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Minutes of a Meeting of the Planning and Environmental Protection Committee
Held at the Town Hall, Peterborough on 12 June 2012

Members Present:

Councillors – Serluca (Chairman), Casey (Vice Chairman), Harrington, Hiller, Lane, Shabbir, Stokes and Todd.

Officers Present:

Mike Freeman, Senior S106 Officer
Nick Harding, Planning Delivery Manager
Amanda McSherry, Principal Development Management Officer
Julie Smith, Highway Control Manager
Carrie Denness, Senior Lawyer – Service Delivery Team
Alex Daynes, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors North and Sylvester.

2. Declarations of Interests

Councillor Lane declared a personal interest in item 5.5 on the agenda as he was acquainted through his employment with the applicant.

Councillor Hiller declared a personal interest in item 5.3 as the application was in his ward.

Councillor Todd declared a personal interest in item 5.2 on the agenda as she was acquainted with Mr Branston.

Councillor Serluca declared a personal interest in item 5.1 on the agenda as she was acquainted with Mr Percival.

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

No members of the committee declared an intention to speak on any of the items as ward councillor.

The chairman sought permission from the committee for Councillor Scott to speak as ward councillor at item 5.2. The committee agreed to allow Councillor Scott to speak.

4. Minutes of the Meetings held on 10 April 2012 and 24 April 2012

The minutes of the meetings held on 10 April 2012 and 24 April 2012 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 12/00028/FUL - Re Built Garden Wall (Part Retrospective) at 51 Park Road, Peterborough, PE1 2TH

The Planning Delivery Manager introduced the application that sought planning permission for the construction of a front boundary wall. It was important to note that the application had been submitted following the unauthorised demolition of the site boundary walls at Nos.51, 53, 55 and 57 Park Road. Development had already commenced on the replacement wall at all four properties albeit this application related only to the boundary wall at No.51. The wall had not been completed at present and as such, the application scheme was part-retrospective. The finished wall was proposed to stand at a maximum height of 1.3 metres (to pier caps) and would comprise a 0.6 metre high red brick wall with black arrowhead and ball railings and red brick piers. The piers and wall were proposed to include moulded stone copings and caps. A pedestrian access was proposed to the north east of the front boundary with a 2.5 metre wide opening to the south east.

Councillor Maqbool spoke as Ward Councillor on behalf of the applicant, highlighting issues including:

- Previous walls were unstable and unsafe;
- Wider entrance to ensure disabled access for customers to the property using wheelchairs and mobility vehicles;
- The vehicle previously parked on the property was due to external events and was not associated with the premises;
- No dropped kerb was applied for as it was not intended to have vehicular access; and
- Space at the front of the property to ensure comfortable manoeuvring of mobility vehicles on the site.

Responses to questions from the committee included:

- The space was need to ensure mobility vehicles did not have to reverse on to the pavement but could turn on the site and continue onto the pavement especially if more than one mobility vehicle was there;
- Has previously had more than one mobility vehicle at a time;

A photo was passed round of atypical mobility vehicle (electric wheelchair) along with a photo of a car that had previously parked at the premises.

Simon Percival, the agent for the application, addressed the committee highlighting issues including:

- Extensive refurbishment of the houses from 51-57 Park Road by the applicant which served to enhance the conservation area;
- Conservation officers had not expressed any concern over the designs;
- Adjacent commercial property has off street parking at the front;
- Safe access for customers needed to and from the property;
- Little impact of the opening size on the street scene; and
- Not looking to remove the parking bay at the front of the property which obstructs vehicle access.

Responses to questions from the committee included;

- Could not pave the entire front of the property as trees were located there; and
- The parked vehicle was a contractors from a nearby site.

Mr Brackenbury, representing a nearby resident, spoke in opposition to the application highlighting issues including:

- Previous walls were demolished without permission;
- Evidence of cars parked on the site;
- The city council should not support new access ways in a conservation area;
- Had to allow the new wall as the previous was demolished; and
- Representations made in support of the application do not include planning considerations.

