections. Furthermore, the parking provision in excess of that specified within adopted policy.

A motion was put forward and seconded to grant the application, subject to satisfactory completion of the 21 day notification on PCC as landowner. The motion was carried unanimously.

RESOLVED: (Unanimously) to grant the application, as per Officer recommendation subject to:

1. The satisfactory completion of the 21 day notification on PCC as landowner;
2. The conditions numbered C1 to C12 as detailed in the committee report.

Reasons for decision:

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

- the proposed extensions would not result in any unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposed additional car park ensured sufficient parking facilities were available on-site for the extended Medical Centre, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012);
- the proposed improvements to the vehicular access were in accordance with adopted standards and would improve the safety of the existing access to the Medical Centre, Dental Clinic and Funeral Directors, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the proposal would not pose an unacceptable crime risk, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in the loss of any landscape features worthy of retention and would improve the general amenity of the locality, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012); and
- the proposal would not result in harm to the ecology of the site and suitable features for biodiversity enhancement would be provided, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

Councillor Stokes left the meeting.

5.4 12/01922/FUL - Change of use of remaining part of residential garage to business use – Retrospective, R And P Meats Ltd, 55 Cherry Orton Road, Orton Waterville, Peterborough

The application site was located on the southern edge of the Orton Waterville Conservation Area. The site consisted of a dwelling to the front of the site that had been rendered and remodelled over the years and was no longer of historic character. Along the left hand side of the site and to the rear was the meat wholesale premises that had been in operation since the mid 1950's. Along the left hand side of the site were relatively narrow, single storey brick built outbuildings that were in commercial use. To the rear of the site was a larger modern structure which was in mixed use of commercial, incorporating residential garaging. To the centre of the site there was a garden space and gravel driveway that was used for the parking and turning of the four commercial vehicles stored on site.

Permission was sought for the change of use of remaining part of residential garage to business use. This was retrospective.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. It was highlighted that there had been a substantial number of retrospective applications associated with the site and discontinuance had previously been considered. Officers were of the opinion that they could not agree to any more proposals at the site and therefore the recommendation was to refuse the application.

Members' attention was drawn to additional information contained within the update report. Comments had been received from Councillor Sue Allen and Councillor June Stokes, as Ward Councillors, in objection to the application.

Councillor June Stokes, Ward Councillor addressed the Committee on behalf of local residents. In summary the concerns highlighted included:

- The premises had been over expanded for the site, and this was a sign that they wished to expand further;
- The business operated within an area that should be a quiet residential area of a conservation village;
- The road was extremely narrow and had been blocked by lorries on numerous occasions;
- Whilst lorries were parked, their refrigeration units were left running, causing fumes to enter nearby properties;
- Properties had been damaged by vehicles entering and leaving the premises due to the narrow entrance;
- Emergency vehicles wishing to access premises along the road may be hampered by other vehicles being parked along the road;
- Residents had been disturbed early in the morning by workers and vehicles arriving prior to 7.00am and also by vehicles returning to the site late at night.

Mr Singer, a local resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted included:

- There were always a number of vehicles parked along Cherry Orton Road;
- The business had expanded beyond the site's capacity;
- The location was inappropriate for the nature of the business;
- The business would only continue to expand, this would mean more employees also;
- The duration of time that the lorries spent unloading was unacceptable for the local residents to contend with;
- Why were the lorries permitted to unload along a public highway?
- The lorries had caused damage to residential properties.

Members debated the application and raised concerns regarding a number of issues including the access for emergency vehicles along Cherry Orton Road and the overdevelopment of the site.

A motion was put forward and seconded to refuse the application. The motion was carried unanimously.

