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MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 19 MARCH 2013

Members Present: Councillors Serluca (Chairman), Casey (Vice Chairman), Hiller, North, Todd, Stokes, Shabbir, Sylvester and Harrington

Officers Present: Simon Machen, Head of Planning, Transport and Engineering Services
Lee Collins, Area Manager, Development Management (Item 5.1)
Vicky Hurrell, Principal Development Management Officer (Item 5.1)
Theresa Nicholl, Development Management Support Manager (Item 5.2)
Jez Tuttle, Senior Engineer (Development)
Andrew Moffatt, Huntingdonshire District Council (Item 6)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Lane.

2. Declarations of Interests

There were no declarations of interest.

3. Members Declaration of Intention to make Representations as Ward Councillor

There were no declarations of intention from any Member to make representation as Ward Councillor.

4. Minutes of the Meetings held on:

4.1 19 February 2013

The minutes of the meeting held on 19 February 2013 were approved as a true and accurate record.

4.2 5 March 2013

The minutes of the meeting held on 5 March 2013 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

The Chairman addressed the Committee and stated that, with Committee's approval, it was proposed to extend the speaking scheme for item 5.1, land to the north of Norman Cross, to allow 20 minutes for objectors and 20 minutes for supporters. This time had been agreed in principle at the meeting held on 19 February 2013. The Committee agreed to the speaking time extension.

The Chairman further addressed the Committee and stated that Councillor Sandford had requested to be permitted to speak on item 6, discontinuance of Nos 1-15 Rowledge Court. The Committee agreed that Councillor Sandford be permitted 10 minutes to speak.

5.1 09/01368/OUT – Development of an urban extension comprising up to 5350 residential dwellings; a District Centre (with up to 9200 square metres (99031 sq.ft) retail floor space) and two Neighbourhood Centres (with up to 2300 square metres (24758 sq.ft) retail floor space) comprising district/neighbourhood retail (A1-A5); community and health (C2, D1); leisure (D2); residential (C3) and commercial (B1) uses. Provision for education facilities (sites for three primary and one secondary school); sports and recreational facilities; a range of strategic open spaces including new landscaping, woodland and allotments; and cemetery provision. Associated highway infrastructure (including pedestrian, bridleway and cycle routes), public transport infrastructure and car parking for all uses. Utilities and renewable energy infrastructure; foul and surface water drainage networks (including suds and lakes). Land to the north of Norman Cross, east of the A1 (M) and west of London Road (A15), Peterborough

The application site was some 305.58 hectares in size and located on the western edge of the administrative area of Peterborough.

To the north east the site adjoined Orton Pit Special Site of Scientific Interest (SSSI)/ Special Area of Conservation (SAC), a site of international ecological importance for its populations of Great Crested Newts and Stoneworts (aquatic invertebrates). Adjacent to this was Haddon Lake and further to the north east the existing development of Hampton.

To the north west immediately adjoining the application site was a wooded area known as 'Two Pond Coppice' and 'Chamber's Dole'. This woodland was within private ownership and did not form part of the proposed Great Haddon urban extension. Beyond the woodland was the Great Haddon employment area which had consent for a mix of B1 (office and light industry), B2 (general industrial) and B8 uses (warehousing and storage) (see planning permission 09/01369/OUT). Further to the north west was Alwalton Hill which had a detailed permission for up to 172,000 square metres of B8 development with ancillary offices in five buildings (applications 06/00346/OUT and 09/00725/REM refer).

To the east was the village of Yaxley and the A15 which also adjoined the southern boundary of the site. Further south beyond the A15 was the open landscape of the Fens. The south west corner of the application site adjoined a Scheduled Ancient Monument (SAM) (reference CB268) containing the remains of a Napoleonic Prisoner of War Camp. Adjacent to the SAM was the settlement of Norman Cross. Two of the houses within Norman Cross were Listed (the former house of the camp Commandant now known as Norman House and the old Governor's House including the Barrack Master's Lodge). Three other listed structures were located to the south and west of the application site; these comprised the Eagle Monument (moved from its original location to the west of the application site) and two mile posts (one on the A15 and one on the Old Great North Road). There were three groups of trees covered by Tree Preservation Orders (TPO) located within the gardens of existing dwellings (Norman House (TPO 9.90), Norman Cottage (TPO 22.90) and the Barrack Master's Lodge (TPO 176). All the Listed buildings and TPO trees were located within Huntingdonshire District.

