

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 28 NOVEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors Bull, Stokes, Serluca, Clark, Martin A Iqbal, Ash, Bond and Hiller

Officers Present: Lee Collins, Development Management Manager
Theresa Nicholl, Development Management Support Manager
Simon Ireland, Principal Engineer, Highway Control
Karen S Dunleavy, Democratic Services Officer
Stephen Turnbull, Planning Solicitor

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

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

Councillor Bond declared an intention to make a representation on item 5.3 17/01615/HHFUL - 8 Borrowdale Close Gunthorpe Peterborough PE4 7YA.

The Planning and Environmental Protection Committee **AGREED** for Councillor Bond to speak on Item 5.3.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 7 NOVEMBER 2017

The minutes of the meeting held on 7 November 2017 were agreed as a true and accurate record.

5.1 16/01361/FUL - LAND TO THE SOUTH OF LAWRENCE ROAD WITTERING PETERBOROUGH.

The Planning and Environmental Protection Committee received a report in relation to an application, which was considered by the Planning and Environmental Protection Committee on Tuesday 5th September 2017. Members deferred determination of the application until they had further information in respect of :-

1. The differing traffic impacts on the A1 Townsend junction, in respect of the now proposed 190 dwellings, compared to the Local Plan allocation of an indicative 160 houses and 1 hectare of employment land; and

2. The updating of the survey data, including accident data, in the Transport Assessment to not older than 3 years.

The Head of Planning introduced the report and update report.

John Dudge the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Officer's recommendation was clear and had been supported by the background documentation requested by the Planning and Environmental Protection Committee on 7 September 2017.
- The site proposal had been included in the draft Local Plan to the Growth Environment and Resources Scrutiny Committee and Cabinet 190 dwellings, which had been approved. There were no objections raised in regards to highway infrastructure.
- If the proposal was approved the development would be deliverable in a short period of time.
- The development would help with the five year land supply and housing allocation for Peterborough.

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

- The A1 was a dangerous road and there had been three accidents since the proposal was presented to Committee.
- The Royal Air Force was releasing 90 houses for general sale and that data had not been taken into account in regards to the impact on facilities such as doctors and schools. There was a concern that these types of services would be saturated for the Wansford and Stamford areas.
- There were 140 empty unmarried quarters on the RAF site that had not been factored into the traffic movement figures.
- There could be 1000 vehicles in Wittering village in total if the proposed development was approved including the forces accommodation when occupied.
- It was not clear how the developers could enforce use of public transport and cycleways in Wittering village. The bus service for Wittering village had not offered travel hours to accommodate those travelling to a place of employment, in addition there was no bus service on a Sunday.
- There were no cycle routes from Wittering to Peterborough and the A47 was felt too dangerous to travel by cycle.
- It was believed that accidents were not going to stop and could happen on a monthly basis on the A1/Townsend junction.
- The three accidents occurred between June and September 2017 around the A1/Townsend junction. One of the accidents required an air ambulance to respond to the injured travellers.
- The data provided by Cambridgeshire County Council over a five year period from January 2012 to April 2017 highlighting six fatalities had been noted. However, it was felt that these were enough to cause a concern over the safety of the A1/Townsend junction.

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

- There was no reason why Highways England could not consider a variable speed restriction at the A1/Townsend junction.

- Accidents were always considered significant on the highways network and the Local Authority (LA) officers monitored these on a regular basis.
- It was not clear what the finite details were of the recent accidents at the A1 Townsend junction, which was alluded to by Mr Drain.
- Traffic assessments impact for proposed developments would be undertaken by taking into account the movements for HGV, residential and office worker vehicles at peak times on particular junctions. If there had been more than 30 movements in an hour the LA would explore whether there were any changes required at a junction.
- The site had already be allocated as development in the Local Plan (LP).
- The traffic data presented had highlighted that the junction was fit for purpose and there would be less movements to the proposal originally contained in the LP.
- Members felt that the A1/Townsend junction would benefit from installation of a flyover sooner rather than later, however, there were no grounds to refuse the proposal as there was no significant traffic impact.
- Members were eager to lobby Highways England and the Government to ask for consideration to be given to reduce the speed limit at the A1/Townsend junction to 50 miles per hour.
- It was appreciated that the A1/Townsend junction was difficult for motorists to navigate, however, due care and attention should always be taken when approaching it as they motorists would do with pedestrian crossings.
- Sympathy was felt for the residents of Wittering village, however, there had been no technical reason for the Committee to refuse the planning application in relation to the traffic concerns raised.
- The 30 extra houses had not highlighted a significant traffic movement concern.

