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MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 8 OCTOBER 2013

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Todd, Sylvester and Ash

Officers Present: Nick Harding, Group Manager Development Management
Julie Smith, Highway Control Manager
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Shabbir, Councillor Harrington and Councillor Lane.

Councillor Ash was in attendance as a substitute.

2. Declarations of Interests

Councillor Serluca declared that, in respect of item 5.6, Lavender House, she knew the Applicant very informally.

3. Members' Declaration of Intention to Make Representation as Ward Councillor

Councillor Serluca declared that she would be speaking as Ward Councillor on item 5.1, 48-50 Jubilee Street and that she would be stepping down as Chairman for this item.

Councillor Simons declared that he would be speaking as Ward Councillor on item 5.3, Land at Manor Drive, Phase Six.

4. Minutes of the Meetings held on:

4.1 3 September 2013

The minutes of the meeting held on 3 September 2013 were approved as a true and accurate record.

4.2 17 September 2013

The minutes of the meeting held on 17 September 2013 were approved as a true and accurate record subject to the following amendment to item 4.1, 270 Eastfield Road, Peterborough, PE1 4BE.

The addition of the words 'and additional reasons as agreed by the Committee' after bullet point one, under the reasons for decisions.

5. Development Control and Enforcement Matters

The Chairman advised that there had been a request from a member of the public to audio record the meeting. Permission was requested from the Committee and this was agreed unanimously.

The Chairman further advised that the press had requested permission to take photographs of the meeting. The Committee agreed this unanimously.

The Chairman allowed the Committee five minutes to read through the update report.

Councillor Harper took the chair for the following item.

5.1 13/000890/OUT - Demolition of existing building and erection of 7 dwellings - (7 x 3 bed houses and associated works) – Resubmission. 48-50 Jubilee Street, Woodston, Peterborough, PE2 9PH

There were a number of buildings on the application site which had historically been used for employment purposes. However the site was not allocated for any specific use within the Local Plan. Land to the north and east of the application site was in commercial use and land to the west and south was residential in character.

Jubilee Street was characterised by older semi-detached and terraced properties that formed a hard edge to the footway. As such most vehicles parked on-street. Jubilee Street was restricted to residents parking only.

The Applicant sought outline consent, with all matters reserved, for the erection of 7 x 3 bed dwellings. Indicative drawings submitted, which were not for approval, illustrated two off-street parking spaces per dwelling with dedicated garden areas.

In 2012, planning application 12/00556/OUT was submitted seeking consent for the erection of seven dwellings and six flats. However this was withdrawn following concerns raised by the residents and the Local Planning Authority (LPA) with respect to;

- Car parking;
- Refuse collection;
- Private amenity space;
- Protecting the amenity of adjacent residential properties; and
- A form and massing which is of an appropriate scale and character to the area.

The current application originally proposed eight units, however further to neighbour and LPA concerns the scheme had been redesigned to propose 7 x 3 bed dwellings. The Group Manager Development Management provided an overview of the application and the main issues for consideration. It was advised that there had been an indicative layout plan submitted by the Applicant which demonstrated that the properties could be adequately accommodated on the site and access to the site would be taken from Jubilee Street. The officer recommendation was one of approval subject to the imposition of relevant conditions.

Ward Councillor Lucia Serluca and Ward Councillor Nick Thulbourn, on behalf of local residents, addressed the Committee on band responded to questions from Members. In summary, key points highlighted included:

- The development of seven dwellings on such a small piece of land would impact on the residents currently living in the street and particularly on those residents living opposite the development;
- With the application being an outline application only, it was difficult for the residents of the surrounding area to gauge how the proposal would look and what effect it would have on them, for example, what were the parking arrangements to be? There was no indication as to how the bins would be collected, or where they would be stored. The boundary treatment was also not

clear. There was also no indication as to the loss of privacy for neighbouring residents and what overlooking would take place;

- Jubilee Street was a small street, with cars parked either side. The construction vehicles may damage the road and parked vehicles;
- It was requested that any reserved matters applications came back to the Committee in order to ascertain how the development would look and what impact it would have on surrounding residents;
- There was no room in Jubilee Street for a turning circle;
- There had been a number of representations made from the industrial units in Wareley Road relating to access difficulties. This development would make access impossible;
- There were a number of businesses in the vicinity which feared that the development would put them out of business;
- The initial consultation response figures were not reflective of the number of local residents against the application, as a number spoke to their Ward Councillors directly; and
- The Applicant could reduce the number of parking spaces at reserved matter stage.