To the west of the application site was the Old Great North Road which had a number of existing properties along it. Further west was the A1 (M). Beyond the A1 (M) to the south west were the villages of Stilton and Folksworth whilst to the north west was the village of Haddon which was accessed via the Old Great North Road.

The site was largely in agricultural use and contained two farmsteads. A number of footpaths/bridleways (footpath numbers 12 and 14, bridleways 2 and 11 (which was part of the Green Wheel)) cross it.

The Stanground Lode and its northern tributary flowed through the site along with other drainage channels which formed part of the current field drainage system.

Also within the site area were two areas of existing woodland (known as the Yaxley Woodland and Madam White's Covent), a number of individual trees (not covered by TPOs) and hedges mainly associated with the existing field boundaries, and several small ponds.

Two outline planning applications, with all matters reserved for detailed consideration at a later stage, had been submitted in December 2009 for a new urban extension known as Great Haddon. The employment area was approved in May 2011 (see application reference 09/01369/OUT).

This application related to what is termed the 'core area'. The main elements of the proposal could be summarised as follows:-

- Construction of up to 5350 dwellings;
- A new district centre with up to 9200 square metres of retail floor space and provision for community uses (C2/D1), leisure (D2) and offices (B1);
- Two local centres with up to 1150 square metres of retail floor space and provision for community uses (C2/D1), leisure (D2) and office uses (B1);
- Three primary schools, one of 3FE and 2 of 2FE;
- Secondary school of 7FE and 245 pupil sixth form;
- A range of open space including sports and recreational facilities;
- Highways infrastructure including a new road through the site connecting to the consented Western Peripheral Road at the north (see 04/01204/FUL and 04/01900/FUL) and the A15 to the south, a new loop road from the A15, and two new junctions onto the Old Great North Road;
- Diversion of existing footpaths and bridleways within the site;
- A mix of building heights to a maximum of 15 metres within the District Centre;
- A range of measures to prevent unauthorised access into Orton Pit SSSI/SAC;
- Areas of ecological mitigation and habitat enhancement;
- The creation of a buffer area some 90-100 metres in depth to the Schedule Ancient Monument;
- The creation of a buffer some 35-40 metres in depth to the A15;
- A buffer some 15-20 metres in depth to the Old Great North Road;
- Buffer planting some 15-20 metres wide to Norman Cross;
- Associated attenuations ponds and surface water drainage;
- Associated foul drainage infrastructure.

The application was supported by the following documentation:

- Design and Access Statement;
- Planning Statement;
- Environmental Statement;
- Access Management Strategy for Orton Pit SSSI/SAC;
- Transport Assessment and Travel Plan;
- Flood Risk Assessment;
- Retail Impact Assessment;
- Viability Appraisal

With the exception of the Transport Assessment, Travel Plan and Retail Assessment the supporting information submitted related to both the employment area and core area. The applications had been progressed in tandem until December 2010 when Roxhill (Peterborough) Limited purchased the employment area.

The application originally included provision for five gypsy and traveller pitches which were subsequently removed from the scheme.

The application site lay wholly within Peterborough. Land immediately to the south and west, including the village of Yaxley, the A15 until the north of Yaxley, the Old Great North Road, the SAM and listed buildings were within Huntingdonshire District. Cambridgeshire County Council was the relevant highway authority for the roads within Huntingdonshire District.

