



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 8 MARCH 2016**

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

Officers Present: Lee Collins, Development Management Manager
Vicky Hurrell, Principal Development Management Officer
Jim Daley, Principal Built Environment Officer (Archaeology and Building Conservation) (Item 5.3)
Simon Ireland, Principal Engineer (Highways)
Ruth Lea, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Lane.

2. Declarations of Interest

Councillor North declared, in relation to agenda item 5.2 15/01431/OUT – Land to the East of Alwalton Hill, Fletton Parkway, Peterborough', that he was acquainted with a number of the parties involved. He was not, however, predetermined on the application.

Councillor Okonkowski declared that, in relation to agenda item 5.2 15/01431/OUT – Land to the East of Alwalton Hill, Fletton Parkway, Peterborough', he had attended a number of Norman Cross Action Group meetings. As such he would withdraw from the Committee for that item.

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

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

4. Minutes of the Meeting Held on:

4.1 12 January 2016

The minutes of the meeting held on 12 January 2016 were approved as a correct record.

4.2 26 January 2016

The minutes of the meeting held on 26 January 2016 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 15/01292/FUL – St Therasas House, Manor House Street, Peterborough, PE1 2TL

The planning application was for the conversion to 12 bedsitting rooms at St Therasas House, Manor House Street, Peterborough.

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

Carole Aldous, resident, and Margaret Randall, resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- It was suggested that the application should be refused on the grounds of parking and highways;
- The local area had been experiencing parking problems for the past 10 years, to the point where it was believed residents would not receive parking permits;
- The survey that the applicant had undertaken did not match the plans submitted and it was believed that the plans would only work with small cars;
- The access to the parking at the rear of the development was considered to be substandard and too narrow;
- It was believed that the development was being shoehorned in and would have a detrimental effect of the area;
- Concern was raised regarding the believed increased potential for anti-social behaviour, with the proposal situation in a conservation area; and
- The issue of loss of privacy and the potential for overlooking into neighbouring gardens was raised.

Paul Sharman, agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The proposals were accepted by Planning Officers, with the exception of the parking and access;
- The area proposed for parking had been used for parking for 20 years;
- The site was close to the City Centre Core, as such it was not considered that all residents would own or use a car. Using 2001 census data, it was expected that 40% of the developments residents would own a car;
- The applicant had undertaken a traffic survey, in which it was found that only 60% of the on street parking available was utilised;
- In order to manage the access to the car park, the applicant intended to install a control system, most likely a barrier system; and
- Mr Sharman suggested that a number of points raised in objection by Simon Jackson MP, including intensification of use, insufficient parking, overlooking, poor quality development, and the detriment to the character of the street, were incorrect and could not be substantiated.

In response to questions from the Committee, the Development Management Manager advised that the previous use of the site as a funeral parlour could cater up to 35 people at a time. As such, this was considered to be the 'fall back' position and the proposed use would not be greater than this. Officers had considered the amenity, outlook, privacy and ambience of the proposal and had considered them acceptable. It was noted that a number of windows within the application would be obscure glazed and this would be secured by condition. When previously granting permission for a funeral parlour, the access and parking was considered acceptable, as the majority of visitors would be expected to park in the city centre.

The Principal Engineer (Highways) advised that the Highways Authority required, for a

shared access, a minimum width of 5.5 meters. The access as proposed fell significantly short of this.

In response to a query regarding refuse collection the Development Management Manager clarified that it was proposed for refuse to be collected privately and that, as the current use of the site required refuse collection to be made, this would not be a new issue arising from the application.

The Committee discussed the application and it was considered the application was acceptable in terms of design and impact on amenity. Concern was expressed, however, over the proposed parking and access arrangements. The Committee noted that the proposal were contrary to the Council's policy. In light of this, the objections raised by local residents, and the concern that allowing such a deviation from Council policy would create a precedent, it was considered that the development would be inappropriate.

A Member of the Committee raised the view that, as the development was near to the City Centre Core and in walking distance of amenities, provision of car parking facilities for each resident would probably be unnecessary. It was also noted that the proposal provided much needed low cost housing in the city centre.

A motion was proposed and seconded to agree that permission be refused, as per officer recommendation, for the reasons set out in the report. The motion was carried seven voting in favour, one voting against and one abstaining from voting.

RESOLVED: (seven voted in favour, one voted against and one abstained from voting) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

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 set out in the report.

5.2 15/01431/OUT – Land to the East of Alwalton Hill, Fletton Parkway, Peterborough

Councillor Okonkowski left the meeting at this point.

The planning application was for residential development with provision of a Primary School at Land to the East of Alwalton Hill, Fletton Parkway. This included new open space, highways and associated infrastructure, including new drainage features with details of part of the strategic landscaping submitted.