RESOLVED: (Unanimously) to refuse the application, as per Officer recommendation and:

1. The reason R1 as detailed in the committee report.

Reasons for decision:

The siting of the refrigerator would result in the loss of two residential parking spaces and an increase in the commercial floor space and cold storage capacity of the site. This was considered to be an intensification of the operation which could result in more parking and manoeuvring within the public highway and increased numbers of deliveries and noise, to the detriment of both the character of the Orton Waterville Conservation Area and the amenity of the occupiers of neighbouring dwellings. This was contrary to policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and policies PP3 and PP12 of the Peterborough Planning Policies (DPD) 2012.

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons outlined above.

The meeting was adjourned for ten minutes.

Councillor Stokes re-joined the meeting.

5.5 12/01429/FUL - Demolition of the existing building and erection of health centre (Use Class D1) with associated car parking, Newark Court, 7 Newark Avenue, Dogsthorpe, Peterborough

The application site was approximately 0.47 hectares in area and was currently comprised of a vacant single storey building and associated car parking and access road. The building was previously used by 'Best Deal 4 Baby' providing opportunity for the exchange of unwanted baby items albeit this use was never permitted and the lawful use of the building is for B1 offices. In addition, part of the site area was formed by garden land associated with No.5 Newark Avenue, a residential dwelling.

The site was located within a predominantly residential area, with residential dwellings enclosing the site to the north, south and east. There was a variety of built form in the surrounding area, with a mix of size and style of dwellings along Newark Avenue, Eastfield Road and Derby Drive. To the north of the site was modern backland development comprising 4 no. flats. To the south-west of the site was an established children's day nursery (Class D1).

The application sought planning permission for the demolition of the existing building and construction of a new two storey medical centre (Class D1) comprising:

- 8 no. consulting rooms;
- 3 no. treatment rooms;
- 2 no. Healthcare Assistant/Phlebotomy rooms;
- 4 no. rooms for District Nurses, Health Visitors and District Midwife;
- Ancillary office and staff accommodation; and
- Pharmacy (100 square metres of floor area)

The total gross internal floor area of the proposed surgery extended to 992.7 square metres. In addition to the above, the proposal included improvement to the existing vehicular access, provision of 41 car parking spaces (14 of which resulted from the change of use of part of the garden associated with a dwelling) and associated landscaping. The proposed new accommodation would provide replacement facilities for four GP practices located in the surrounding areas - Welland, Dogsthorpe, Parnwell, Burghley Road/Church Walk.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. The recommendation was to grant the application subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report. Comments had been received from Councillor John Peach, Ward Councillor highlighting a number of issues, specifically in relation to the lack of on-site parking provision. Councillor Chris Ash had also submitted comments concerning the impact on the surrounding highways and the lack of parking provision.

Eight further letters of support had been received for the proposal and a further letter of objection, and comments from a local resident. Further conditions had also been specified by the Highways Authority and an amendment to condition C6, as detailed in the committee report.

Councillor Pam Kreling, Ward Councillor addressed the Committee. In summary she stated that she was in favour of the proposal, however she had reservations with regards to the parking provision on site, 25 car parking spaces was not enough. The solution would be to knock down the bungalow, as procured by the Primary Care Trust. Furthermore, the egress of the site onto Newark Avenue could be dangerous, traffic signals at the Eastfield Road junction would need to be re-timed and calming measures should be explored for Newark Avenue.

Councillor John Shearman, Ward Councillor addressed the Committee. In summary he supported the application in principle and he believed the parking provision to be adequate and he was also impressed with the consultation that had been undertaken, however he was concerned with the access and egress from the site, particularly the traffic leaving Eastern Avenue to cross Newark Avenue and then traffic leaving the site along this route. Traffic already banked up in this and this would make the current situation worse. There were possibilities that could be explored in order to mitigate this issue.

Mr Phil Branston, a local resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the concerns highlighted included:

- Mr Branston lived nearby and he had not been consulted on the proposals;
- The application included a pharmacy and this would mean many more visits to the site;
- Policy was not being followed on the application for A1 use, there needed to be proof of need for the facility;
- The car parking provision was inadequate, this would encourage on street parking;
- There had been no considered made for coaches visiting the site or drop off or pick up space;
- The access and egress was poor;
- During busy periods, the area would become even more congested than it was already;
- The site was suitable for a medical practice but not on this scale.

