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Minutes of a Meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 27 October 2009

## Members Present:

Chairman - Councillor North

Councillors – Lowndes, C Burton, Todd, Kreling, Ash, Lane and Harrington

## Officers Present:

Nick Harding, Planning Delivery Manager  
Jez Tuttle, Senior Engineer  
Ruth Lea, Lawyer  
Gemma George, Senior Governance Officer

### 1. Apologies for Absence

Apologies for absence were received from Councillor Winslade and Councillor Thacker.

### 2. Declarations of Interests

09/01038/FUL Councillor Todd declared that she knew the registered speaker, Mr Branston, but this would in no way affect her decision.

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

Councillor Todd declared that she would be making representation as a Ward Councillor for agenda item 5.1, 37 Glenton Street

### 4. Minutes of the meeting held on 13 October 2009

The minutes of the meeting held on 13 October 2009 were approved as a true and accurate record.

### 5. Development Control and Enforcement Matters

Councillor Todd left the meeting for the following item.

#### 5.1 09/00999FUL – Construction of three bedroom dwelling at 37 Glenton Street, Eastgate, Peterborough

Permission was sought for the erection of a detached two-storey, three-bedroom property in a traditional Victorian style on land at number 37 Glenton Street. The proposal would remove a large single storey office unit on the site. It was noted that planning application reference 09/00470/FUL, for the erection of a three-bed dwelling, was refused for the reasons detailed within the committee report.

Following negotiation, the applicant had redesigned the scheme to provide a one metre wide access to the rear garden which would separate the proposal from number 35 Glenton Street. The scheme proposed a dwelling house with a footprint of approximately 45sqm. No in-curtilage car parking was proposed.

Members' attention was drawn to additional information contained within the update report. A further consultation response from the Environmental Protection Officer had been received and two additional conditions had been proposed.

Councillor Todd, Ward Councillor, addressed the Committee in objection to the application.

Clarification was sought by Councillor Todd from the Planning Officer on whether the application had been presented to the Committee on a previous occasion. The Planning Officer clarified that this was the first time the application had been presented to the Committee. The application had previously been refused at officer level.

Councillor Todd responded to questions from Members and in summary, the concerns highlighted to the Committee included:

- The distress of the local people, the problems they faced with regards to off road parking and the overall increase in pressure this development would pose
- The new development would be no more in keeping with the local surroundings than the original proposal was?
- The problems faced by vehicles manoeuvring in and out of the street, namely dustcarts and emergency service vehicles
- Dustcarts had, in the past, not been able to access the street at all because of the parking problems
- People who worked in the city centre were parking down the street, this made the parking situation worse
- Councillor Todd had requested a single yellow line to be put on the south side of the street, as the houses on that side all had off road parking. However, a response had been received stating that a single yellow line could be put on the north side of the road restricting the hours of parking from between 8.00am until 6.00pm. This would have a terrible effect on all of the terraced houses on that side of the road and would in no way appease the parking problem in the area
- If the development was set back slightly it would help with the parking situation. This had originally been proposed by the applicant but had been refused at officer level
- The application was contrary to DA1 and DA2

Mr Pooley, an objector and local resident, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The problems with traffic
- The problems faced by emergency services vehicles. On occasions the parking had been so bad that residents had been woken at night and asked to move their cars out of the way
- The lack of space for any more cars and the importance of providing off road parking
- The unwillingness of the local residents to agree to residents only parking. This would prove to be costly
- The original application, which had incorporated space at the front of the building for parking, would have been more beneficial to the area

The Planning Officer stated that if the building was to be set back to allow parking at the front, this would have a negative effect on number 45 Glenton Street.

The Highways Officer stated that he did not believe the parking issues which had been sited were strong enough for application refusal. The site was relatively close to the city centre, therefore the parking standards were maximum as stated within policy, making refusal on parking grounds inappropriate.

The Legal Officer requested for the Committee to note that when debating the proposal, consideration should not be taken for the past refused application or the situation with the through road, as this was dealt with by road traffic.

After a lengthy debate, a motion was put forward and seconded to approve the application. The motion was carried by 5 votes with 2 against.

**RESOLVED:** (5 for, 2 against) that the Head of Planning Services be authorised to approve the application subject to:

1. the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) for a financial contribution to meet the infrastructure needs of the area
2. the conditions numbered C1 to C7 as detailed in the committee report
3. the additional conditions number C8 to C9 as detailed in the update report
4. if the S106 has not been completed within three months of the date of this resolution, the Head of Planning Services is authorised to refuse the application for the reason numbered R1 in the committee report.