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

Councillor Sharp, Hampton Parish Council, and Councillor Reed, Yaxley Parish Council addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed bus stops to service the site were considered to be too remote;
- The Secondary School that would serve the development was also believed to be too far away from the site to be practical;

- Concern was raised regarding the impact of noise from the Yearsley development, and at the lack of social infrastructure proposed on application site;
- It was suggested that car usage would increase, however, that no discussion of the proposed road network was permitted, as the application was outline only;
- Reference was made to the Design Statement and it was suggested that the application before the Committee conflicted with this;
- The proposed infrastructure, services, roadways, junctions, bus routes and communities facilities were believed to be inadequate;
- The change from employment use for some areas of the proposal was considered to be detrimental to the sustainability of the area; and
- It was suggested that the Design Statement would need to be reconsidered to provide for such a change.

Chris York and Olive Leonard, Norman Cross Action Group, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The Norman Cross Action Group represented a number of Parish Councils, including Farcet and Stilton, and also included representatives from Cambridgeshire County Council;
- The Group did not object to the change of use of the land proposed, nor the principle of housing on the proposed site. The Group objected to the development of housing in isolation, without any infrastructure to serve it;
- It was believed that such isolation would place greater pressure on nearby settlements and increase car journeys;
- It was suggested that the infrastructure needed to be developed first, prior to any housing being provided on the site; and
- It was believed that the proposal as currently applied for would not provide sufficient quality of life for those residing there.

Steve Harley, agent, and David Boddy addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The applicant had worked closely with officers and it was highlighted the no objections had been received from any of the statutory consulatory bodies;
- The principle of development had already been agreed;
- There was a need for additional housing and school provision within Peterborough, as such, space for a primary school had been included in the proposal;
- Although the application was outline only, the expected density of the development would provide for high quality living conditions;
- The level of traffic expected from the development had decrease following the change from employment use, the contribution to the Fletton Parkway development would, however, remain the same;
- The S106 Agreement did not include any contribution to a bus service, following evaluation of the Council's priorities. If the Committee wished for a contribution to bus services to be made, S106 contributions would have to be reduced in other areas. Mr Harley advised that this did not mean that no bus service would run;
- Mr Harley noted that, when viewed as part of a larger development, infrastructure would be provided; and
- Access to the local Secondary School, across the A15, would be via the existing footbridge.

In response to questions from the Committee, the Principal Development Management Officer advised that the access to the development had already been established with the previous employment use of the site. It was further advised that while the Fletton Parkway junction was under the control of Peterborough City Council, Junction 17 of the A1(M) was covered by Highways England, and the Old Great North Road was the responsibility of Cambridgeshire City Council.

The Principal Engineer (Highways) advised that traffic would be less under the current proposals than those of employment use, as the traffic would be heading in the opposite direction. Although the access to the Secondary School via the existing footbridge was a longer route, this would be the route encouraged for highway safety reasons.

The Committee discussed the application and noted that with any development similar to the one proposed, it would take time for infrastructure to develop, as the demand for services increased. It was suggested that individuals who bought houses on the site would be aware of the infrastructure available when doing so. The Committee were pleased to see that affordable housing was to be included within the development.

A number of Committee Members raised concerns about the lack of bus service contribution within the S106 Agreement, and the points raised by objectors in relation to the minimal infrastructure proposed.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, subject to the conditions and delegations set out in the report, the completion of a S106 Agreement, and an additional condition to monitor traffic at the A15 / Old Great North Road junction. The motion was carried six voting in favour and two voting against.

RESOLVED: (six voted in favour and two voted against) that planning permission is **GRANTED** subject to:

- 1) The conditions set out in the report;
- 2) A condition to monitor traffic at the A15 / Old Great North Road junction;
- 3) Authority being delegated to the Corporate Director Growth and Regeneration to make any necessary or appropriate adjustments to these, including the imposition of new conditions;
- 4) The completion of a S106 Agreement including a mechanism to deal with the Fletton Parkway Contribution; and
- 5) The passing of an Appropriate Assessment with authority being delegating to the Corporate Director Growth and Regeneration to complete this and agree any necessary additional mitigation measures if required.

Reasons for the decision

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

- Whilst this application would reduce the amount of employment land, that which remained would not be insubstantial and would be able to ensure the creation of new jobs. Government policy set out that allocations should be regularly reviewed and the Local Plan was currently being reviewed. The building of housing on this site instead of employment development would help meet the housing needs of the city and ensure that it had a five year housing supply. The principle of development was therefore considered to be acceptable.

