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Minutes of a Meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 23 February 2010

Members Present:

Chairman - Councillor North

Councillors – Lowndes, Kreling, Thacker, Winslade, C Day, Ash, Lane and Harrington

Officers Present:

Nick Harding, Planning Delivery Manager

Teresa Nicholl, Team Leader (Item 5.1)

Jez Tuttle, Senior Engineer (Development) (Items 5.1 to 5.4)

Carrie Denness, Principal Solicitor

Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Todd and Councillor C Burton.

Councillor C Day attended as substitute.

2. Declarations of Interests

5.1 Councillor Thacker stated that her cousin lived on Old Leicester Road in Wansford but this would in no way affect her decision.

5.4 Councillor C Day stated that he was the Ward Councillor for the item however he had no personal or prejudicial interest.

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

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

4. Minutes of the Meeting held on 12 January 2010

The minutes of the meeting held on 12 January 2010 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 08/01632/OUT – Erection of two 5 bed dwellings at land adjacent to 19 Old Leicester Road, Wansford, Peterborough

This was an application for outline planning permission for two dwellings with all detailed matters reserved for subsequent approval.

The site measured 0.188 of a hectare. The site was situated on the western edge of Wansford and was within the village boundary as identified on the proposals map (inset 26) of the Peterborough Local Plan (First Replacement). The site was located adjacent to 19 Old Leicester Road and part of it was in use as a storage depot for liquefied petroleum gas (LPG).

The site sloped gently to the south and was covered with grass and small native shrubs. The northern boundary had extensive hedge growth with several mature trees which were identified in the Local Plan as a protected treed or hedge frontage (although none were protected by Tree Preservation Orders). The east and west boundaries contained mature hedges and the southern boundary had several mature trees and hedge growth.

The existing property to the east was a large detached L shaped property with a detached garage. The next house along, No. 19A, appeared to have been built in the former total site area of No. 19. There was 2.5 metres separating these two properties. To the north and across the Old Leicester Road were large detached properties, part of Robin's Field. The western edge of the site was in line with the western edge of the residential property in Robin's Field which formed the western most extent of the village envelope.

The site lay within Wansford SSSI and although it was accepted by the relevant bodies that the site was most likely included in the designation in error, the effects of the development upon the SSSI were still to be taken into account. All of the adjacent land to the west was protected under this designation. The site lay just outside the Conservation Area to the East.

The Planning Officer addressed the Committee and gave an overview of the main issues. Members were advised that the proposal was for an outline application with all matters reserved, therefore the exact position and shape of the buildings as highlighted on the indicative drawings provided were subject to change. It was anticipated that the current site access would remain broadly the same, but the application did not include the detailed design of the junction. Planning permission had already been received for the gas tanks that currently occupied the site to be relocated on the site.

Members were further advised that comments from the Planning department had been relayed to the applicant stating that if the proposal was granted then a higher standard of design than the one shown on the indicative drawing was expected.

Members' attention was drawn to additional information contained within the update report. A letter had been received from Wansford Parish Council highlighting their concerns and a series of photographs had also been submitted showing the driveway of the land adjacent to 19 Old Leicester Road and the road leading up to the entrance of Wansford Village.

Councillor Fred Aspin, a Wansford Parish Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Wansford Parish Council were in favour of the application in principle and wished to thank the Planning Department for its help in the resolution of previous highlighted issues
- The main concern was that the site access was too close to the start of the speed limit for the village and it would not be clear to drivers that they were changing from a fast open road into a village environment
- Many of the drivers that travelled down this road did not obey the speed limits

- Because of the lack of residential properties in the area, it was not clear to drivers that a 30 mph speed limit was up ahead
- Wansford Parish Council requested that to give the entry to the village more definition, a wooden fence type feature be constructed on either side of the road to give a gateway effect. This safe solution could be implemented by the developer under the S106 agreement and could reduce the possibility of accidents

The Highways Officer addressed the Committee in response to the concerns raised. Members were informed that traffic in the area was an existing problem and would not be exasperated by the development of additional dwellings on an already used site, therefore a request for traffic calming or a gateway into the village was unlikely to meet the required planning test to implement such a request. With regards to the visibility out of the access of the proposed development site, it was below standard and it was within the power of the Highways Authority to cut back vegetation to increase this visibility.

After debate, the Committee requested that the issue regarding traffic calming in the area was to be looked at further. The legal officer advised that this request was not relevant to the application in front of the Committee but would be fed back to the Transport and Engineering department and would be followed up.

After further debate, a motion was put forward and seconded to approve the application subject to the imposition of an additional condition regarding visibility splays. The motion was carried unanimously.