RESOLVED:

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

ACTION AGREED

It was agreed that the Chairman would write to the Government and Highways England in regards to the application and ask for consideration to be given to reduce the speed limit over a two to three mile distance to 50 miles per hour at the A1/Townsend junction of Wittering village.

Reasons for the decision:

The accident data submitted showed that at the A1/Townsend Rd junction of the seven slight accidents over the five year period, none were as a result of vehicles entering or leaving Wittering junction. The updated traffic surveys and traffic distribution data, demonstrated that there was capacity at this junction to accommodate the development proposed. It also showed that for the 190 dwellings now proposed that there would be 38 less trips in the morning peak hour and 28 less in the evening peak hour than the allocated mixed use development (160 dwellings and 1 hectare of employment land). The data also showed that there was capacity at the A47/Oundle Rd junction to accommodate the development proposed. Therefore the existing A1/Townsend Rd junction had capacity to accommodate the development proposed and the impact on traffic flows would be less for this development than the previously allocated 160 dwellings and 1 hectare of employment land.

5.2 17/01426/FUL - 53 High Street Eye Peterborough PE6 7UX.

The Planning and Environmental Protection Committee received a report in relation to an application site which comprised a one and a half storey commercial building located on the southern side of the High Street. The site was presently in use as a car sales unit, with showroom to the front elevation (onto the High Street) and open car sales/storage to the rear. The site occupied the entire depth of the block which ran along the High Street and Back Lane albeit there were numerous examples of backland residential development which had resulted in a frontage being created to Back Lane. The surrounding area was of varied character, with commercial/retail premises to the High Street and residential dwellings to Back Lane and beyond to the south. Vehicular access had been granted to the site via a dropped kerb crossing from Back Lane.

The site was located partially within the identified Eye Local Centre and entirely within the designated Eye Conservation Area.

The application sought planning permission for the demolition of the existing commercial unit and construction of six one-bed supported living apartments (Class C3) for persons with physical and learning disabilities. The new apartments would be split between a two and half storey building (herein referred to as the main building) sited directly off the High Street, and a smaller single storey detached building sited off Back Lane. The proposal also included associated parking, landscaping and a small staff office with shower room (not living accommodation).

Members were requested to note that the proposal had been amended from that which was originally submitted to address comments raised by officers. These alterations related to the design of the rear portion of the main building (setting it away from neighbouring boundaries and altering the fenestration/internal room layout) and the siting/length of the single storey building.

The Development Management Support Manager introduced the report and update report.

Jonathan Mills, the Applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed dwelling would facilitate specialist accommodation for disabled people, which was much needed in the city.
- Liveways was a support service for thousands of people with disabilities across the United Kingdom and could meet a wide range of needs.
- The design team had worked hard to minimise any impact on amenities to neighbouring properties.
- The proposal would not impose a detrimental impact on the character and appearance of the conservation area.
- The proposal would aesthetically improve the appearance of Back Lane and High Street.
- The original building provided a car sales service which was felt to cause noise and disturbance to local residents.
- Six new homes for residents with disabilities that would not be car owners.
- The two parking places were policy compliant.
- Any planning conditions imposed by the Committee would be worked.
- The referral by the Eye Parish Council and their objection was in relation to parking, however the existing property was used as a car sales building that

offered no parking for staff. The chances of the parking being used by residents of the proposed development would be rare due to the nature of their disabilities. Therefore, parking would in the main be used for staff working on a shift rotation pattern.