Following an introduction to the application by the Head of Planning, Transport and Engineering Services, during which he outlined the principle of the development, the Area Manager, Development Management and the Principal Development Management Officer gave a detailed presentation to the Committee which provided an overview of the scheme, the extensive consultation which had been undertaken, the key planning issues including the viability and S106 package and review mechanism and the main objections raised to the application. Key points highlighted included:

- The consultation had been extensive, with site notices, letters, adverts in the local paper and leaflets. There had been two major rounds of public consultation;
- The key impacts, which were comprehensively detailed within the committee report, including;
 - The Principle of Development;
 - Highways Impacts;
 - District/Local Centres;
 - Impact on Visual Amenity;
 - Residential Amenity;
 - Ecology;
 - Landscape Implications;
 - Archaeological Impacts;
 - Drainage and Flood Risk;
 - Energy Efficiency/Sustainability;
 - Other Technical Matters; and
 - S106/Community Infrastructure Provision.
- The objections received against the application were detailed within the committee report but the key issues were the loop-road and the associated traffic calming scheme and the S106 provision;
- Following assessment, an S106 package of £75m and 7.5% affordable housing had been agreed.

The recommendation was one of approval, subject to the implementation of relevant conditions, a further report back to the Committee to agree the review mechanism for the S106 and the satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990.

Members' attention was drawn to additional information contained within the update report. An updated consultation response had been received from Cambridgeshire County Council which confirmed there were no transport objections to the proposed development subject to the implementation of a travel plan, the monitoring of the A15 Great North Road junction, implementation of a soft traffic management scheme on the A15 through Yaxley from the outset and a full traffic management scheme, if traffic numbers were high enough, a signage strategy for the A15 and monitoring of traffic

flows along Haddon Road. All of these points had been taken on board, including the implementation of an additional condition relating to traffic monitoring along Haddon Road, however the signing issue was a matter for the Highways Authority and was not a planning requirement.

Cambridgeshire County Council had also requested a trigger point of 800 dwellings for completion of the Yaxley Loop Road, with traffic monitoring to bring the trigger point forward in the development, and the widening works to the A15, next to the junction 16 on the A1 (M) be completed at the occupation of the 3500th house. These points had been taken on board and the relevant conditions implemented accordingly.

Cambridgeshire County Council had also submitted objections in relation to S106 provision in relation to library provision and right of way provision.

There had been a number of further objections received and these were appended to the update report in full. Many of these objections related to traffic issues which were covered within the main committee report.

The Committee was further advised that there were a number of amendments to conditions detailed within the update report.

Councillor Nick Guyatt, Huntingdonshire District Council and on behalf of Norman Cross Action Group, addressed the Committee. In summary the concerns highlighted included:

- The development was acceptable as long as there was no significant adverse effect on the residents of the surrounding area;
- The loop road was opposed as it was designed to slow traffic and traffic would therefore travel through Yaxley instead. The road would also become very congested during rush hour as it ran past a school;
- A condition was requested that there be further discussion between Cambridgeshire County Council, Huntingdonshire District Council, the Norman Cross Action Group and Parishes etc to find an acceptable way of dealing with the loop road if the present plan did not work;
- A further condition was requested that there be further discussion with the relevant parties (as above) that the design of the edge of the development should be further looked at when detailed plans came forward so that the 35 metres currently in place for the buffer zone be extended to at least 75 metres, including housing and back gardens;
- The design of the Old Great North Road, there was concern as to the traffic travelling north into Haddon Village itself and the increase in rat running. There needed to be further work undertaken on the junctions along the Old Great north, therefore a further additional condition was requested for further discussions to take place regarding the roads.

Dr Chris Grant, Senior Partner at Yaxley Practice addressed the Committee. In summary the concerns highlighted included:

- A new development for primary health care on the development was essential;
- The practices around the development did not have capacity for these patients;
- It was essential that primary healthcare was involved in the S106;
- The developer needed to provide land for such a provision;
- Within a target of around 1000 houses being built, there needed to be a development identified.

Mr Ian Allin, an Orton Malbourne resident addressed the Committee. In summary the concerns highlighted included:

- The design of the development in general was not very good;
- There would be approximately 8000 cars around the site, therefore there would be high volumes of traffic around rush hour which would need to be dealt with;
- More cycle ways were required on the site;
- A further outlet from the site was required, this should go north-west through the industrial area;
- The implementation of further traffic lights would not be an ideal solution;
- Would there be adequate car parking available on the site?