RESOLVED: (unanimously) that the application be approved subject to:

1. The conditions numbered C1 to C13 as detailed in the committee report
2. An additional condition requiring a plan to be submitted detailing the visibility splays
3. The informatives numbered 1 to 5 as detailed 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 as set out in the committee report.

- The proposal accorded with the development plan policies and national policy guidance.
- There were no material considerations which counted against the development, subject to the imposition of conditions and the entering into of a legal agreement. It was anticipated that a high quality development of individual design would need to be submitted at reserved matters stage to take advantage of the prestigious position of the site and to maintain or enhance the street scene, Conservation Areas and natural features associated with this site. The dwellings would be designed and scaled so as to minimise impact on the neighbouring residents.

5.2 09/01162/FUL – Construction of a two bed, two storey dwelling at 13 St Paul’s Road, New England, Peterborough

Planning permission was sought for the construction of a two storey dwelling adjacent to the existing dwelling at 13 St Paul’s Road. The proposal represented infill development within the area and would result in an appearance of semi detached residential properties.

Off road parking for 2 vehicles was proposed (one for the proposed property and one for the existing dwelling) and would be accessed from Gilpin Street. The dwelling was proposed to have two bedrooms and would mirror the built form and appearance of the existing dwelling at 13 St Paul's Road.

The application site was formed by the side garden of the single detached two storey Victorian villa at 13 St. Paul's Road. Access to the existing house was from St Paul's Road and off road parking was provided via a single detached garage (to be demolished under the proposal) and the associated stand-off area. The site occupied a prominent corner plot on the junction of St Paul's Road and Gilpin Street. The surrounding area was predominantly residential and had a uniform character of terraced and semi detached Victorian properties, albeit some infill development had taken place.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that there had previously been two planning applications to extend and convert number 13 St Pauls Road into four flats, one application had been refused and one had been withdrawn. This had led to the current proposal. The current proposal would result in the loss of a driveway and garage which served number 13, however alternative provisions would be made for car parking at the rear of the application site, this being comprised of two car parking spaces, one for the existing dwelling and one for the proposed application.

The proposed application would match design and layout of the existing dwelling and would not result in any loss of outlook, privacy or daylight to number 13 or neighbouring properties.

After debate and questions to the Planning Officer and the Highways Officer, a motion was put forward and seconded to approve the application. The motion was carried unanimously.

RESOLVED: (unanimously) that the application be approved 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 C9 as detailed in the committee report
3. All works being carried out in accordance with the approved details for the reason as detailed in the committee report
4. The additional note regarding the window dimensions as detailed in the committee report
5. If the S106 has not been completed within 2 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed 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 infill development 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 reflected and respected 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 level of car parking proposed would not cause undue stress on the public highway and would not harm highway safety, in accordance with policies T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

5.3 Floodlit all weather sports pitch, improved local play area and car parking at Westwood Grange, Mayors Walk, West Town, Peterborough

The application sought planning permission for the construction of a new all weather floodlit sports pitch, relocated children's play area and associated car parking. The application scheme was similar to that which Members resolved to grant planning permission for as part of the outline application 07/01946/OUT. The outline application originally sought permission for residential development, an all weather floodlit sports pitch and associated car parking. However, due to changes in priority, Peterborough City Council was now seeking to construct the sports pitch, children's play area and car parking prior to the erection of the residential dwellings.

The proposed all weather pitch would be enclosed by 4.5m high steel mesh fencing and built to the specification of the Football Association for a '3rd generation' pitch. The lighting columns will stand at 14 metres in height and consist of three floodlighting lumieres angled at the horizontal. Access to the pitch itself would be gained directly from the existing changing rooms on the site.

The children's play area was proposed to be relocated from its existing position to the north east of the site and would provide more modern play equipment as well as a central seating area. The existing foot and cycle path which ran north south through the application site would be realigned and given a sinuous shape to connect the proposed new play facilities to the proposed residential development to the north east.

The proposal also sought permission for a new 117 space car park which would formalise the parking arrangements for the site. It was proposed that a new access would be created to the north east of the site which would allow vehicular access through the proposed residential development and ultimately off the Atherstone Avenue roundabout. The current access from Mayors Walk was proposed to be retained on a temporary basis pending the approval and construction of the residential development.

The proposal had been deferred from the previous meeting of the Planning and Environmental Protection Committee pending further noise assessments on the site in order to clarify the potential noise impact on local residents. Details of noise mitigation used on other all weather pitches in the area had also been requested.

The Planning Officer addressed the Committee and advised that an executive summary of the requested noise report that had been undertaken had been circulated to Members of the Committee. The report had stated that if there was a noise reading undertaken with no sport taking place and then a noise reading undertaken with sport taking place, there would only be a difference of 3.2db, this was a negligible

difference that would barely be audible to local residents. The Planning Office further advised the Committee that there were no other all weather pitches in the area with acoustic mitigation in place.