- The proposed property was on a main bus route and it was anticipated that staff providing support would be local to the area.
- If there were more than four people visiting at once there were other parking options near to the proposed development such as on Back Lane, which was currently used by many motorists. It had been anticipated that the parking situation in the area would improve compared to what had been created by the present car dealership.

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

- The parking situation would not be any worse compared to the current situation of the car dealership and was anticipated by officers and the highway authority to be acceptable.
- Had the proposal been for six open residential properties the amenity space would be considered limited.
- There would be a condition that the proposed dwellings could not be occupied by anyone other than what had been specifically applied for.
- Members felt that the design was sympathetic and had only raised the building slightly and was in line with the chimney line.
- The demolition of the existing building for the proposed development was positive.
- The parking had not appeared to cause concern and would be an improvement to what existed compared to the current car dealership.
- The existing structure was an eyesore and the proposal would blend into the street scene sympathetically.
- The concerns of objectors had been addressed and discounted by officers in the planning report.
- The proposed development was in a conservation area and the current building had not blended in.
- The demolition work would be temporary and was not considered significant.
- Cominal use of refuse bins had been conditioned.
- The proposed development would have less impact to the area and would be an enhancement.
- Eye Parish Council had not attended to the meeting to explain their objections further to Members.
- Ward Councillors had not made any objection.
- Mr Mills and the development team should be commended for such a development, which helped people with disabilities live in a community.

RESOLVED:

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

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 weighing against relevant policies of the development plan and specifically:

- the proposal would provide six one bed residential units for persons with a physical or learning disability for which there was a demand within Peterborough. This would result in a significant benefit to the wider community, in accordance with Policy PP8 of the Peterborough Planning Policies DPD (2012);
- the demolition of the existing building and redevelopment proposed would not result in an unacceptable impact 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 proposal would preserve, and to some degree enhance, the character and appearance of the Eye Conservation Area and would preserve the setting of key listed buildings contained therein, in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 131 of the National Planning Policy Framework (2012);
- the proposal would result in some degree of harm to the amenities of neighbouring occupants of number 12 Back Lane however it was considered that this harm was outweighed by the public benefit arising from the provision of housing to meet the needs of persons with physical and learning disabilities;
- safe access would be made for all users of the site and the proposal would not pose an unacceptable danger to the safety of the surrounding public highway network, 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 result in harm to or loss of the adjacent protected beech tree which was of key amenity value to the surrounding area, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- the archaeological potential of the site was deemed to be negligible.

2:25PM - At this point the Committee took a short break and Councillor Bond stepped down from the Committee to discuss the next item.

5.3 17/01615/HHFUL - 8 Borrowdale Close Gunthorpe Peterborough PE4 7YA.

The Planning and Environmental Protection Committee received a report in relation to The application site comprised a two storey semi-detached dwelling located within a residential area. The property had a single detached garage positioned to the rear of the house which adjoined the neighbouring garage at number nine. The properties within Borrowdale Close were predominantly detached bungalows, however, upon entry into Borrowdale Close from Coniston Road, number one to fourteen were all semi-detached two storey dwellings. The properties to the rear of the site, within Eskdale Close, were two storey dwellings.

Planning permission was originally sought for a two storey rear extension, front porch and additional windows on the side elevation of the property. Amended plans had been

received during the course of the application, which reduced the size of the two storey rear extension, thereby creating a part two storey rear extension and part single storey rear extension. The amended plans had also changed the internal first floor layout and changed the glazing to some of the windows.

The two storey rear extension was originally proposed to measure approximately five metre (length) by five metre (width), with a ridge height of six point six metre and eaves height of five point five metre. The amended plans received, reduced the two storey rear projection from five metre to two point seventy five metre, however, they retained the ground floor projection at five metre, creating a part two storey and part single storey rear extension. The ground floor rear extension proposed a non-pitch roof, with ridge height of three point six metre and eaves height of two point six metre. The proposed front porch would measure approximately one point eight metre (depth) by two point two metre (width). It would have a mono-pitch roof with an overall height of three point six metre (two point two metre to eaves).