The Planning Delivery Manager addressed the committee and advised that there was no application for dropped kerbs or for the applicant to have vehicle access to the property. However, this could be submitted in the future.

The Highway Control Manager addressed the committee and advised that the 2.5m gap was considered excessive for mobility vehicles, a dropped kerb would need 5m space on either side for turning and would be refused in the current situation. A 1.5m gap was considered adequate for mobility scooters.

During debate, key points that were raised included:

- A smaller gap of 1-1.5 metres would be acceptable to officers;
- Size of gap out of context with the rest of the conservation area;
- Main need is for turning space behind the wall, not in the wall itself.

A motion was put forward and seconded to reject the application on the basis that the proposed gap in the wall was too wide and not in keeping with the conservation area. The motion was carried unanimously.

RESOLVED: to reject the application, in accordance with officer recommendations.

Reasons for the decision:

The partially constructed replacement boundary wall and in particular, the addition of a new access 2.5 metres in width, fails to respect and reflect the character and appearance of the Park Conservation Area. The relevant Conservation Area Appraisal and associated Management Plan clearly identifies the detriment that has been caused to the Conservation Area as a result of the creation of new access and in curtilage parking through the removal of existing front boundary walls and states that new or increased accesses will not be considered acceptable. As such, the application scheme results in significant harm to the character, appearance and setting of the identified heritage asset, contrary to the National Planning Policy Framework (2012) and Policy CS17 of the Peterborough Core Strategy DPD (2011).

5.2 12/00492/HHFUL – Construction of Two Storey Side Extension - Revised Application, 25 Nansicles Road, Orton Longueville, Peterborough, PE2 7AS

The Planning Delivery Manager introduced the application that sought planning permission for a side extension above the existing garage including a rear projection and a front projection. The front and rear elements would have roofs perpendicular to the main house, so introducing a hipped roof facing the rear garden and a gable facing the street. The main eaves and ridge line of the extension roof would follow the existing roof lines.

The proposed extension would extend 2.5m from the side of house, in line with the existing garage, and project 1.1m at the front and 2.8m at the rear. At ground floor the extension will accommodate a kitchen extension, a new play room and a downstairs WC, upstairs it will accommodate two bedrooms, a shower room and a store.

Councillor Scott spoke as Ward Councillor in support of the application highlighting issues including:

- Many different types of houses existed in the road;
- Many properties have been extended;
- More space was needed for the owner's work with children to increase the bedroom size;
- No objections were received from neighbours; and
- Minimal impact on the street scene.

Mr Branston, the agent, and Mrs McLennon, the owner, addressed the committee highlighting issues including:

- Valid reason why more space in property needed;
- Would not extend past the existing frontage;
- The bend of the road would not make the extension impact on the street scene;
- Need more bedroom space to provide desk space for foster children.

During debate, key points that were raised included:

- Not a conservation area;
- No objections from neighbours;
- Minimal, if any, impact on the street scene;
- Other home improvements were at ground floor level, not first floor so not in keeping with other home developments in the road;
- Objections were raised concerning loss of parking space on the driveway;
- Expansion of other homes might follow but not necessarily detrimental to the street scene;
- Extension could improve the area;
- Frontages are currently uniform but rear of the properties were different;

A motion was put forward and seconded to approve the application, contrary to officer recommendation. The motion was carried (6 in favour, 2 against).

RESOLVED: (6 in favour, 2 against) to approve the application, contrary to officer recommendation, subject to the following conditions:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into the south west side elevation of the permitted extension other than those expressly authorised by this permission or those expressly authorised by any future planning permission, and those windows that are approved shall be fitted with obscure glazing and fixed shut,

as detailed on the approved plans, prior to first occupation, and thereafter retained as such.

