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## MINUTES OF AN EXTRAORDINARY MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 14 AUGUST 2012

**Members Present:** Councillors Serluca (Chairman), Casey (Vice Chairman), Hiller, Stokes, Shabbir, Harrington, Martin and Ash

**Officers Present:** Nick Harding, Group Manager Development Management  
Amanda McSherry, Principal Development Management Officer (Item 5.4)  
Jez Tuttle, Senior Engineer (Development)  
Ruth Lea, Lawyer – Growth Team  
Gemma George, Senior Governance Officer

### 1. Apologies for Absence

Apologies for absence were received from Councillors North, Todd, Lane and Sylvester.

Councillors Martin and Ash were in attendance as substitutes.

### 2. Declarations of Interests

There were no declarations of interest.

### 3. Development Control and Enforcement Matters

#### 3.1 12/00290/OUT – Construction of a retail foodstore (Class A1), training and skills centre (Uses Classes B1/D1), a cycle facility (Use Class D1/Ancillary A1), children's play barn (Class D2) with associated open play area, access, associated car and cycle parking, servicing and hard and soft landscaping

The site was located on the edge of Peterborough, positioned between Dogsthorpe and Parnwell to the south, and Eye village to the north east.

The site was bounded to the north by the landfill site, and to the south the Paston Parkway dual carriageway and Junction 8 roundabout. The existing Garden Park retail development was located to the west and the petrol filling station, KFC restaurant to the east. The site was accessed via the Garden Park vehicle access from Eye Road.

The site covered an area of 4.32ha, and currently formed part of the adjacent Garden Park retail development. The site was made up of car parking, wooded area and some unused land.

Planning permission was sought for construction of a retail foodstore (Class A1), training and skills centre (Use Classes B1/D1), a cycle facility (Use Class D1/ancillary A1), children's play barn (Class D2) with associated open air play area, access, associated car and cycle parking, servicing and hard and soft landscaping

The application sought outline planning permission to establish;

- The principle of development;

- The quantum of development on the site; and
- Access to the site

The proposal would provide:

- 6,040 square metre A1 retail foodstore;
- Skills centre including workshop facilities and an arts and crafts showroom (288 square metre) GEA;
- A leisure cycle hub (390 square metre) Gross External Area (GEA);
- Children's play barn and play area (360 square metre) GEA; and
- 430 car parking spaces, the imposition of which would involve the removal of some trees from along the tree belt.

It was advised that the access would remain as existing, with improvements being made to the traffic light controlled junction, so there would two lanes at each of the approach legs to the junction. This junction would be monitored for a year and if it was found that congestion issues arose, right turning vehicles travelling from Eye into the site would be prevented.

The site would be served by two bus stops, both located along the Peterborough Road and these were both within 400 metres of the heart of the development. This was the accepted walking distance between bus stops and destinations. The Applicant had further indicated that should the proposal be approved, negotiations with the bus service provider would be undertaken to identify whether buses could be routed directly to the heart of the development. In addition, contained within the proposal S106 a contribution towards sustainable travel had been secured.

All matters relating to layout, scale, appearance and landscaping were reserved to a later stage.

The Group Manager Development Management addressed the Committee and gave an overview of the proposal. It was advised that Government Policy within the National Planning Policy Framework (NPPF) and the Council's own retail development policy, sought for retail development to be located in the city centre, existing local centres and in the centres planned for the urban extensions e.g. Great Haddon. As the proposal was located outside of the town centre, it was required to be assessed against the sequential test. This would identify whether there were any sites in available in or adjacent to the city centre, and if not, if there were any sites in existing centres or planned centres that the development could be located. The Applicant had assessed all other existing options as required and the conclusion drawn was that there were no other suitable sites available.

The second area, on which the proposal was required to be assessed, was in terms of its retail impact both in terms of the development on its own and also the development in conjunction with the impact of other retail schemes approved by the Council, but not yet implemented. The impacts on surrounding stores were outlined and highlighted as being acceptable. The cumulative impact was also highlighted as being acceptable. All of the retail impacts were slight and could be mitigated against by the imposition of a £600k public realm works contribution and this would be used to make improvements to the public realm in existing centres. The impact figures did not factor in the newly published population figures for Peterborough, which outlined that there were many more people in the city than first envisaged. It was further advised that no retail operators had objected to the proposal.

Members' attention was drawn to additional information contained within the update report. There had been a number of revisions to conditions and these were outlined in the report. Comments had also been received from Councillor David Sanders and

Councillor Dale McKean, Eye and Thorney Ward Councillors, raising a number of points in relation to the junction improvements and the replacement tree planting to be undertaken due to the loss of a number of trees along the tree belt.

Further comments had been received from Councillor Nick Sandford, Walton Ward Councillor, in objection to the proposal due to it being located out of town and the proposal being unsustainable due to travel arrangements.