Mr Stephen Leadbitter, Welland Medical Practice, addressed the Committee in support of the application and responded to questions from Members, Mr Stuart Walker, Allen Primary Care, was also present to answer questions. In summary the issues highlighted included:

- The proposal was a much needed fit for purpose building for local residents and there was a lot of support;
- There had been extensive consultation undertaken;
- Due to the proposed opening times and the staggering of the GPs start times, it was felt that this would only have a minimal effect on peak travel times;
- Could the Committee give consideration to condition 11, in relation to all first floor windows being obscured glazed and non-opening unless a certain amount above floor level, this would mean a less conducive working environment for the staff;

- The building would be environmentally friendly;
- There would only be five GPs working at the practice and not eight as stated;
- The bungalow was not owned by the PCT, it was owned by the developers;
- It would be financially unviable to utilise the whole area taken up by the bungalow by parking and it would also increase the traffic flow by implementing more spaces;
- There was the possibility of a provision of a community minibus, a lottery grant had been applied for;
- There would be two disabled parking spaces;
- Appointments would last for ten minutes and therefore it was predicted that there would be around nine cars per hour travelling in and out of the site;
- The pharmacy would only be available for patients and not to the general public;
- There was a pelican crossing located 50 yards along the road for pedestrians.

Following questions to the speakers and further questions to the Group Manager, Development Management and the Highways Officer, Members expressed concern in relation to the inadequate parking provision on site and the impact that the development would have on the highways network.

Members commented that the car parking issue could be addressed by the demolition of the existing bungalow on site and the provision of more spaces.

A motion was put forward and seconded to refuse the application, contrary to officer recommendation, to allow for the developers to work with Officers to come up with a new scheme. The motion was carried by 9 votes, with 1 voting against.

RESOLVED: (9 For, 1 Against) to refuse the application, contrary to Officer recommendation.

Reasons for decision:

The proposal provided a level of car parking on site which was less than that considered necessary to serve the scale of development even taking into account the anticipated mode of transport of staff and customers visiting the site. Whilst some overspill parking could take place on street, such was the level of the shortfall in on site parking, that highway safety and the free flow of traffic on Newark Avenue was likely to be compromised. The proposal was therefore contrary to the provisions of Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) which sought to ensure that new development would not have an unacceptable impact on the highway network and provide appropriate and deliverable parking provision.

5.6 12/01734/FUL – Proposed gypsy and travellers site for one extended gypsy family, containing two static caravans and two touring caravans, land to the south west side of Northey Road, Peterborough

The Committee was advised that the item had been withdrawn from the agenda by the Group Manager, Development Management.

5.7 11/01778/R4FUL – Erection of 59 dwellings, land west of, Monarch Avenue, Fletton, Peterborough

The application site covered an area of approximately 1.45 hectares. The land was previously used for allotments, but now is overgrown and unused. The City Council owned the site. The site was bounded to the east by the two storey high residential properties of Monarch Avenue. To the north by allotments, beyond which were residential houses which fronted onto Fletton High Street. To the south of the site was a bridleway and then the large IKEA distribution centre, and to the east were redundant railway sidings and the East Coast railway line.

Planning permission was sought for the erection of 59 affordable houses, 29 would be affordable rented and 30 would be shared ownership. The development would comprise of 44 x 3 bedroom and 15 x 2 bed properties, all of which were two storeys in height. The houses were a mixture of detached, semi-detached and terraced properties.

A play area was also proposed on site. There was also an attenuation pond for surface water drainage.