Mrs Olive Main, Chairman of Stilton Parish Council, addressed the Committee. In summary the concerns highlighted included:

- There were a number of aspects of the proposal that were unclear, therefore a deferral was sought;
- The Old Great North Road was not capable of taking vast amounts of traffic and there were no pedestrian walkways along it;
- An access should not be placed next to existing residents properties;
- A healthcare surgery was required in order to ensure that the existing facilities in the surrounding villages were not overstretched.

Mr Adrian Watt, a local resident of Yaxley, addressed the Committee. In summary the concerns highlighted included:

- The existing road system and travel arrangements would be severely compromised by the development;
- A consultation ballot had been undertaken and the responses overwhelming. Out of 3000 ballots, nearly 2000 had been returned in objection to the housing development and the road changes;
- It was an unfair process and an unwanted development.

Mr Roger Lucas, a Yaxley Parish Councillor and representative of the Norman Cross Action Group, addressed the Committee. In summary the concerns highlighted included:

- Yaxley required the bypass in order for it to retain its identity and to prevent gridlock, if access to the A15 was hindered or denied to the residents of Yaxley or surrounding villages the result would be longer journey times, increased mileage and additional fuel costs;
- To use the Farcet Road as a rat run would cause gridlock at the Stanground Fire Station roundabout;
- The loop road would have on street parking, would pass through a shopping area and would be in close proximity to a school, which could attract a 20mph speed limit;
- Using the loop road as opposed to the A15 would be approximately a 58% greater distance for the part of the journey that it covered.

Mr Robert Brown, a Ramsey Town Councillor, addressed the Committee. In summary the concerns highlighted included:

- A lot of people travelled from Ramsey along the back roads to Peterborough;
- There was a lot of congestion on the roads already, with lorries serving the industrial site at Yaxley being an issue;
- The buffer needed to be at least 75 metres to ensure Yaxley remained

- independent from Peterborough;
- The Hampton development had a number of problems, the same mistakes should not be made with this development site.

Ms Heather Peugh, the Agent addressed the Committee and responded to questions from Members. Mr Ron Henry from Peter Brett Associates was present to respond to questions only. In summary the issues highlighted included:

- The consideration of the application represented ten years worth of activity;
- The need to secure housing and economic growth in the city was necessary;
- Delivering new homes such as the Great Haddon development, would ensure that funds were secured to build necessary infrastructure and community facilities to support growth;
- Plans for the new community had been submitted over three years ago to the Council and they had been consulted on and refined;
- The commitment to investing in Peterborough shown by the Applicant would deliver a number of benefits for the city, and would bring a large amount of investment into the city;
- Council Tax receipts were estimated to be around £7m per year upon completion;
- There would be around £700m of construction contracts placed within this scheme;
- Urban extensions were positive for the local economy;
- 40% of the site would be open space;
- The application was in form outline only;
- The proposal would deliver a sound, robust public transport scheme;
- 84% of the traffic would be redirected through the loop road;
- There would be signals directing traffic to the new cemetery;
- The district centre could house a doctors surgery, however this could not be proposed at the current stage;
- The loop road would not be the sole point of access, particularly in relation to the school;
- Traffic generation had been fully assessed in detail;
- There was a requirement for a Yaxley bypass to be created;
- The speed limit for the loop road was proposed to be 30mph;
- The 7.5% social housing allocation was explained in further detail and it was advised that there was a review mechanism in place which could be implemented in the future;
- There would be a number of cycle routes available.

Following questions to the speakers, Members debated the application and raised a number of issues both for and against the development. The key issues highlighted and discussed were as follows:

- The design of the loop road was poor;
- The location of the school in relation to the loop road would encourage on road parking;
- A weight restriction placed upon the road travelling through Yaxley should be considered, if permissible;
- There needed to be further engagement in relation to the finer detail of the proposal;
- There were seven entrances to the site, not just the loop road;
- The development would in effect be a small town, and therefore a district centre was required in order to ensure a range of facilities were available for the residents;

- Although it was acknowledged that specialist viability support had been provided, it was commented that the S106 package proposals were lower than expected.

The Highways Officer responded to points raised by Members and advised that a weight restriction could be placed on the road travelling through Yaxley, however there were a number of haulage depots in the area that would need to be taken into consideration.