The Committee was advised that if it felt it necessary, a two metre high acoustic fence had been proposed by the applicant and could be implemented, however concern had been expressed by the Planning Officer regarding the height of the proposed fence. It would be an imposing feature on some of the surrounding gardens and the technical report submitted on the noise impact stated that the fence would not be necessary.

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

- The proposed acoustic fence, if implemented, would affect local residents
- The problems with the implementation of an acoustic fence had to be weighted against the possible problems associated with additional noise. Local residents felt a fence would be worse
- The local residents would lose their ability to walk out of their back gardens onto the Grange
- Residents would find maintenance of their existing fences difficult
- The fence would block the view of residents and would be imposing
- The noise created by the use of the sports pitch during the summer months was not unbearable and during the winter months local residents would be in their houses, rather than their gardens, where their walls would mitigate against much of the noise
- Overall, local residents would prefer to retain their view and access rather than having an acoustic fence constructed

Mr John Dadge the Planning Consultant and Mr Andrew Nash the Acoustic Consultant, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The application sought to achieve football foundation funding and in order for the bid to be successful, it had to be submitted before the end of March
- The acoustic report which had been submitted had demonstrated that the impact of the all weather pitch would not be significant in terms of noise
- The acoustic fence had been suggested for residents and if residents did not feel it was needed then it was no longer necessary for this to form part of the application
- Some of the other all weather pitches in Peterborough were much closer to residential properties for example the pitch located at the Kings School

Two recordings of the same noise were played to the Committee which highlighted the difference in 3db.

After debate, a motion was put forward and seconded to approve the application with no acoustic fence. The motion was carried unanimously.

RESOLVED: (unanimously) that the application be approved with no acoustic fence subject to:

1. The conditions C1 to C11 as detailed 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 AWP would contribute towards the provision of sporting facilities within the city area
- There would be no detrimental impact on the amenities of neighbouring residential or retail properties
- There would be no unacceptable impact on the character or appearance of the area
- There would be no unacceptable impact upon the highway network or highway safety.

The proposed development was therefore in keeping with Policies T1, T2, T8, DA1, DA2, DA12 and LNE9 of the Peterborough Local Plan (First Replacement).

The meeting was adjourned for ten minutes.

5.4 09/01358/FUL – Construction of 16 x 2 bed houses, 6 x 3 bed houses and 18 x 2 bed flats in 2 blocks, with associated infrastructure at land to the rear of 1 – 43 South View Road and to the rear of 997 – 1013 Lincoln Road, Peterborough

The application sought permission for the construction of 16 x 2 bed and 6 x 3 bed two storey houses with amenity areas provided in the form of terraces above car ports; and 18 x 2 bed flats in 2 three storey blocks with parking and open space. Access to the development was off South View Road. This was a revised application to a previous planning consent ref. 08/01613/FUL which sought alterations to elevations and roof design.

The application site was approximately 0.66ha and was a vacant brownfield site comprising a collection of garden land and garage blocks and in part was formerly occupied by commercial/industrial property. The garages were mostly redundant. The site was enclosed to the south, west, east and north east by residential properties, predominantly two storey terraced and to the north west by the Paul Pry Public House and Premier Inn (hotel).

The Planning Officer addressed the Committee and gave an overview of the proposal and the main issues. Members were advised that the proposed scheme was different in numerous ways to the original application that had been approved in June 2009. The main differences were small changes to the road layout, small changes to the external appearance of the dwellings such as the removal of windows at first floor level to overcome overlooking concerns, increases in the roof heights of the dwellings, re-design of the façade of the dwellings in order to achieve a more contemporary look, a small re-siting of one of the blocks and changes in the windows at first floor level. These windows had originally been proposed to be full length floor to ceiling windows and the current proposal was for the bottom half of the windows to be obscure glazed in order to address overlooking issues.

Members were further advised that the recent layout change reflected the requirements of the Highway Authority to enable the roads to be adopted. These changes related to the widths of the roads through the site.

Members' attention was drawn to additional information contained within the update report. An email had been received from Councillor Sandford, Ward Councillor for the proposal, stating that opinions among local residents on the development site had

been divided. The development would bring much needed social housing to the area, the dwellings looked to be of a high standard and the rear access road would also be welcomed by some residents, however, there were concerns regarding overlooking, the volume of traffic likely to be entering and exiting onto South View Road, the loss of garden land to the development and the issue of open space on the development site not being adequate to meet policy standards.

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

- The lack of consultation with existing residents of the area
- The problems with the new development overlooking existing properties
- The problems with congestion on South View Road
- The issues with parking in the area
- The access to the development was not ideally situated, why could it not be on Lincoln Road?