Vehicle access to the site was from Monarch Avenue, and the proposed layout allowed for possible vehicle access to the allotment land to the north should it be required in future.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. The recommendation was to grant the application subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report. Comments had been received from Councillor Irene Walsh, Ward Councillor, the Wildlife Officer, the Police Architect Liaison Officer. There had also been amended plans received and an amended recommendation and additional condition.

Mr Mark Croker, Architect, Larkfleet Homes, addressed the Committee and responded to questions from Members. In summary the issues highlighted included:

- Larkfleet aimed to build 200 units per year for private and affordable sales;
- They had been involved in many schemes in Peterborough in the past few years;
- This was a unique opportunity to bring funding into the area;
- It was an important scheme for the Council;
- The materials specified had been chosen to be in keeping with the area;
- There were no garages to be provided within the scheme but there would be storage sheds and lockable bike storage;
- The site had not been allotments for at least two years.

Following questions to the speaker, Members commented that the proposal was a good opportunity to provide much needed affordable housing in the city. It was a well set out and planned development.

A motion was put forward and seconded to approve the application, as per the revised recommendation and additional condition as detailed in the update report. The motion was carried by 9 votes, with 1 abstaining.

RESOLVED: (9 For, 1 Abstention) to approve the application, as per Officer recommendation, subject to:

1. Delegated authority being granted to Officer to issue planning permission on completion of a further 14 day neighbour re-consultation on the amended plans, and provided no further adverse comments are received on the changes made that have not already been considered by the Committee;
2. The conditions numbered C1 to C24 as detailed in the committee report; and
3. An additional condition relating to the submission of a scheme of biodiversity enhancement measures for the area.

Reasons for decision:

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

- The site was allocated for housing use in the Site Allocations document, therefore the principle of residential use was acceptable and in accordance with Policy SA03 of the Site Allocations DPD;
- The development provided an acceptable safe vehicle access to the site, together with sufficient car parking. Therefore the proposal would not have any adverse impact upon highway safety. This was in accordance with Policy PP12 of the adopted Planning Policies DPD;
- The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore was in accordance with policy PP3 of the adopted Planning Policies DPD;
- Subject to the imposition of conditions to deal with surface water drainage the proposal was in accordance with Policy CS22 of the adopted Core Strategy DPD;
- Biodiversity enhancements were to be secured by way of a planning condition, in accordance with Policies PP16 of the adopted Planning Policies DPD and CS21 of the adopted Core Strategy DPD; and
- Subject to the imposition of conditions, the risk of contaminated land could be appropriately managed.

5.8 12/01106/OUT – Residential development comprising up to 230 units, car parking, landscaping and associated works including means of access, Perkins Sports Association Club, Site North Of Ideal World, Newark Road, Peterborough

The site formed a rectangular shape and covered an area of approximately 4.43 hectares. The site lay within the north western section of the Perkins factory estate

and comprised land formally used for recreation by factory workers. The recreation areas had not been in formal use since 2005 and were currently under-utilised and in poor condition.

The site was bounded to the north by rear gardens to existing residences at Marriot Court and to the south by The Broadlands, a private access road for the Ideal World office building. The site was contained by Newark Road to the east and to the west by an internal access road serving the industrial estate. Adjoining land uses comprised employment to the west of the site specifically the main Perkins facility and office buildings. Further employment uses were located immediately south of the site at Ideal World House. Residential uses were located immediately north of the site (Marriot Court) and to the east beyond Newark Road.

Existing pedestrian and vehicle access to the site was from an internal access road via Vicarage Farm Road, also known as Gate 6 and from Oxney Road. An informal access point was available from Newark Road.

The north and south sites were allocated in the Peterborough City Council Local Plan (First Replacement) 2005 for employment uses. Given the proximity of housing to the north and west of the site, housing was considered a more suitable use for the north site. The site was subsequently reallocated for housing in the Site Allocation Development Plan Document.