Following detailed traffic modelling, it had been identified that the loop road was required in order to prevent Yaxley from becoming gridlocked. The loop road could be identified as a clearway and this would prevent cars parking along it and in terms of the signal control junction, the priority would be for the traffic to travel along the loop road.

In relation to the Great North Road and the increase in traffic, a cycle route would run alongside the road which would be lit and hard surfaced, therefore cyclists would not have to cycle along the Great North Road. A similar route had been requested along the A15 heading into Yaxley and a further cycle route going into the employment area.

The Area Manager Development Management further responded to queries and concerns raised by Members and advised that Officers would liaise with the Primary Care Trust in relation to the requirements for a healthcare centre on the site, this being proposed as 1000 square metres, and it would be secured following S106 negotiations.

The Head of Planning, Transport and Engineering Services addressed the Committee and advised that if Members were happy with the loop road alignment, a further more detailed design of the road would be brought back for the Committee to look at, at a later date alongside the review mechanism for the S106.

Following further debate, it was commented that the site was extremely important, with the principle of development being previously agreed within the Council's Core Strategy document. The affordable housing issues had been comprehensively addressed by Officers and it was noted that the design briefs would be brought back to the Committee for consideration. Furthermore the developer's commitment to investment in the city should be applauded.

A motion was put forward and seconded to approve the application subject to the implementation of relevant conditions, both detailed in the committee report and as updated in the update report, and a further report back to the Committee to agree the review mechanism for the S106 and the satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act and a further report back to the Committee to agree the finer detail and design of the loop road, the alignment of which was agreed as being acceptable. The motion was carried by 8 votes with 1 abstention.

RESOLVED: (8 For, 1 Abstention) to grant the application, as per Officer recommendation, subject to:

1. The satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990;
2. A further report to the Committee to agree the review mechanism for the S106;
3. A further report to the Committee to agree the finer detail and design of the loop road;
4. The conditions numbered C1 to C58 as detailed in the committee report;
5. The informatives numbered 1 to 16 as detailed in the committee report;
6. The amendments 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 Great Haddon urban extension was allocated in the adopted Core Strategy and the adopted Site Allocations DPD. The principle of development was therefore acceptable in accordance with the policies CS1, CS2, CS3 and CS5 of the adopted Core Strategy and policy SA1 of the Site Allocations DPD;
- Following detailed assessment of the transport modelling the impact of the development on the surrounding highway network was considered to be acceptable in accordance with policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Planning Policies DPD and the National Planning Policy Framework;
- Through the provisions of the Travel Plan and funding for the bus service, to be secured as part of the S106 Agreement, the development was considered to make adequate provision for sustainable travel in accordance with policy CS14 of the adopted Core Strategy;
- The amount of retail floor space in the new district and local centres was considered to be appropriate for the scale and the size of development and it would not unacceptably impact upon the vitality and viability of any existing centre. The proposal was therefore in accordance with policy CS15 of the adapted Core Strategy;
- It was accepted that as a result of the development the existing rural character of the site would be permanently altered. However, a strategic decision had been made to develop this site in the adopted Core Strategy. In this context, the visual impact of the development was considered to be acceptable in accordance with policies CS5 and CS16 of the adopted Core Strategy;
- Following review of all aspects of the development, the impact of the development on the amenity of neighbouring residents was considered to be acceptable in accordance with policies CS14 and CS16 of the Adopted Core Strategy and policy PP3 of the Planning Policies DPD;
- Subject to detailed design it was considered that the development would be able to afford future residents an acceptable level of amenity in accordance with policy PP4 of the adopted Planning Policies DPD;
- The potential impacts of the development on Orton Pit SSSI/SAC could be acceptably mitigated via the creation of a buffer zone and through the access control measures proposed. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework;
- Other ecological impacts of the development could also be acceptably mitigated so the development was in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework;
- The impact of the development on existing trees and hedgerows within/adjoining the site was considered to be acceptable subject to the imposition of conditions requiring more detailed assessment as development came forward and protection measures. New landscaping would also be planted, including the provision of new hedgerows. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD;
- In light of the archaeological assessment carried out and the proposed buffer zone the relationship of the development with the SAM was considered to be acceptable. Further archaeological assessment would be required by condition as the development progresses. It was therefore considered to be in accordance with the National Planning Policy Framework, policy Cs17 of the adopted Core Strategy and policy PP17 of the Planning Polices DPD;