In addition three new side windows were proposed to be inserted into the existing side gable of the property, a ground floor dining room window, and two first floor obscure glazed bathroom/en-suite windows. A ground floor kitchen window was also proposed in the new extension on this side elevation.

The Development Management Support Manager introduced the report and update report.

Cllrs Davidson and Bond, Ward Councillors addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The councillors were representing two residents Mr Sturges and Claire Jackson.
- There would be an impact to the area and amenities if the proposed extension was to be approved.
- The identity of the applicant was different to what had been registered with the land registry.
- The design of the layout was not in accordance with DBD policies PP02, CS16 and PP04 as the proposal design and layout had a detrimental effect on the character of the area.
- The impact for the neighbours at 6 and 7 Borrowdale and 18 Eskdale Close would be adversely affected.
- The proposal would cause loss of natural daylight, increase in noise and other disturbance to neighbours, and was in contravention to DPD 2012 and PP03, however, the officers deemed this to be acceptable.
- Neighbouring windows would be exposed, thereby loss of privacy for neighbours.
- The proposal would be obtrusive to primary habitable rooms and the outdoor amenity area for the neighbour at number 7 Burrowdale Close.
- There would be a drainage impact for both properties
- The extension would be duly prominent to neighboring properties and would increase disturbance.
- No properties in the area had a two storey extensions and would set a precedent for other residents to undertake the same extension, which would affect the aesthetics in Borrowdale and Eskdale Close.
- The rear extension would limit views from the surrounding public highways
- The main view of the extension would create unacceptable visual harm to the surrounding area due to limited views in the surrounding streetscene.

- The proposed extension had not matched the aesthetics of the surrounding properties in Borrowdale Close.
- The value of neighbouring properties could be adversely affected.
- Objections included in the additional information pack from residents, should be given consideration.
- There had been a shared drainage point at number 8 and 7 Borrowdale Close which had a met by a fence. The proposed development would impact on the structural impact of the fence. There was also a concern in regards to a shared proposed drainage move and soakaway and the limited floor space.
- The reference in respect to PP13 objection related to loss of light to the rear garden, bedrooms and kitchen and would it could have an impact on the neighbours wellbeing. In addition there would be an increase in parking as a result of the proposed extension.

Mr RA. Johnson-Markley and Mrs Claire Jackson speaking in objection addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was a community spirit in Borrowdale Close and all neighbours had kept their properties within keeping of the area.
- There was a large porch extension proposed, although none of the other properties in Borrowdale Close had extended their porches.
- There was a partition wall to the front and rear of the property and there had been no clarification over what would happen with it.
- There would be a huge overshaddowing and light obstructions in many rooms of number 7 Borrowdale.
- The proposed porch extension would impact on light would be obstructed in the front hall and living room areas of number 7 Borrowdale.
- Two letters from estate agents to state that number 7 Borrowdale would devalue by £20,000, should the proposed extension be approved.
- The application form had not been conducive to Peterborough City Council Planning in respect of the questions asked.
- There were discrepancies on the drawings and dimensions on the internal plans for the proposed extension.
- It was uncertain whether the proposed extension materials would be in keeping with the surrounding properties as they were no longer manufactured.
- The proposed extension would alter the whole streetscene in particular reference to the porch.
- The streetscene was a mixture of bungalows and houses, however, the extension would be overbearing and there were no porches on any of them in Borrowdale Close.
- There would be five large windows facing the neighbouring property of the proposed extension.

Terri Kitoco, the applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed extension was to provide an additional bedroom and larger kitchen and bedroom as the applicant's daughter was going to live with her.
- It was believed that there would be no overshadow in the morning as the sun would not rise on the side of the building alluded to by the objectors.