Outline planning permission was sought for residential development. Up to 230 units were proposed including the provision for 30% affordable housing and open space provision including equipped play areas. The average density of the proposed development was approximately 50 dwellings per hectare. The indicative masterplan indicated that the majority of the buildings were 2-3 storey with a small number of 4 storey flats on the south boundary. Access would be via two new accesses on Newark Road.

In addition a bus gate was proposed along Newark Road. The bus gate would be sited between The Broadlands and Palmers Road junctions. The bus gate would have a CCTV / Camera and only buses, cycles and emergency vehicles would be allowed through it. This would mean that there would be no through traffic between The Broadlands and Palmers Road.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. The recommendation was to grant the application.

Members' attention was drawn to additional information contained within the update report. A safety audit of the bus gate had been undertaken and the Highways Officers had no issues with the audit outcome. There were also a number of changes to conditions highlighted following a revised access drawing being submitted by the Applicant, a revision to the Section 106 and four further letters of objection.

Mrs Amaryllis Elphick, a local resident and Mr John Dadge, Barker Storey Matthews, speaking on behalf of Ideal Shopping, addressed the Committee in objection to the application and responded to questions from Members. In

summary the concerns highlighted included:

- The site maps outlined to the Committee were out of date and misleading, updates were outlined;
- There were two existing accesses to the site, neither of which were outlined on the application;
- The bus gate was completely redundant if existing access roads were utilised;
- There was no reason why construction traffic could not use existing accesses;
- CCTV footage would need to be dealt with in relation to the bus gate;
- Ideal Shopping staff would be impacted by the bus gate and it would be a significant detriment to the staff;
- Did the bus gate have to be the subject of a traffic regulation order, if so it would need to be subject to further public consultation.

Following questions to the speaker and the Group Manager, Development Management, Members commented that the proposed bus gate would greatly inconvenience the employees of Ideal World. The site had had historically been used freely and imposing such a scheme would impact greatly on the site.

In response to the concerns highlighted to Members, the Highways Officers outlined the reasons for the bus gates requirement.

Following further questions to the Highways Officers, a motion was put forward and seconded to approve the application, with the revised conditions and Section 106 agreement as detailed in the update report. The motion was carried by 8 votes, with 2 voting against.

RESOLVED: (8 For, 2 Against) to approve the application, as per Officer recommendation, subject to:

1. Conditions number C3 to C4, C7 to C16 and C18 to C30 as detailed in the committee report;
2. The amended conditions numbered C1 to C2, C5 to C6 and C17 as detailed in the update report;
3. The revision to the Section 106 agreement as detailed in the update report; and
4. If the Section 106 was not completed within one month of the date of the resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report.

Reasons for decision:

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

- The site was allocated for housing and would provide housing to support the City Council's growth agenda;
- The development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway could be provided;
- The development could be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties;
- The impacts of noise could be adequately mitigated;
- The impact of the development upon the existing landscaping was not considered to be significant and as such was considered acceptable;
- The impact of the proposed development upon ecology of the site was considered to be acceptable;
- The development would allow for the provision of Public Open Space;
- The site could be adequately drained and mitigation measures secured to deal with ground contamination;
- The impact of the proposed development upon archaeology was considered to be acceptable;
- The proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK;
- Further to the submission of a viability appraisal the developers had demonstrated that the proposal could not pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution was acceptable in this instance;

The proposal was therefore in accordance with Policies SA3 of the adopted Site Allocations DPD, and Policies CS02, CS08, CS10, CS11, CS12, CS13, CS14, CS16, CS19 and CS22 of the adopted Peterborough Core Strategy DPD, Policies PP01, PP02, PP03, PP04, PP12, PP13, PP14, PP16, PP19, PP20 of the adopted Peterborough Planning Policies DPD, and the provisions of the National Planning Policy Framework.