- Following assessment of the submitted information it was considered that the site could be adequately drained and would not give rise to an increased risk of flooding in accordance with policy CS22 of the adopted Core Strategy and the National Planning Policy Framework;
- Via the imposition of a condition it was considered that the development would make a contribution towards the Council's Environment Capital objectives in accordance with policy CS10 of the adopted Core Strategy; and
- Subject to the completion of a S106 Agreement it was considered that the development would make sufficient contribution towards the infrastructure requirements arising from it. It was therefore in accordance with policies CS12 and CS13 of the adopted Core Strategy.

The meeting was adjourned for ten minutes.

5.2 12/01236/MMFUL – Removal of existing structures and development and operation of a materials recovery and recycling facility, comprising a relocated household waste recycling centre, a materials recycling facility, an anaerobic digestion facility and ancillary development including offices/welfare/education centre, operatives car park, weighbridge, commercial vehicle park and surface water attenuation lagoon. Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough

The proposed facility would be located on land which presently formed part of the overall Dogsthorpe landfill site. The site was comprised of an existing vehicle parking area, equipment storage area, other land which was not used and a proportion of the restored landfill. The site was generally flat and measured approximately 4.7 hectares. The vegetation on site was grassland and there were several immature self set trees and bushes.

The site was bounded to the north by an existing skip hire business operated by a third party and a disused clay pit. Beyond these to the north was the Welland Road and Eye Road roundabout (A47T). To the north of the A47 was the continuation of the clay pit which was designated as a Site of Special Scientific Interest (SSSI).

Immediately to the east was the active landfill site operated by the Applicant. Eye village lay approximately 1.2 km to the east of the application site.

To the south east of the application site was the Peterborough Garden Park retail development. To the south was the A15 (T) and beyond this the urban area of Peterborough. The nearest residential property was located on Belvoir Way approximately 160 metres to the south.

To the immediate west was a concrete batching plant operated by Cemex and beyond this a grain store/flour mill comprising substantial buildings. To the west of the grain store Welland Road crossed over the A15.

The proposal was for a waste recycling centre (termed an “eco park”) and comprised the following;

- Removal of existing structures on site;
- Materials Recycling Facility (MRF) and pre-treatment building (for the Anaerobic Digester (AD) located in one purpose building portal framed building;
- A Household Waste Recycling Centre (HWRC) under a covered open sided building;
- An anaerobic digestion (AD) facility comprising pre-storage tanks, digester tanks (x2), a digestate tank together with associated plant and machinery including a feedstock clamp;

- Combined heat and power units and associated plant (generating up to MWe of power);
- Ancillary parking and turning areas, gatehouse and weighbridge, offices and visitor centre; and
- Surface water lagoon.

The proposed facility would manage up to 206,000 tonnes per annum of municipal, commercial and industrial waste and had the potential to generate up to a maximum of 1.5MWe of power. The electricity could be used to power the wider facility and/or the local distribution network. The nearest sub station to which the facility could potentially connect was on Welland Road.

Access to the site would be as existing, off the Welland Road/A47 roundabout.

The application is accompanied by an Environmental Assessment.

The Development Management Support Manager addressed the Committee and gave an overview of the proposal. The recommendation was to grant the application subject to the imposition of relevant conditions.

Members attention was drawn to additional information contained within the update report where it was highlighted that there was a proposed re-wording to condition 17 and an amendment to condition 19. A comment had also been received from Councillor Adrian Miners in support of the application.