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

- A property could be extended up to three metres and two stories in length set into the boundary without planning permission. The proposed application was on the boundary and needed an application.
- An ground floor single storey extension up to four metres for a semi detached properties would also not need planning permission. There was a provision under prior approval rules where an extension could go up to eight metres, however if there were objections from a neighbouring property, then planning application route would be required.
- There would be some shadowing in the morning to certain areas of the neighbouring property, however, these were considered not significant enough for officers to recommend refusal of the application.
- The fifth window alluded to by the objector was in relation to the porch window.
- The reduction in value of the neighbouring properties would not present a material consideration to planning approval.
- The size of the garden that would remain following the proposed extension to 7 Borrowdale Close was acceptable and matched the gardens of new developments.
- The first floor extension proposed was in line with the start of the existing garage of 8 Borrowdale Close.
- A condition could be applied by the Committee for the applicant to submit building material samples before the construction was started.
- The objector would need to seek separate legal advice in regards to the parting wall.
- There was a sympathy felt for the neighbouring residents and the size of the rear extension and concerns raised regarding the wall that was proposed.
- The proposed porch extension was not too imposing and was an element that Members would be minded to approve, if it had been presented as a separate planning application.
- The planning application boxes appeared to be ticked and there had been a fairly mixed streetscene, however the rear extension was felt to be too big.
- The planning application needed to be revisited by the applicant.
- Members were minded to refuse the proposed extension due to the unacceptable harm to the amenity of the neighbour of 7 Borrowdale, by way of overbearing and over shadowing and reduced privacy impact.
- The reasons as to why the residents at 8 Borrowdale Close wanted to extend their property had been taken on board by the Committee.
- The Committee cared about the community and how properties looked, however, it had to take into account the impact on the neighbour of 7 Borrowdale Close and the poor amenity they would be presented with if the proposal was approved.

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

REASONS FOR THE DECISION

The planning application was refused on the grounds of it was too overbearing to the neighbours amenity and therefore it would be contrary to Planning Policy PP03.

At this point of the meeting Councillor Bond returned to sit on the Committee.

5.4 17/01753/FUL - 11 Northfield Road Millfield Peterborough PE1 3QQ.

The Planning and Environmental Protection Committee received a report in relation to an application site, which was a semi-detached dwelling of brick and tile construction. Neighbouring dwellings were arranged in a traditional linear alignment. The dwelling was located in the Millfield area, approximately one mile north of the city centre. The dwelling had a small enclosed front garden with rear access to the side. The rear garden was fully enclosed. Parking to the front was on road, restricted to resident permit or one hour, no return within two hours.

Permission was sought for change of use of the ground floor rear lounge for religious teaching.

The Head of Planning introduced the report and update report.

Councillors Peach Ward Councillor and Councillor Nadeem addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Representing residents on their request.
- The rear lounge change of use was for religious teaching.
- The applicant would live in the property and there was no change of appearance applied for.
- The area was covered by public transport.
- The site had on street parking for bikes.
- It was anticipated that most attendees would walk to the site and it was of ground level with no disability access issues.
- No one had objected to the application.
- There was a petition for the development to go ahead.
- If application had been for two groups of seven there would be no need to apply for permission.
- There were a number of religious establishments in the area and there had been no objection to their operation.
- The application was not for a nursery school.
- Common sense should be applied to the application and consideration of temporary permission.
- There had been no complaints received about other religious teaching establishments.
- The site was adjacent to Councillor Nadeem's ward and many children from his ward would attend.
- The applicants had been resident in the area for 50 years.
- The religious teaching would be provided free of charge.
- The proposal was important to the operation can do area as it would keep young people off the streets.
- The proposal would take pressure off local parents that needed this facility in place for their children.
- Acoustic boards could be installed to deal with any issue of noise as outlined in the additional report.
- The officers photos and survey of parking and traffic undertaken were not in line with the timings of the application. The applicants pictures showed a different situation to the drop off and pick up times, which demonstrated that there was issue.
- Several houses had more than five children living in one house. There would only be 10 children in attendance. The applicant was passionate about the

wellbeing of the children and would teach them how to behave and respect the neighbours of the site.