5.9 12/01119/FUL – Erection of single storey front extension to public house and external alterations to create shop fronts. Change of use of ground floor to form A1 retail and A5 takeaway units, including the installation of extraction equipment. Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings. Erection of first and second floor extension to side to form two residential dwellings. Change of use of garden area to parking, and reinstatement of parking provision at front – part-retrospective, The Westwood , 85 Mayors Walk, West Town, Peterborough

The application site comprised a two storey semi-detached former public house located within an identified Local Centre. The site occupied a prominent position within the street scene at the junction of Mayors Walk with Alderman's Drive and Nicholl's Avenue and benefitted from a double frontage. The existing building was unique within the locality, with architectural detailing including double storey brick and timber bay windows, projecting gable roofs and stone cills and lintels. Parking was provided within a single storey garage to the rear of the site, adjacent to No. 165 Alderman's Drive.

The application sought planning permission for the following:

- Erection of single storey front extension and external alterations to create new shop fronts;
- Change of use of ground floor to form A1 retail and A5 takeaway unit, including the installation of extraction equipment;
- Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings;
- Erection of first and second floor extension to side to form two residential dwellings; and
- Change of use of garden area to parking, and reinstatement of parking provision at front.

The Committee was advised that works had already commenced on site and accordingly, the application was part-retrospective.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. The recommendation was to grant the application subject to the relevant conditions.

Members' attention was drawn to additional information contained within the update report where it was highlighted that there had been four additional letters of objection received from local residents.

Councillor Yasmeen Maqbool and Councillor Nick Arculus, Ward Councillors, addressed the Committee and responded to questions from Members. In summary the concerns and issues highlighted included:

- There was inadequate parking available on the site for the number of flats proposed;
- There would be increased traffic flow and footfall to the site due to the takeaway;
- There was concern about the adequacy of the bus routes;
- The existing historical features on the building should be retained;
- There was mixed feeling from local residents;
- The most important aspect was the appearance of the building, it needed to be in keeping with the street scene;
- The detail provided in relation to the provision of parking and the frontage of the building was not adequate enough for the Committee to grant the application.

Mr Ed Murphy, a City Councillor speaking as an objector, addressed the Committee. In summary the concerns highlighted included:

- The property was situated within an extremely busy area;
- The proposal would diminish the appearance of the area;
- The façade of the building should be retained;
- There was congestion in the area and the proposed takeaway would increase this;
- The builders had already started on the site, what had they done to the front of the property already?
- Many local residents were fearful that the property would be turned into yet

- another off license;
- Further information with regards to the design needed to be provided prior to the Committee being able to make an informed decision.

Mr Tim Slator, Planning Consultant, addressed the Committee in support of the application. In summary the issues highlighted included:

- The mixed use nature of the proposal was appropriate for the location;
- The Officers comments and analysis contained within the committee report were endorsed;
- There was a presumption to approve in Planning Policy for sustainable development;
- The design was acceptable and retained the frontage of the former public house, the extension was also in keeping with the existing building;
- The design was in keeping with the street scene;
- The parking was an issue and did not meet the Peterborough City Council standards, however the previous usage generated parking requirements significantly in excess of those that would be generated by the current proposal;
- The site was located within the local centre and near to regular bus routes;
- The POIS scheme would be completed within the timescale specified;
- There would be five flats in total, with two bedrooms each.

Following questions to the speakers and the Group Manager, Development Management, Members expressed concerns that the proposal was located on an extremely busy junction, the parking was wholly insufficient and there had been insufficient information provided in relation to the frontage.

The Group Manager, Development Management advised the Committee that consent was not required for a change of use to a takeaway, however there was a condition to limit the floorspace.

Following further debate, concerns were highlighted and a motion was put forward and seconded to refuse the application, contrary to Officer recommendation, due to the inadequate parking provision on site, potential overdevelopment of the site in the area and the lack of detail provided in relation to the shop frontages, indicating what the proposal would look like within the street scene. The motion was carried by 9 votes, with 1 voting against.

RESOLVED: (9 For, 1 Against) to refuse the application, contrary to Officer recommendation.