**Reasons for the 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 proposal represented redevelopment of brownfield land within the urban area of Peterborough and would contribute to the provision of a range of housing within the City in accordance with policy H7 of the Adopted Peterborough Local Plan (First Replacement);
- The proposal had been designed to ensure it made a positive contribution to the character and appearance of the streetscene and would not appear unduly obtrusive or overbearing, in accordance with policies DA1 and DA2 of the Adopted Peterborough Local Plan (First Replacement);
- The proposal would not have a significant overshadowing or overbearing impact on the amenity of surrounding occupiers, would not result in a loss of privacy to primary habitable rooms due to overlooking and would ensure a good level of amenity for future occupiers in accordance with policies DA2, DA6 and H16 of the Adopted Peterborough Local Plan (First Replacement); and
- Given the sustainable location of the application site, the lack of off-road car parking would not cause undue stress on the public highway, in accordance with policies T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

Councillor Todd re-joined the meeting.

5.2 09/01025/FUL – Construction of 52 unit extra care facility and 2 close care bungalows plus associated parking and landscaping at land off, Thorney Road, Eye

The application sought planning permission for the construction of a total of 64 extra care and close care units for the elderly / infirm. The proposal consisted of the following:

- 52 socially rented extra care units with communal gardens

- 6 shared ownership affordable close care bungalows
- 6 market sale close care bungalows

The 52 extra care units would be located in a large block situated on the front part of the site, facing Thorney Road and opposite Fountains Place and would be mostly 3 storey in height with the 'end wings' on either side of the building being 2 storey. This would give the effect of the building rising from a height that was actually lower than the two storey dwellings which had been granted planning permission either side of the proposed development, to 3 storey.

Access to the proposed development would be via the two accesses that already had the benefit of planning permission.

21 car parking spaces (of which 3 were of disabled standard) were proposed to serve the 52 extra care units and 5 of the proposed bungalows. The remaining 7 bungalows were to be served by 14 parking spaces.

The Planning Officer addressed the Committee and gave an overview of the main issues surrounding the proposal, namely the appearance of the streetscene, the increase in traffic and the impact of the likelihood of discovering reptiles within the site.

Members were informed that part of a hedgerow was due to be removed as the first ten metres of it affected the proposal. It was highlighted that the hedgerow could contain hibernating common lizards therefore a fingertip search of the first ten metres had been proposed. If any lizards were found then works would have to be halted until spring. Members were further advised that if permission was granted to the Head of Planning Services to grant planning consent, a revised lizard mitigation condition would be agreed with the applicants and if that was not possible, the application would be brought back to the Committee.

Members' attention was drawn to additional information contained within the update report. The Committee was advised that there had been a subsequent response received from neighbours on 21 October consisting of a letter and a 34 name petition. Numerous objections and issues had been raised and were highlighted.

The Committee was further advised of several conditions which had been altered and these revised conditions were detailed within the update report.

Mr Goodsell, an objector and member of Eye Parish Council, but speaking as a resident and on behalf of the local objectors, addressed the Committee and responded to questions from Members. He wished it to be noted that although he did not object to the application in principle, there were numerous issues that he wished to highlight. In summary, these issues included:

- There were no other three storey buildings in Eye. This would be a three storey building in a hole
- The building would be considerably higher than surrounding properties
- There had been a previous application for a three storey hotel on the site which had been refused
- Would there be sufficient parking at the site?
- Thorney Road was a busy through road and although traffic going into the site may not cause a considerable increase in overall traffic flow, the speed limit should be decreased to reflect any increase and to help avoid any future accidents

Mr Alan Lewin, the applicant and the Chief Executive of Axiom housing, and Mr Giles Nursery, the agent, addressed the Committee and responded to questions from Members. In summary, the issues highlighted to the Committee included:

- Extra care housing, which was staffed 24 hours a day 7 days a week, was provided for extremely vulnerable people and provided meals, recreation facilities, chiropody services and facilities for doctors and nurses to visit residents on site
- There were already two extra care schemes in Peterborough, and both were a great success and the result of collaborative effort
- The proposed application was a collaborative effort. Axiom would be the landlord and owner of the scheme, but the scheme would be supported by the Strategic Housing Body, Adult Social Care and the Primary Care Trust
- There was a significant need for more extra care accommodation within Peterborough
- The Strategy stated that there were 400 units to be provided by 2011, and even if the proposed scheme was successfully developed, there would still be a significant shortage of units
- The accommodation could not be provided without government grant, and a three million pound grant had been secured for the scheme. However the government funding regime had a deadline that the scheme had to be completed by 2011. This had to be taken in consideration. The government grant would not be available if the proposal was not approved
- The scheme would be a flagship, providing homes and jobs
- The development would be the greenest scheme that Axiom had ever built, including solar panels and the possibility of water recycling
- The scheme would mean added amenities for the city
- A large amount of work had gone into the 'sensitive' design of the scheme
- A Full and robust analysis of existing storey heights within the village of Eye had been undertaken and several examples of two and a half storey and three storey buildings had been identified
- The application would sit within a residential setting that already contained two and a half storey buildings
- The building would sit one metre below the level of Thorney Road

The Highways Officer addressed the Committee and stated that the traffic flow down Thorney Road would surely increase during peak times, but not substantially. This would be due to the nature of the proposed development. The parking head had been designed to act as a turning point for refuse vehicles, so there would be no problems specifically relating to that particular area and with regards to the parking situation, confidence was high that there would be enough parking spaces to accommodate staff and visitors at the centre throughout the day. Members were further informed that a condition had been requested to put a footway and drainage scheme along Thorney Road to tie in with the site. This would ensure pedestrian safety and make access to the site safe.