Mr Michael Bond, a local resident speaking on behalf of the residents of Welland Road and Bluebell Estate, addressed the Committee and responded to questions from Members. In summary the concerns highlighted included:

- Many commercial vehicles used Welland Road as a rat run;
- There was a weight limit restriction on this road but this was ineffectual;
- There were now speed bumps situated along Welland Road and when skip lorries and larger vehicles hit these bumps this created a large amount of noise;
- The speed bumps were put in to alleviate the traffic coming through Welland Road from the Crowland bypass;
- The big roundabout that joined the Spalding bypass with the A47 had a large amount of traffic on that varied throughout the day, it caused severe traffic at times;
- The environmental effect on the area would be substantial, in particular the smells from the site;
- Local residents had not been adequately consulted on the proposals.

Mr Matt Nicholson, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted included:

- There had been public consultation exercises undertaken, a leaflet drop and articles in the local press;
- The proposed development was not an incinerator;
- The site was an allocated site within the Minerals and Waste Development Plan;
- The application was supported by a full Environmental Impact Assessment which had concluded that the facility would not lead to a significant impact on the surrounding environment;
- None of the statutory consultees had raised any objections or concerns to the proposals;
- Operation of the facility would be subject to an environmental permit, which would include conditions for emissions which would be regulated by the

- Environment Agency;
- The proposal was in keeping with Government Policy and would create up to 20 jobs;
- The location had been a landfill site since the 1980s;
- The vehicles travelling along Welland Road may be those associated with a third party operator which operated near to the landfill site;
- The liquid extracted from the anaerobic digesters would be spread onto agricultural land;
- There had been a public exhibition undertaken in the area and the Dogsthorpe Resident's Association meeting had been attended.

Following questions to the speakers and the Development Management Support Officer in relation to the visual impact that the building would have on the area and the nature of the odour of the digestant that was to be extracted from the anaerobic digesters, Members commented that the proposal was excellent and would represent a vast improvement to the existing facility. A motion was put forward and seconded to approve the application, subject to the imposition of the conditions as detailed in the committee report and amended as per the update report. The motion was carried unanimously.

RESOLVED: (Unanimous) to grant the application, as per Officer recommendation, subject to:

1. The conditions numbered C1 to C22 as detailed in the committee report;
2. The amended conditions C17 and C19 as detailed in the update report.

Reasons for the decision:

The application had been assessed against the relevant development plan policies and all material considerations and had been found to be acceptable for the following reasons;

- Policy SSP W1 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD allocated the site as for waste recycling and recovery facilities. The proposed facilities were in accordance with those set out in policy SSP W1. The NPPF stated that there was a presumption in favour of sustainable development and that for decision making this meant approving development proposals that were in accordance with the development plan without delay. This was repeated in policy PP1 of the Peterborough Planning Policies DPD. The application was therefore acceptable in principle;
- With regard to the detail of the application, the submission which included an Environmental Assessment has been assessed against current planning policy as follows and had been found to be acceptable;
- Access and transport/traffic: Policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (MWCS), CS14 of the Peterborough Core Strategy (PCS) and PP13 of the Peterborough Planning Policies DPD (PPP DPD);
- Visual Appearance (and impact upon nearby property): CS24 and CS34 of the MWCS, CS16 of the PCS, PP2 of the PPP DPD;
- Impact on surrounding uses with regards to noise, odour and lighting: CS34 of the MWCS;
- Contaminated Land: CS34 of the MWCS, PP20 of the PPP DPD and paragraphs 120-121 of the NPPF;
- Surface Water Drainage/Flood Risk: CS39 of the MWCS;
- Ecology/Biodiversity: CS35 of the MWCS, CS21 of the PCS and paragraph 109 of the NPPF;
- Cultural Heritage: CS36 of the MWCS and Chapter 12 of the NPPF.

The application had also been considered with regard to the cumulative and in-combination effects of the development as set out in the Environmental Statement (ES) which concluded the development was acceptable in this regard. The methodology used to compile the ES was considered appropriate and the conclusions reached could be considered as reasonable.

There were no material considerations which would lead to determining the application other than in accordance with the above policies. The application was therefore acceptable.

6. Discontinuance of Nos 1-15 (odd Nos only) Rowledge Court, Walton (former Royal Oak Site, Lincoln Road, Peterborough)

Prior to the presentation of the report, the Legal Officer addressed the Committee and reminded Members that the report contained an exempt appendix, if this appendix was to be discussed in detail then a view would need to be taken by the Committee as to whether the meeting would need to go into exempt session.