- There were a number of similar religious education facilities and there had been no issues as already alluded to. Residents neighbouring the site were given an opportunity to add representations in objection to this application and had not.
- North ward was about 50 metres from the site and would not be too far for students to walk.
- The next religious study facility was on Gladstone Street, which was already congested. This presented an issue whereby children would need to cross the busy Lincoln Road. The proposed application would present children and parents with a safer and shorter distance to travel.
- The average age of students would be between 7 and 16 years old.
- The proposed religious teaching environment would be of an Islamic structure, which would not create a noise disturbance. There had been no noise complaints brought to the Councillors attention to date in respect of other similar teaching establishments.

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

- A D1 application required the provision of parking drop off and pick up, including for staff. Although there were parking facilities near the site and off Northfield Road the area was already congested with traffic. The religious studies were proposed to take place at peak times of traffic movements in the area and therefore would increase the congestion issue. The Highways team were currently exploring improvements to the area adjacent to Lincoln Road in order to improve the traffic congestion.
- The officer traffic survey and photos had taken place at 11:00am.
- There had been staff parking provision at the larger mosques as this was a requirement under planning policy D1. The proposed application would rely on parents to park up and drop off the children. The proposed application has no staff parking as the staff lived at the property.
- The area needed establishments that could provide religious Islamic teaching, however, the proposed site was in the wrong location and next to a junction with mixed vehicle use.
- If there had been a reduction in the number of children to seven in each lesson, this would still constitute a change of use and therefore require planning permission. However, a reduction to three or four children per lesson would not require a change of use.
- Members felt that the learning facility was much needed, however, not to the detriment of neighbour disruption or children's safety.
- The area was furnished with commercial businesses and vehicles that visited regularly, which presented an issue for the learning facility in terms of traffic movements and parking.
- Some Members felt that consideration should be given by the Committee to approve the application to give temporary consent. If issues arose during the temporary operation in relation to noise or parking, then the permission could be revoked.
- Some Members felt that temporary permission should not be granted as the site was in the wrong place and highway concerns had been raised by officers.
- Members commented that they felt a great responsibility should an accident occur within a temporary 12 month trial period.
- There were some schools that were located in the wrong place and this had been historically agreed by previous Planning Committees, however, Members

felt a duty to ensure that learning establishments were placed in the right location going forward.

- The parking and traffic issues could be improved, however, temporary permission would not provide a prediction on how many cars would use the site in future.
- Motorists would not expect a group of 10 children travelling out into the road at the time of day stated in the application.
- Parents would be expected to wait outside a mosque in order for staff to manage the safeguarding issues of children and would not release a child to an adult until a name was confirmed. Following collection, all children would be accompanied home by parent.
- Some Members felt that to have 10 sets of parents waiting to collect children from the proposed site would exacerbate the traffic congestion problem in the area.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (7 voted in favour, 3 voted against, 1 abstained from voting) to **REFUSE** planning permission.

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.

The proposal would result in an increased demand for car parking from the site, in an area with an existing parking problem. The applicant had not proposed to provide any off street parking or drop off/pick up facilities for the proposed use therefore people were likely to seek on street parking. The increase in vehicle trips to the site and increased parking demand would be to the detriment of other highway users and may result in vehicles being parked in unsuitable locations on the adjoining public highway. This was contrary to policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD and policy CS14 of the Peterborough Core Strategy (DPD) 2011. R 2

The proposal by way of the number of expected pupils per day, would result in unacceptable noise disturbance to the occupiers of neighbouring dwellings, to the detriment of their amenity. This was contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policy PP3 of the Peterborough Planning Policies (DPD) 2012.

4:56PM - at this point Members took a short break.