Reason: In order protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

Reasons for the decision:

The proposed extension, although it would include a forward extension at first floor level, is considered to be acceptable in design terms as it is not so significant as to be detrimental to the character of the street scene which is mixed in nature. There will be no detrimental impact on the amenities of occupiers of neighbouring dwellings. The loss of the garage will not result in unacceptable parking congestion in the area. The proposal is therefore considered to be in keeping with Policy CS16 of the adopted Peterborough Core Strategy DPD.

5.3 12/00531/FUL - 2 Barn Conversions and 3 New Dwellings Wisteria Farm, 31 West End Road, Maxey, Peterborough

The Planning Delivery Manager introduced the application that sought the conversion of the main threshing barn and attached smaller barns, for the conversion and extension of the barn to the rear of the threshing barn and the conversion and extension of the cart shed adjacent to the access. Permission was also sought for the construction of two new dwellings.

Mr Gibbison (agent) and Mr Dalgleish (applicant) addressed the committee highlighting issues including:

- The application attempts to improve the current consent for five properties;
- Support from the local parish council and residents;
- Worked with the local authority on the design of the scheme;
- Increase of trees could cover views of the garage which could not be moved in order to keep the design of the site;
- Improved scheme from previously approved application;
- Will generate S106 monies in this revised scheme ;
- Can condition restrictions to height for future purchases; and
- Changes proposed for Barn D would be incorporated into the scheme.

During debate key points that were raised included:

- It is an attractive scheme;
- Height condition would alleviate concerns;
- Improved design from previous submission; and
- Ward councillor supports the scheme along with neighbours.

A motion was put forward and seconded to approve the application, contrary to officer recommendation, subject to: revisions to the number of roof lights in plot C; revisions to roof lights and treatment of window openings; and signing of Section 106 Agreement. The motion was carried (7 in favour, 1 against).

RESOLVED: to approve the application, contrary to officer recommendation, subject to the following conditions:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 No development shall take place until details of the materials to be used in the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C 3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy (DPD) 2011.

C 4 The development shall not commence until details of all boundary walls and fences have been approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, in accordance with the approved details.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy (Development Plan Document) 2011.

C 5 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

C 6 Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details:

- **Proposed finished ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting**
- **An implementation programme (phased developments)**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 the Peterborough Local Plan (First Replacement).

C 7 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

C 8 The dwellings shall not be occupied until the area shown for parking on the approved plan has been drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the dwellings.

Reason: In the interest of Highway safety, in accordance with Policies T9, T10 and T11 of the Adopted Peterborough Local Plan (First Replacement).

C 9 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011.

C10 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011.

C11 Before the new access is brought into use, pedestrian visibility splays shall be provided in accordance with details submitted to and approved in writing by the local planning authority and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary and the proposed access.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough City Council Core Strategy DPD Adopted 2011.

C12 If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the NPPF.

C13 Prior to first occupation of the development hereby approved the following bat and bird mitigation measures shall be implemented on site:

- Provision of additional ledges suitable for nesting swallows within the open fronted car ports which are open to the ridge.
- Four House Sparrow nest boxes to be erected across the development.
- Incorporation of two under-felt bat roosts on the south facing roof pitch of building C (as per drawing in report).
- External lighting for the development to be directional and not illuminate the bat roosts or vegetation on site.
- Landscape planting to include native species or species known for their pollen/nectar production.
- The north boundary of the development should be a hedge and not timber fencing.

Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

C14 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing. The Scheme shall thereafter be implemented as agreed.

Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

The archaeological work will consist of targeted open areas excavations in the eastern and western parts of the site. This condition will allow schemes for excavation and recording where archaeological remains are unavoidably threatened, as well as preservation in situ within the development design where this is feasible and desirable.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Planning Policy Statement 5 Planning for the Historic Environment and Policy CS17 of the adopted Peterborough Core Strategy DPD.

C15 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification)

- no dormer windows or additional roof lights shall be inserted on any building
- no extensions shall be constructed on any dwelling or garage
- no outbuildings shall be constructed

Reason: In order to protect the amenity of the residents and ensure that any alteration to the buildings are area appropriate in design terms, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C16 Foul water shall be disposed of by way of a connection to the nearest adopted foul sewer and surface water shall be disposed of by way of soakaway.