Mr John Holmes and Mr Gordon Eddington, the Applicants, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The foodstore would give Peterborough Garden Park the critical mass it needed;
- Footfall from Monday to Friday was particularly weak and the foodstore would make a difference to this particular time of the week;
- Customers had indicated that 79% would make a linked trip to the site, to visit both the foodstore and garden park at the same time;
- The development would include many aspects that had been requested by local residents, such as the skills centre and a leisure cycle hub;
- The current children's play are needed significant improvements and the implementation of a play barn was required due to the inconsistent weather;
- Extensive consultation had been undertaken on the application and support for the proposal had been overwhelming;
- Confidence was high in the technical aspects of the proposal in particular the proposed improvements to the junction;
- The Peterborough Garden Park was a unique offering in Peterborough and the proposal would help to ensure its long term future;
- The transport links into the heart of the site could not be established until the customer base increased;
- A detailed analysis of all sequential sites within the Peterborough catchment area had been undertaken and it had been agreed that there were no other sequentially preferable sites;
- The impact assessment demonstrated that the level of impact on existing centres and the city centre was acceptable, subject to the S106 being in place.

Following comments and questions to the speakers, Members sought clarification as to whether the proposal would go before the Secretary of State for ratification. Members were advised that this would be the case should the proposal be approved.

Following debate and further questions to the Group Manager Development Management in relation to the impact of the proposal on other centres, the improvement works to the junction and pedestrian access, Members commented that the application had much local support and would be a great addition to the site. A motion was put forward and seconded to approve the application. The motion was carried unanimously.

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

1. Reference to Government Office as a Departure application under the Town and Country Planning (Departures Direction) 1999 and as a Retail proposal under the Town and Country Planning (Shopping Development) (England and Wales) (No. 2) Direction 1993;
2. The completion of a Section 106 Planning Obligation;
3. The conditions numbered C1 to C38 as detailed in the committee report;

4. The amended conditions C24, C26, C20 and C11 as detailed in the update report;
5. The deletion of conditions C25 and C18 as detailed in the update report;
6. If the S106 had not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Transport and Engineering Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report.

#### **Reasons for the decision:**

This was a finely balanced planning application. There was some conflict with local and national retail planning policy. However, the proposal had received significant levels of support and offered a package of measures that could help to offset any policy harm and retail impact. This package of measures, linked to the impacts of the development, were transparent. The proposal represented a significant investment and job creation opportunity, consistent with the wider aims of the NPPF and there were no objections from retail operators or retail landowners in the city and district centres. The amount of comparison goods floor space proposed had been reduced from 40% to 25%, recognising the need to protect the city centre and future investment there in particular. On this basis, and again recognising that it was finely balanced, officers considered that subject to the imposition of conditions and the S106 package, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant national and local policies. Therefore the proposal:

- Would not result in a significant material impact on the City Centre or Districts centres as a consequence of trade draw either individually or in conjunction with other recent developments, planning approvals or schemes under construction;
- Any impact caused to the city, district or local centres would be offset via a S106 obligation, with contributions towards strategic infrastructure and public realm improvements;
- Was located on the edge of an existing retail park so there were likely to be linked trips to the other units within the retail park;
- Would not result in an unacceptable impact on the local road network or compromise highway safety;
- Provided an appropriate level of parking;
- Could be controlled by condition in respect of design and layout, crime and disorder, environment capital/renewable energy, infrastructure / infrastructure provision, transport, biodiversity, flood risk and archaeology;
- Would not result in a detrimental impact on protected species or related habitat; and
- Represented significant investment and employment creation in one of the most deprived parts of Peterborough.

The proposal was therefore considered to be in accordance with Core Strategy Policies CS3, CS4, CS10, CS11, CS12, CS13, CS14, CS15, CS16, CS21, CS22, the Peterborough Planning Obligations Implementation Strategy SPD, Local Plan Policies T6, T8, T9, T10, LNE9.

### **3.2 E1 – Enforcement Action in Stanground Central Ward**

Members were asked to determine whether the item, which contained exempt information relating to an individual or would be likely to reveal the identity of an individual and information relating to the financial or business affairs of a particular person (including the authority holding that information), as defined by Paragraphs 1, 2 and 3 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting during the item, or whether the public interest in disclosing the information outweighed the public interest in maintaining the exemption.

The Committee unanimously agreed to the exemption and the press and public were excluded from the meeting.

The Committee received a report requesting it to consider appropriate enforcement action in relation to non-compliance with an approved planning drawing.

Following debate, a motion was put forward and seconded to agree that no enforcement action be taken. The motion was carried unanimously.

**RESOLVED:** (Unanimously), to agree that no enforcement action be taken, as per officer recommendation.

**Reasons for the decision:**

The Committee considered that no enforcement action was required as per the reasons outlined in the exempt committee report.

10.30am – 11.20am  
Chairman

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