Mrs Nick Warboys, the applicant and Mr Paul Bywater the agent, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The amendments that had been made on the application, making it a wholly affordable scheme
- The amendments which had been made in order to deal with issues that had been highlighted, these included the issues of overlooking at 1 – 3 Southview Road
- There would be onsite parking for all of the proposed dwellings
- There was a lack of affordable homes in the area and in the city as a whole
- The designs of the properties were innovative but would complement the streetscene
- The financial commitment to the scheme shown by the developer

The Highways Officer addressed the Committee and stated that the plans submitted highlighted the visibility splays on South View Road. Members were advised that the proposed access would be better than the existing access and would meet with standards. Members were further advised that the proposed parking conformed with adopted policies.

After debate, a motion was put forward and seconded to approve the application. The motion was carried by 5 votes, with 1 voting against and 3 not voting.

RESOLVED: (5 for, 1 against, 3 not voting) that the application be approved subject to:

1. the prior satisfactory completion of an obligation under the provisions of Section 106 of Town and Country Planning Act 1990 for a financial contribution to meet the infrastructural and community needs of the area
2. the conditions numbered C1 to C24 as detailed in the committee report
3. the note number 1 relating to the decision as detailed 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 proposed residential development made efficient and effective use of a Brownfield site and the scale and density of the development would not adversely impact on the surrounding character or result in an unacceptable impact on the amenities of occupiers of the adjacent residential properties and accorded with policies DA1, DA2, H15 and H16 of the Adopted Peterborough Local Plan (First Replacement).
- The design of the dwellings would serve to enhance the character and appearance of the locality in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).
- The future residents of the development would be afforded a good and, unique to Peterborough, provision of private amenity spaces that would accord with policy H16 of the Peterborough Local Plan (First Replacement).
- The parking provision for the development accorded with the maximum standards of policy T10 of the Peterborough Local Plan (First Replacement).
- The residents of a number of the dwellings within South View Road were to benefit from being given the potential for a vehicular access to the rear of their properties which would reduce the existing pressure on the limited number of on street parking spaces in accordance with policy T1 and T10 of the Peterborough Local Plan (First Replacement).
- The vehicular access satisfied the requirements of the outline planning permission in accordance with policy T1 of the Peterborough Local Plan (First Replacement).

6. Changes to Constitution

A report was presented to the Committee which sought its approval for a number of suggested changes to the Council's Constitution relating to the Planning and Environmental Protection Committee (PEP) speaking scheme, delegations to officers and the Planning Code of Conduct.

Members were advised that it was good practice to periodically review and if appropriate revise the governance arrangements for the PEP Committee.

The existing speaking scheme had been in place for a number of years and had been identified for update. The main reasons for updating the scheme were to enable more efficient administration and to simplify existing provision. There had been issues highlighted in the recent months with regard to the amount of time allocated for specific groups of speakers and also the deadline for the cut off for registering to speak. The amended speaking scheme also identified a simplified order of speaking and encompassed a new provision for the submission of written information which had not previously been included.

In order to clarify the issues which should be dealt with at the PEP Committee, further amendments had been made to the officer delegations and to the terms of reference. These amendments encompassed all changes required to ensure the PEP Committee's time was being utilised accordingly and to ensure consistency across the Constitution. The Planning Code of Conduct had also been reviewed and a number of minor changes had been identified in relation to referrals and delegations to officers.

Members were advised that there was a slight change to one of the suggestions highlighted and this was to remove the words 'Parish Councils' from Part 5, Section 4 – Planning Code of Conduct, 3.1.1. This paragraph dealt with referrals to Committee and it was felt that to automatically refer all applications from Parish Councils to the Planning and Environmental Protection Committee was unnecessary.

The Planning Officer further advised the Committee of an additional recommended change, as follows:

Current provision	Proposed provision	Reason for change
<p>Paragraph 2.6.2.3 (g) (xv)</p> <p>The discharge of conditions imposed on planning and related permissions, where those conditions have been complied with.</p>	<p>To re-word to;</p> <p>Applications submitted in order to satisfy a planning condition or seeking that a condition can be discharged.</p>	<p>To enable more efficient administration.</p>

After brief discussion, Members highlighted concerns regarding the speaking times being weighted in favour of Parish Councils. Members were advised that further consultation was being undertaken on this point.

RESOLVED:

1. to approve the changes as detailed in the committee report
2. to approve the additional change as highlighted by the Planning Officer
3. to recommend that Full Council approve the amendments as detailed in the committee report
4. to recommend that Full Council approve the additional amendment as detailed by the Planning Officer

13.30 – 15.17
Chairman