Reason: To prevent pollution and to prevent flooding in accordance with NPPF para 118 and Policy U1 of the Peterborough Local Plan 2005 (First Replacement).

Reasons for the decision:

The proposal is a revised design and layout for a previously approved and commenced scheme. Whilst the new proposal involves the inclusion of land outside the village boundary as garden to some of dwellings, the area of land involved is small and has the significant advantage of softening the appearance of the development from views from the countryside beyond. The proposed conversions and extensions to the barn buildings are sympathetic to their historic nature and previous use as are the proposed new build dwellings. The development will not result in unacceptable levels of overlooking or loss of privacy and will not have an overbearing appearance in terms of relationship with adjacent development. The adjacent right of way will remain unaffected by the development proposals. Satisfactory car parking is provided and the access is safe. Matters relating to materials, drainage, landscaping, habitat creation, energy efficiency, contamination and archaeology can be satisfactorily managed by way of the conditions below. The proposal is therefore in accordance with the following:

- Paragraphs 61, 95, 118, 121, 128, 129 of the NPPF.
- Policies C16, CS14 and CS17 of the adopted Peterborough Core Strategy DPD.
- Policies T9, T10, T11, LNE9, LNE10, LNE17 and LNE19 of the Peterborough Local Plan (First Replacement) 2005.

The committee adjourned for ten minutes.

Councillors Todd and Shabbir left the meeting.

5.4 12/00618/HHFUL & 12/00619/LBC - Demolition and Rebuilding of 2no. Outbuildings and Erection of 1 New outbuilding at 14 Church Street, Thorney, Peterborough, PE6 0QB

The Principal Development Management Officer introduced the application that sought to demolish Outbuildings 1 and 2 and replace them with new outbuildings with approximately the same footprint areas. A new third outbuilding was also proposed.

A motion was put forward and seconded to approve the application as per officer recommendation. The motion was carried (unanimous).

RESOLVED: to approve the application subject to the conditions set out in the report.

Reasons:

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 new and reconstructed outbuildings would not adversely impact upon the amenities of the Thorney Village Conservation Area or the setting of the Listed Buildings in accordance with policy CS17 of the Peterborough Core Strategy DPD.

The proposed new and reconstructed outbuildings would not adversely impact upon the amenities of the occupiers of the adjoining properties in accordance with policy CS17 of the Peterborough Core Strategy DPD.

5.5 11/01572/Ful - Construction of Permanent Rugby Clubhouse With Car Parking And Tennis Courts to Replace Temporary Facilities at Land at Former Bretton Woods Community School, Flaxland, Bretton, Peterborough

The Planning Delivery Manager introduced the application that was presented to the Committee on 7 February 2012, the proposal being to redevelop the area currently occupied

by the parking, tennis courts and marquee, and incorporate a further 2800sq m or so of adjacent land into the developed area. The proposal included:

- Provision of 100 car parking spaces as well as 11 disabled parking spaces, parking for 3 coaches and allowance for cycles and motorcycles
- A new, solid construction, club house set slightly further away from the dwellings, to include changing rooms and support offices, a kitchen, bar and function room, and upstairs a further bar area and lounge
- Banked seating along the north elevation of the club house, overlooking the pitches
- Floodlighting around the main pitch (the one closest to the clubhouse)
- A new foul drainage connection
- A small grounds maintenance store
- A new security fence around the site perimeter
- Reinstatement of four tennis courts (these are currently underneath the temporary marquee club house).

It came to light that some consultations had not been carried out early in the application process, and Members resolved to grant consent subject to there being no objection from the Woodland Trust and the Forestry Commission. The concern mainly related to the impact of the new foul drainage connection, which was proposed to be installed through the woodland.

The Woodland Trust objected to the proposed woodland route of the foul drainage connection and therefore the application was brought back to Committee. An alternative route had been identified which was along an access road to the site.

