



Minutes of a meeting of the Planning and Environmental Protection Committee held at the
Bourges/Viersen Room - Town Hall
on 7 July 2009

MEMBERS PRESENT:

Councillors N North (Chairman), M Burton (Vice-Chairman), C Ash, C Burton, P Kreling,
P Thacker, P Winslade and Y Lowndes

OFFICERS PRESENT:

Theresa Nicholl – Planning Team Leader
Dale Barker – Principal Planner
Carrie Denness – Principal Solicitor
John Wilcockson – Landscape Officer
Jez Tuttle – Highways Officer
Martin Whelan – Senior Governance Officer

1. Apologies for Absence

The committee noted apologies from Cllr Lane (Cllr Sharp attending as substitute) and Cllr Todd.

2. Declarations of Interest

Cllr Thacker declared an interest in items 5.1 and 5.3 (fiancée of Ward Councillor); 5.4 and 5.6 (knew family) but that it would not affect her decision. Cllr Thacker also declared a personal and prejudicial interest in item 5.7 and withdrew for the item.

Cllr Michael Burton declared that he was the Ward Councillor for 5.5 and that it would not affect his decision.

Cllr Colin Burton declared a personal and prejudicial interest in item 5.6 and withdrew for the item.

Cllrs Lowndes, Sharp and Ash declared a personal and prejudicial interest in item 6 and withdrew for the item.

3. Minutes of the meeting held on 14th April, 28th April and 2nd June 2009

The committee approved the minutes of the meetings held on 14th April, 28th April and 2nd June 2009.

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

No members withdrew to make representations as Ward Councillors.

5. Development Control and Enforcement Matters

5.1 08/01365/FUL - French Farm French Drove Thorney Peterborough*

The committee received an application for consideration requesting full planning permission. The proposal was for the erection of 2 identical wind turbines to measure 60m to hub (nacelle) height and 100m to the blade tip. The blades will have a length of 40m each. Each of the turbines would have a rated output of 2-2.5MW. The turbines will be approximately 360 m apart. The proposal also included ancillary support buildings.

The committee received representations from local objectors. The concerns raised by the objectors included;

- Adverse impact on wildlife
- Additional traffic and impact on other road users
- Cumulative impact on the landscape and noise issues
- “Ice throw” incidents and the efficiency of the technology.

The committee also received representations from the applicant and agent.

Resolved (8 for, 1 abstention) : To accept officer recommendations and reject the application.

Reason for decision : The proposed wind turbine development would unacceptably affect Ministry of Defence radar systems to the degree that it would not, if the turbines were constructed, be possible to provide a safe and expeditious air traffic service to military and non-military aircraft in the area. The Ministry of Defence has advised that the applicant has failed to prove that the proposal would have no adverse impact on aviation interests as required in accordance with paragraph 25 of Planning Policy Statement 22 (PPS 22) – Renewable Energy which states;

‘It is the responsibility of developers to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department for Transport guidance in relation to radar and aviation, and the legislative requirements on separation distances, before planning applications are submitted. Local Planning Authorities should satisfy themselves that such issues have been addressed before considering planning applications’.

and paragraph 96 of the Companion Guide to PPS 22 which states:

Because topography, intervening buildings and even tree cover can mitigate the effect of wind turbines on radar, it does not necessarily follow that the presence of a wind turbine in a safeguarding zone will have a negative effect. However, if an objection is raised by either a civil aviation or Defence Estates consultee, the onus is on the applicant to prove that the proposal will have no adverse impact on aviation interests.

Thus the proposal is contrary to the provisions of Planning Policy Statement 22.

5.2 07/01296/FUL - The Green Thorney Peterborough

The committee noted that the application had been withdrawn.

5.3 09/00033/FUL - Park View Northey Road Peterborough PE6 7YX.

The committee received an application for full planning permission. The application sought permission for the erection of a 2 bedroom bungalow in connection with the operation of the angling grounds and in the management interests of the Local Nature Reserve/County Wildlife Site, at Northey Park. The proposed bungalow will replace a mobile home which the

applicant has occupied for a number of years. The proposed dwelling would be sited approximately 400m into the site, in close proximity to an existing mobile home located at the north eastern end of the park's access roadway off Northey Road in an area that would have been used for vehicle loading and departure area of the gravel pit works.