5.5 09/01368/OUT - Land To The North off Norman Cross London Road Peterborough

The Planning and Environmental Protection Committee received a report in relation to The Great Haddon urban extension, which had been allocated for development in the adopted Local Plan. The site was located to the west of the city adjacent to the A1 and north of the A15. An outline application was submitted in 2009 for up to 5350 homes with associated infrastructure. The application was submitted by the Great Haddon Consortium, which comprised the following parties:-

- O & H Properties
- Marlborough Oasis
- Barratt Homes

The Planning and Environmental Protection Committee resolved to grant permission for the Great Haddon development in January 2015 upon the receipt of further specific information, subject to the satisfactory completion of the S106 Agreement. The Committee subsequently resolved in July 2017 to allow officers to refuse the Great Haddon planning application if the S106 legal agreement had not been signed by the end of September 2017, unless an additional period of time was given.

Further to this, the Director of Growth and Regeneration and the Chair of the Planning Committee had agreed an extension time until the 28 November 2017.

Since the Committee resolution in July 2017, officers had been working hard with the applicants to resolve the key issues associated with the S106 agreement and the practical delivery of what had been a very large and complex development. The majority of these issues had been agreed in principle and detailed drafting of the wording of the S106 agreements was ongoing.

Whilst significant progress had been made, there was still further work to undertake, especially in respect of the detailed drafting of the S106 agreement. The obligations to be included in the agreements were high value and complex. In light of this, it had been agreed with the applicants that it would be appropriate and sensible to allow a further period of time to complete the agreements. The lawyers representing the key parties, including the Council, had advised that a period of at least three months was required.

Given the period of time that was being sought, the matter was being referred back to Committee for its consideration.

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

- All officers involved in finalising the S106 agreement were working diligently with all parties involved to complete the requirement quickly.
- Assurances were given to Members that the S106 agreement would be resolved within a three month period.
- The officers had not wished to be in a position where the application was refused due to the incompleteness of a S106 agreement.
- Officers would reiterate the position to stakeholders in order to avoid any further risk of delay in signing the S106 agreement.
- The letter received from David Shaw would be responded to by officers to ensure that the Committee's message of no further delay would be accepted, regardless of any future government initiatives on offer.
- There had been a lessons learnt exercise carried out and the findings would be applied for future developments. Officers were advising forthcoming developers to try and resolve the S106 agreement details as soon as possible.
- Members commented that the Committee would expect the local authority Director and all Developers to attend a Planning and Environmental Protection Committee in the future if there should be further delay.
- Members wished to receive confirmation once the S106 agreement had been signed.

RESOLVED:

The Planning and Environmental Protection Committee considered the report and **APPROVED** (Unanimously) to extend the authorised delegation to officers to refuse the application if the S106 Agreement has not been completed by 28 February 2018.

REASONS FOR THE DECISION

The application gave rise to significant infrastructure requirements notably in respect of school provision, community facilities, transport including public transport provision, affordable housing, open space, ecology and archaeology. In the absence of a S106 Agreement these infrastructure requirements were not met. The development was therefore considered to be contrary to the provisions of policy CS13 of the adopted Core Strategy.

6. Appeals Performance 1 March to 31 October 2017

The Planning and Environmental Protection Committee received a report in relation to the Planning Service appeals performance.

The purpose of the report was to review the Planning Service appeals performance and identify whether there were any lessons to be learnt from the decisions made. This would help inform future decisions and potentially reduce costs.

The Head of Planning introduced the report and Members were asked to note the past performance and outcomes.

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

- The Chairman commented that the officers appeal results of 2.8% was good and had exceeded national requirements.
- The Nine Bridges appeal remained ongoing and Members would receive an update in due course.
- If there were more than 10% of planning applications which went to appeal due to the Committee dismissing officer recommendation, then the relevant body would intervene.

RESOLVED:

The Planning and Environmental Protection Committee considered and **RESOLVED** (Unanimously) to note the past performance and outcomes.

Chairman
1.30pm – 5.35pm