After a lengthy debate, a motion was put forward and seconded to approve the application. The motion was carried by 7 votes with 1 not voting.

**RESOLVED:** (7 for, 1 not voting) that the Head of Planning Services be authorised to approve the application subject to:

1. the entering into of a legal agreement in respect of a contribution toward Bereavement Services and Waste Management
2. a satisfactory reptile and mitigation proposal being submitted
3. the conditions numbered 1 to 19 as detailed in the committee report
4. the informatives as detailed in the committee report

5. the alterations to conditions as detailed in the update report

**Reasons for the 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 proposed development was considered acceptable because the proposed three storey building would not adversely spoil the character and visual amenities of the appearance of the area and would not lead to unsatisfactory living condition of existing or developments granted planning permission by virtue of overlooking, overshadowing, loss of privacy or by being overbearing. This was in accordance with policies DA1 and DA2 of the Peterborough Local Plan (First Replacement). The proposal would improve extra care homes facilities and the provision of affordable housing within this part of Peterborough. It would assist to achieve the Strategic Housing priority of the provision of care homes housing strategy for Peterborough City Council and National Health Service. This was therefore in accordance with policies H20 and H23 of the Peterborough Local Plan (First Replacement).
- Access to / from the site was safe and adequate provision had been made for the turning and parking of vehicles. Cycle parking was to be provided and the proposal was located on a bus route. The proposal therefore was unlikely to generate adverse traffic to the area; therefore in accordance with policy T1 of the Peterborough Local Plan (First Replacement).
- The mitigation measures to safeguard any existing reptiles within any part of the application site would assist to safeguard life of any reptiles that were likely to be found through the confirmatory survey. Such mitigation measures would be secured through the recommended planning condition. This was in accordance with policy LNE19 of the Peterborough Local Plan (First Replacement).
- The proposal would impact on the future provision of bereavement services and waste management and a contribution toward mitigating the impact was proposed and this was in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement).

5.3 09/01038/FUL – Conversion of existing HMO to three separate flats (1 x 1 bedroom and 2 x 2 bedroom) – revised application at 653 Lincoln Road, Peterborough

Planning permission was sought for the conversion of an existing house in multiple occupation (HMO) to three separate flats (1 x 1 bedroom and 2 x 2 bedroom). The application scheme also proposed cycle storage, bin storage and a private amenity area. The application was part-retrospective, and had been amended from a previously refused scheme under application reference 09/00777/FUL. Members were advised that the scheme had been refused due to the reason detailed within the committee report.

Following negotiation, the applicant had amended the scheme to provide private rear amenity space for each separate flat and had relocated the bin store for the existing retail units to prevent noise disturbance to occupants of the ground floor unit.

The Planning Officer addressed the Committee and stated that revised plans had been submitted following discussion with the applicant. The revisions related to an amendment in the red line site area which was now in line with those parts of the site in the ownership of the applicant. This revision had removed the three car parking

spaces from the scheme. Members were advised that the committee report had been finalised after receipt of the revised plans and was therefore based on them and not on the initial submission

Members' attention was drawn to additional information contained within the update report. A further consultation response had been received from the Head of Transport and Engineering which raised no concerns to the application, an email from Councillor Swift had also been received in objection to the application and an alteration to condition C3 was highlighted.

Mr Branston, the agent, responded to questions from Members. He had registered his interest to speak at the meeting, however as there were no objectors present he did not feel it necessary to address the Committee further regarding the application.

The Highways Officer addressed the Committee and stated that whilst it was not ideal to approve a flat/dwelling without off road parking, the proposed use of the property for three flats would not place a greater burden on the highway network or residents parking bays than the use of the property as a house in multiple occupation.

After brief debate, a motion was put forward and seconded to approve the application. The motion was carried by 7 votes with 1 not voting.

**RESOLVED:** (7 for, 1 not voting) that the Head of Planning Services be authorised to approve the application subject to:

1. the conditions numbered C1 to C3 as detailed in the committee report
2. the alteration to condition C3 as detailed in the update report

**Reasons for the 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 principle multiple occupancy of this former residential dwelling had already been established.
- There would be no detrimental impact on the amenities of neighbouring residential or retail properties.
- There would be no unacceptable impact on the highway network or car parking.

The proposed development was therefore in keeping with Policies H7, H16, T1 and DA2 of the Peterborough Local Plan (First Replacement).

6. Planning Appeals Report

The Planning Officer presented a report to the Committee which outlined the appeals performance from January 1 2009 to September 30 2009 and provided an overview to the quality control in respect of appeals and decisions.

Members were advised that going forward, details of appeals performance would be presented to the Committee on a regular basis.

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