The committee received representations from the Ward Councillor and applicant in support of the application.

Resolved (8 for 1 against) : To accept the application contrary to officer recommendation, subject to the formalisation of a suitable condition and a S106 agreement.

Reason : The application was not contrary to planning policy.

5.4 09/00233/CLE - Auto Sparks Dukesmead, Werrington Peterborough.

The committee received an application for a certification of lawful development for an existing use/operation.

Resolved (9 for) : to accept officer recommendations

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

It is considered that the evidence submitted does satisfactorily demonstrate that the existing use of the site for general motor vehicle repairs, has taken place on the site for more than 10 years. Therefore 'on the balance of probability' it is able to justify the grant of a certificate, deeming the existing use lawful for planning purposes.

5.5 09/00384/LBC - 333 Thorpe Road Peterborough PE3 6LU

The committee received an application for Listed Building Consent. The application proposed to insert two dormer windows on the north elevation of the existing outbuilding, and one on the south elevation. Those to the north would be "blind" dormers, with permanently closed shutters, to provide additional headroom and that on the south would be obscure glazed.

Resolved (9 for) : to approve the application and accept officer recommendation

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

- The proposed works will have no adverse impact upon the fabric, character or setting of the building Listed as being of architectural or historic interest. The proposal is therefore in accordance with Saved Policy CBE6 of the Peterborough Local Plan 2005 (First Replacement).

5.6 09/00501/TRE - 425 Fulbridge Road Peterborough PE4 6SE

Cllr C Burton left the meeting

The committee received a proposal to fell a mature oak tree at 425 Fulbridge Rd, that was contained within G1 of TPO 02/1956 – the group consisting of 2 Horse Chestnut & 2 Oak trees. It was noted that 1 Oak & 1 Horse Chestnut having been historically felled.

The committee received representations from a Ward Councillor requesting that the committee considered alternative options instead of immediately felling the tree.

Resolved (9 for) – to accept officer recommendation and approve the application.

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

- The tree is a significant risk to road and footpath users due to the inherent defects identified and as such should be felled.
- If retained, PCC will be liable for any claims for a period of 12 months should any damage or injuries occur to 3rd parties.
- Pruning is not a viable option; any extensive crown reduction in an attempt to retain the tree will leave an unattractive specimen. The primary reason for serving a Tree Preservation Order is for the tree to provide public visual amenity value. There are also no guarantees to the trees' safety thereafter.
- Pruning is only delaying the inevitable and incurring unnecessary additional costs to the owner.

Cllr C Burton rejoined the meeting

5.7 09/00529/FUL - Land To The Rear Of 53 Willesden Avenue And 36 Paston Lane Walton Peterborough PE4 6EA.

Cllr Thacker left the meeting

The committee received a proposal to demolish existing garage blocks to the rear of 53 Willesden Avenue and to the rear of 36 Paston Lane; and to erect 2 no. one-bedroom flats in the form of a two storey development fronting Churchfield Road. The footprint of the building is 11m x 5m with a height of 7m and the plot size is approximately 16m wide by 9.2m deep with an additional area of 7m x 3.5m to the rear. The development will provide one small flat at ground floor and one at first floor. Parking is provided each side of the building which will serve both the new flats and the existing dwellings.

The Ward Councillor spoke in favour of the application. The agent also addressed the committee.

Resolved (5 for, 3 against): To approve the application contrary to officer recommendation subject to confirmation of the S106 through the Chairman's delegation scheme.

Reasons : The proposal is consistent with Planning Policies H7, DA6, and DA2

Cllr Thacker rejoined the meeting

6. **Enforcement Action in Dogsthorpe Ward****

Cllrs Ash, Lowndes and Sharp withdrew for the item

The committee resolved to consider item 6 in exempt session, members of the press and public were excluded.

The committee considered the item and agreed to take no further action.

CHAIRMAN
Times Not Specified