Reasons for decision:

The application site was not of a sufficient size to accommodate the level of development proposed. The site could not accommodate sufficient car parking provision for both the retail/commercial and residential uses or sufficient private outdoor amenity space for occupants of the residential units. As such, the application proposal represented overdevelopment of the site and was therefore contrary to Policies CS14 and CS16 of the Peterborough Core Strategy DPD

(2011) and Policies PP2, PP3, PP4 and PP12 of the Peterborough Planning Policies DPD (2012).

The application proposal failed to provide adequate car parking for the number of residents and customers that would result from the proposed development. As such, the development was likely to result in cars parking on the already congested surrounding public highway network, in locations which would impede the free flow of traffic. The proposal would therefore result in a danger to highway safety which was contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

The submitted plans contained insufficient detail for the proposed shop fronts and so it could not be established if the design was appropriate for the building given its original character in the street scene. The proposal was therefore contrary to Policy PP2 of the Peterborough Planning Policies DPD (2012) that sought to ensure that new development made a position design contribution to the locality.

The meeting was adjourned for ten minutes.

Councillor Harrington left the meeting.

5.10 12/01543/WCPP – Revision to planning conditions resolved by Committee in December 2012 re the Regeneration of the Werrington Centre, Werrington Centre, Staniland Way, Werrington, Peterborough

At its meeting on the 4 December 2012 the Committee resolved to approve planning permission for this application subject to:

- i) The completion of a Section 106 Planning Obligation in respect of a financial contribution towards - payment for the existing community car park - public art - bus stop upgrades - a travel plan - travel plan monitoring contribution - CCTV provision – monitoring fee; and
- ii) 29 conditions.

Since this decision the Applicant and the council's Pollution Team had requested a series of changes to a small number of the conditions approved by Members and the addition of a new condition.

The conditions that were in need of revision are set out below together with explanation of why the change was needed:

Condition 15

In its approved form the condition set different noise limits for fixed plant and machinery during the day time and night time periods. In error the Pollution Team referred to the wrong noise level, 38 dB LAeq, whereas it should have been 35 dB LAeq which is a lower noise level.

Condition 19

In its approved form, the condition required the details of the alterations to the access to Olympus House to be submitted for approval. However, as this access

was not shown in the plans consider by committee as being altered, the condition is not required.

Condition 25

In its approved form, the condition required a management plan for the operation of the new pub and shop unit service yard as a way of mitigating and potential noise problems. As the application as submitted and considered by the Committee made no changes to the pub element of the scheme approved back in 2009, in hindsight, it was unreasonable for officers to have recommended the condition to members. It is therefore now recommended by both Planning and Pollution Control Officers that the condition is removed.

In addition to the above changes, it was considered that a new condition be added which sought details of the emissions from the proposed Combined Heat & Power Plant located in the service yard. This was a 'belt and braces' condition as the emissions would have to comply with other existing legislation relating to 'clean air'.

All other elements of the application and recommendation remain unchanged.

The Group Manager, Development Management, addressed the Committee and gave an overview of the proposal. The recommendation was to grant the revisions to the conditions and the imposition of an additional condition.

A motion was put forward and seconded to approve the revisions to the conditions outlined and the imposition of the additional condition. The motion was carried unanimously.

RESOLVED: (Unanimous) to approve the changes in conditions and the imposition of an additional condition, as per Officer recommendation and as detailed below:

1. Condition 15 now to read:

C 15 The rating level of noise emitted from all fixed plant including stationary vehicle refrigeration noise sources, shall not exceed 35 dB LAeq, 1 hour between 0700 and 2300 and 35 dB LAeq, 5 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS:4142:1997.

Reason: To safeguard the amenities of the surrounding locality by ensuring a satisfactory noise environment is maintained in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

2. Condition 19 – To be deleted;

3. Condition 25 – To be deleted;

4. New condition to be added as follows:

Notwithstanding the submitted information, prior to the

construction of the supermarket, details (to enable an assessment of emissions associated with the plant) in relation to the CHP shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

Reasons for decision:

To ensure that all imposed conditions remained relevant and necessary.