The report was submitted to the Planning and Environment Protection Committee following a request by Councillor Sandford for the Committee to give consideration to pursuing a Discontinuance Order for Nos. 1-15 Rowledge Court (odd Nos only). The seven dwellings (there was no No.13) made up the 'rear block' of the development and backed on to existing dwellings on Arundel Road. All but one of the seven dwellings was occupied. The request had its origins in the fact that two households that abutted the development remained dissatisfied with the decision to give planning permission for the development principally for the following reasons:

- The modern design of the dwellings;
- The three storey nature of the dwellings; and
- Overlooking of their property causing a reduction in privacy

The purpose of the report was to obtain a decision from the Committee on whether the discontinuance of the development should be pursued.

Planning permission was first granted for the development in 2007. The proposal was contentious at the time because of:

- The development would result in the loss of the Royal Oak Public House;
- The modern design of the dwellings;
- The three storey nature of the dwellings; and
- The relationship with the existing residential development adjacent

The development approved was for two rows of seven, three storey dwellings. The application was considered by the Planning and Environmental Protection Committee at the time and was granted planning permission.

The planning permission was not implemented and so in 2011, an application to renew the permission was received. As there were no significant material changes in policy (from when permission was previously approved), planning permission was granted again for the development under officer delegated powers (in accordance with the Council's constitution).

Two households in Arundel Road had subsequently gone through the Council's formal complaint process and had remained dissatisfied with the outcome. Officers are satisfied that both the planning permissions granted were legally sound. During the process of responding to the complaints, the residents were advised that the only option available that (if agreed and implemented) would 'take the development away', would be a Discontinuance Order.

An independent assessment had been undertaken on the development by Mr Andrew Moffat from Huntingdonshire District Council. Mr Moffat provided the Committee with an overview of his report findings and it was his conclusion that "having regard to development plan policies, it was neither appropriate nor expedient in the interest of the proper planning of the area (including the interest of amenity) for the Council to pursue discontinuance.

If discontinuance was taken forward, there would be a compensation cost associated with (Under Section 115 of the 1990 Act). It was important to note that if the Committee was to decide to move forward with discontinuance, then such a decision would be subject to budget approval at Full Council as there was no budget provision for meeting the cost of discontinuance.

A full compensation cost report was attached to the committee report. The information was exempt under Schedule 12A of the Local Government Act 1972 as the information was confidential in nature as it contained detailed information which was commercially sensitive). The report concluded that the net cost to the Council (i.e. allowing for income to the Council from the post demolition sale of the site) of a Discontinuance Order on the development (Nos 1-15, odd numbers only) would be £960,662.00.

Councillor Sandford addressed the Committee on behalf of the local residents and responded to questions from Members. The main points highlighted were as follows:

- The local residents were extremely distressed and stressed by the situation;
- The way the complaint had been handled was of a substandard nature;
- The Chief Executive had commissioned an independent investigator to look into particular aspects of the complaint;
- If Councillor Sandford and the local residents had been made aware of the discontinuance process sooner, this would have been pursued earlier;
- Since the development had been approved over four years ago, there had been significant change in Government and Local Planning Policy, these were outlined in detail;
- The three storey development was adjacent to, and close to, two storey properties;
- There was only one large three storey block in the vicinity, this being opposite Morrisons;
- The development was detrimental to Policy PP2 in that it created unacceptable overshadowing and caused a loss of privacy;
- There was a planning condition requiring boundary treatment, what treatment would mitigate against this block?

Following questions to Councillor Sandford, Members debated the report and comments were raised both for and against the discontinuance proposal.

It was highlighted that although the Committee was sympathetic to the plight of the local residents, the application adhered to the current National Planning Policy Framework, as per the conclusion reached within Mr Moffat's report.

RESOLVED: (7 For, 1 Against, 1 Abstention) to not pursue discontinuance.

Reasons for decision:

The development in its current format was not unacceptable in policy terms, therefore it was not expedient to discontinue its use.

1.30pm – 5.45pm
Chairman

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