- The transport information submitted with the application shows that it would not have any unacceptable impact upon the highway network and indeed would have less impact than the consented employment scheme. Subject to conditions relating the works to junction 17 of the A1(M), junction 1 of the Fletton Parkway and in respect of a provision of a link to the Old Great North Road the development was considered to comply with policy PP12 of the adopted Core Strategy. An updated Framework Travel Plan and full Travel Plan(s) could be secured through the S106 or conditions. Walking/cycling links to the Great Haddon core area could also be secured by condition. Subject to this it was considered that the development would accord with policy CS14 of the adopted Core Strategy.
- The development would change the nature of the existing site but it would have less visual impact than the consented employment scheme. It was therefore considered to comply with policy CS16 of the adopted Core Strategy.
- The potential impacts of the development on Orton Pit SSSI/SAC could be acceptably mitigated via the access control measures proposed. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework.
- Other ecological impacts of the development could also be acceptably mitigated so the development accorded with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework.
- The impact of the development on existing trees and hedgerows within the site was considered to be acceptable subject to the imposition of conditions requiring more detailed assessment as development comes forward and protection measures. New landscaping would also be planted, including the provision of new hedgerows. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.
- Following review of all aspects of the development the impact of the development on the amenity of neighbouring residents was considered to be acceptable in accordance with policy PP3 of the Planning Policies DPD.
- Subject to detailed design it was considered that the development will be able to afford future residents an acceptable level of amenity in accordance with policy PP4 of the adopted Planning Policies DPD.
- Further archaeological assessment would be required by condition as the development progressed. It was therefore considered to accord with the National Planning Policy Framework, policy CS17 of the adopted Core Strategy and policy PP17 of the Planning Policies DPD.
- Following assessment of the submitted information it was considered that the site could in principle be drained. Subject to the imposition requiring the submission and approval of more detailed drainage information the development was considered to comply with policy CS22 of the adopted Core Strategy and the National Planning Policy Framework;

- Via the imposition of a condition it was considered that the development would make a contribution towards the Council's Environment Capital objectives in accordance with policy CS10 of the adopted Core Strategy.
- Subject to the Viability Assessment and the completion of a S106 Agreement it was considered that the development would make sufficient contribution towards the infrastructure requirements arising from it. It therefore accorded with policies CS12 and CS13 of the adopted Core Strategy.

5.3 Article 4(1) Directions (Non-immediate) to Remove Permitted Development Rights at Specific Properties in the Barnack Conservation Area

Councillor Okonkowski re-joined the meeting and Councillor Serluca left the meeting at this point.

The planning application was for an Article 4 (1) Directions (non-immediate) to remove permitted development rights for the installation of solar photovoltaic and thermal equipment at specific properties in the Barnack conservation area.

It was officer's recommendation that the Article 4 (1) Direction be made and served, and that authority be delegated to the Corporate Director Growth and Regeneration to confirm the Directions as appropriate following public consultation. The Principal Built Environment Officer provided an overview of the application and highlighted a number of key issues within the report.

In response to questions from the Committee, the Principal Built Environment Officer advised that the proposals were not intended to prevent residents from installing solar panels, however were mainly intended to provide the Council with an element of control over the style of solar panels used.

The Committee discussed the report and noted that the proposals appeared to have the support of local residents. It was considered that there was value in preserving the local conservation areas and that the Council should have a role in managing the installation of solar panels in such areas. A Member of the Committee raised the importance of encouraging sustainable energy and expressed concern over limiting residents access to this.

A motion was proposed and seconded to agree to make and serve a non-immediate Article 4(1) Direction to remove permitted development rights for the installation of solar photovoltaic and thermal equipment in the Barnack Conservation Area and to give delegated authority to the Corporate Director Growth and Regeneration to confirm the Directions as appropriate following public consultation. The motion was carried six voting in favour and two voting against.

RESOLVED: (six voted in favour and two voted against) that:

- 1) The making and serving of non-immediate Directions under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015 to withdraw the 'permitted development' right of development within Part 14 Class A of the Order for the installation of solar photovoltaic and thermal equipment be approved to preserve the character and appearance of the Barnack conservation area; and
- 2) Authority be delegated to the Corporate Director Growth and Regeneration to confirm those Directions as appropriate following public consultation.

Reasons for the decision

The properties listed in the proposal for Article 4 Directions were considered to have the potential to result in significant impact on the Barnack Conservation Area by way of unrestricted installation of photovoltaic (solar/thermal) panels, by virtue of their location, prominence and visibility in longer views within the locality. It was considered that making the installation of such equipment at certain prominent properties the subject of planning control through the use of Article 4 Directions was in the interests of the proper planning of the area.

Chairman
1.30pm – 4:15pm