Councillor Matthew Clements, representing Bretton Parish Council, addressed the committee and spoke against the application highlighting issues including:

- Located next to an ancient woodland site;
- Boundary fence too expansive and playing pitches too close to woodland;
- Flood lighting could have impact on woodland;
- Drainage pipe through woodland would be damaging especially if maintenance was needed;
- Suggest moving the fence back around 1.5m.

During debate key points that were raised included:

- Woodland Trust objected but council officers approved the drainage route;
- Should consider Woodland Trust concerns;
- Alternative route would alleviate all concerns posed regarding the damage to the ancient woodland; and
- The Legal Officer confirmed that the committee was only considering the consultation response regarding the drainage connection route.

A motion was put forward and seconded to approve the application with a condition to locate the foul drainage connection to be alongside the access road. The motion was carried (5 for, 1 against).

RESOLVED: to approve the application as per officer recommendation but with the following condition replacing **C15** in the report:

Foul water from the development shall only be disposed of by way of a connection to the adopted mains sewer via new sewer pipe which shall follow the route of the access road to the development. The details of this new sewer pipe shall be submitted to and approved by the local planning authority prior to the commencement of development (or by an alternative date agreed with the local planning authority) and shall be

implemented in accordance with those approved details prior to the club house first coming in to use.

Reason: In the interest of pollution prevention and in the interest of ensuring the adjacent woodland is not damaged by the installation of the new sewer pipe. This is in accordance with NPPF para 109 and 118. Policies U1, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) 2005.

Reasons:

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:

- a) The principle of having a rugby club on part of the Park is acceptable as it is a use that is compatible with the open space/recreational use of the park
- b) Adequate access and parking can be provided
- c) The design of the building is appropriate to the use and location
- d) Impact on the amenity of nearby residents can be adequately controlled by conditions relating to noise, lighting and hours of use
- e) It has no significant impact on the adjacent County Wildlife Site
- f) There is no significant impact on important trees

The proposal is therefore in accordance with Policies CS14, CS16, CS18 and CS21 of the adopted Peterborough Core Strategy DPD and Saved Policies T8, T9, T10, LNE10 and U1 of the Peterborough Local Plan 2005 (First Replacement).

5.6 06/00892/OUT - Revisions to the Signed Section 106 Agreement at Arborfield Mill, Helpston

The Legal Officer advised the committee of the exempt information contained with this report and advised that if the committee wished to discuss it, the committee should consider whether it should excluded the press and public before discussing it.

The Planning Delivery Manager introduced the application that sought authority to revise the existing Section 106 agreement from that agreed in April 2006 to the following:

- a) 6 No affordable housing units (4 units being for rent, 2 units being for shared equity)
- b) £85,000 towards the provision of primary and secondary school places
- c) £15,000 towards the provision of new or improved, sport, recreation, play or social facilities within Helpston Parish and
- d) retain the provision of a bus stop as per the existing agreement.

Although no-one had registered to speak against the application, a recent parish council meeting stated that they were opposed to any changes to the S106 concerning the impact of the 42 dwellings.

During debate, key points raised included:

- Linden Homes will make a loss on this development, the change will lessen this loss;
- Education provision still high as it is a priority for the council;
- Helpston would miss out on community funding if agree the revision;
- Concern over prices for house sales in the report could be made higher to increase S106;
- Asking price and sale prices can differ;
- Values of housing would have to increase to make a profit on the scheme;

- More information on the type of properties planned was needed to better judge the price claim in the exempt report; and
- Need to compare predicted sales prices with similar schemes nearby.

A motion was put forward and seconded to defer the application until additional information was received to support or otherwise the sales values assumed in the applicant's viability appraisal. The motion was carried (unanimously).

RESOLVED: Report to be brought back to committee which includes additional information to support or otherwise the sales values assumed in the applicant's viability appraisal.

Reasons:

To enable the committee to make an informed decision regarding the requested reduction in S106 contribution.

1.30pm – 4.05pm
Chairman