In relation to the additional condition, to ensure the protection and safeguarding of the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

6. Formal Adoption of Peterborough City Council's Historic Environment Record – For Information

A report was presented to the Committee following the requirement for the Cabinet Member for Housing, Neighbourhoods and Planning to formally adopt the City Council's Historic Environment Record as the register of "sites of archaeological interest" within the terms of the Town and Country Planning (General Permitted Development) Order 1995. This decision was proposed to be made exercising delegated authority within a Cabinet Member Decision Notice in accordance with the delegated authority under paragraph 3.3.3 of Part 3 of the constitution in accordance with the terms of the Cabinet Member's portfolio at paragraph 3.8(a).

The report was for information purposes only prior to the formal adoption of the Historic Environment Record.

The Committee commented that the record was extremely important, well established resource.

RESOLVED:

The Committee noted the proposed adoption of Peterborough City Council's Historic Environment Record within the terms of the Town and Country Planning (General Permitted Development) Order 1995.

Reasons for decision:

Formal adoption was in accordance with the terms of the Town and Country Planning (General Permitted Development) Order 1995.

- i) SMRs were first mentioned in the Town & Country Planning General Development Order 1988 which defined 'site of archaeological interest' as (in addition to sites covered by the Ancient Monuments and Archaeological Areas Act 1979) "land ... which was within a site registered in any record kept by a county council and known as the County Sites and Monuments Record".

- ii) This had been redefined in The Town and Country Planning (General Permitted Development) Order 1995 as "land ... which was within a site registered in any record *adopted by resolution* by a county council and known as a County Sites and Monuments Record " (italics added).

In order to comply with this definition it was necessary to pass a formal resolution to adopt Peterborough City Council's HER. Historically this requirement had been overlooked and was only identified within a recent audit undertaken.

7. Extension of Speaking Arrangements for Consideration of the Great Haddon Planning Application for an Urban Extension (App. Ref: 09/01368/FUL)

A report was presented to the Committee which sought its views in relation to considering alternative time allowances for speaking at the Planning and Environmental Protection Committee meeting, at which the urban extension at the Great Haddon site was to be considered.

The Group Manager, Development Management addressed the Committee and outlined the main reasons for requesting Members to consider a possible extension, in the main those being to allow Officers to arrange, manage and liaise with interested parties prior to the meeting in a more effective and efficient manner. The existing speaking arrangements were detailed and it was noted that although any change could be agreed in principle, it could not be confirmed until the day, when the Committee would vote on any such proposal.

The suggested alternative speaking times were outlined and Members debated them. A number of points were raised both for and against any extensions to time.

Following debate, the Committee agreed a scheme in principle with the caveat that any extensions to the scheme would be approved by the Committee on the day of the meeting.

RESOLVED:

The Committee agreed a scheme in principle as follows:

i) 20 minutes (total) be allowed for each of the following:

- (a) objectors;
- (b) applicant or agent and their supporters

ii) 30 minutes (total) be allowed for speeches from Ward Councillors and Parish Councillors.

iii) MPs be allowed to speak for 15 minutes.

This was agreed with the caveat that any such extensions would be approved by the Committee on the day of the meeting.

Reasons for decision:

The Committee could not make a binding decision on an alternative amount of time to be allocated to speaking at a meeting of the Planning and Environmental Protection Committee, as the Constitution (Paragraphs 9.2. and 9.3 (under Part 4, Section 3) stated that such a decision could only be made on the day of the meeting when the alternative would be applied. However, in the interest of planning for the meeting, and to allow Officers to arrange, manage and liaise with interested parties prior to the meeting in a more effective and efficient manner, a view in principle was sought from Members.

1.30pm – 7.10pm
Chairman

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