Ms Elizabeth Nyiga, a local resident and objector, addressed the Committee and responded to questions from Members. In summary, key points highlighted included:

- Ms Nyiga was speaking on behalf of herself, her parents and residents of Jubilee Street;
- Development on the site was not opposed, but overdevelopment was. The quantity of houses would impact upon the residents of Jubilee Street;
- Ms Nyiga's property faced the development site and her privacy would be infringed by means of overlooking;
- The new properties would cause a lot of extra traffic and would increase the parking pressures;
- The development only allowed for one visitor car parking space, where would other visitors park?
- Should permission be granted, a condition was requested stating that no parking permits be issued to the new units;
- The street already had an inability to cope with the two way flow of traffic as there were no pull in points;
- The rear access to the garages to some of the properties on Jubilee Street would be affected by the development, causing access to be limited;
- The style of the properties was not in keeping with those in the street;
- It appeared that there was no area allowed for a turning head on the proposals and where would the bins be put for collection?
- Bins already caused obstruction on the pavements on collection days;
- There would be an increase in noise and pollution;
- There were concerns about the demolition of the existing site. There was asbestos on the site which needed specialist attention;
- It was recommended that the working hours not be outside 8.00am to 5.00pm; and
- The traffic when the site was commercial was not extreme.

Mr David Shaw, the Agent and Mr Ingel, the Architect, addressed the Committee and responded to questions from Members. In summary, key points highlighted included:

- The site was in need of re-development and it was felt that residential re-development was the best solution, rather than industrial re-development;
- The scheme submitted by the Architect was illustrative and only one idea at the current time, it had been produced to demonstrate that the number of units,

- parking spaces and turning head could be provided on the site;
- The development would improve the street and would be an attractive addition;
- The access for construction did not need to be off Jubilee Street, but could be off Waveley Road;
- There was the possibility of an additional visitor parking space; and
- The site would have proper bin storage.

Following questions to the speakers, Members debated the application and raised points for and against, one of which being the possible increase in traffic generated by the development. However, it was noted that the site could be used for a vast array of commercial uses, all of which could generate additional traffic along Jubilee Street. The outline application represented a good development with adequate parking provision and it was requested that any reserved matters application be brought back to the Committee.

The Highways Officer advised that there were existing congestion issues in the area, the application did meet parking standards and the provision of a proposed turning area for refuse trucks would be an improvement to the area.

The Group Manager Development Manager advised that, should the Committee be minded to approve the application, a reserved matters application would not automatically be referred back to the Committee for determination, it would have to be referred in the usual manner. Furthermore, it was to be noted that any reserved matters application may not be reflective of the indicative drawings presented to the Committee.

A motion was put forward and seconded to approve the application, as per officer recommendation. The motion was carried by 6 votes, with 2 voting against.

RESOLVED: (6 For, 2 Against) to approve the application, as per officer recommendation subject to:

1. Conditions numbered C1 to C13 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 indicative layout demonstrated that the number of units proposed could be accommodated within a layout which was acceptable to the character and context of the surrounding area and on which would not adversely affect neighbours and could provide sufficient levels of amenity for the future occupiers. The proposal was therefore considered acceptable in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), the NPPF (2012), and PP2, PP3 and PP4 of the Peterborough Policies DPD (2012);
- The plans indicated that a suitable access, parking and turning could be provided. Subject to conditions with respect to securing a demolition and construction management plan the development would not result in an adverse impact on highway safety and was considered in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012);
- The proposal would not result in an unacceptable impact on protected ecological features of the site. An appropriate scheme for hard and soft landscaping of the site, as well as biodiversity enhancements, could be secured via the imposition of conditions. The proposal was therefore in accordance with Policy CS21 of the

- Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (2012);
- Subject to conditions with respect to flood resilience, as advised within the Flood Risk Assessment, the proposal would not result in an on or off-site risk of flooding, and would accord with Policy CS22 of the Peterborough Core Strategy DPD (2011);
 - Subject to the imposition of conditions with respect to uncovering unknown archaeology or unsuspected contamination, the proposal would accord with Policy CS17 of the Peterborough Core Strategy DPD (2011) and PP17 and PP20 of the Peterborough Policies DPD (2012);
 - Subject to the imposition of conditions the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK and accord with Policy CS10 of the Peterborough Core Strategy DPD (2011); and
 - The development was subject to a POIS contribution which would be secured through a Section 106 Legal Agreement. The proposal was therefore in accordance with Policy CS13 of the Peterborough Core Strategy DPD (2011).

Councillor Serluca re-assumed the chair.

5.2 13/00927/FUL – Construction of 46 dwellings and associated works - Phase 4. Land at Manor Drive, Gunthorpe, Peterborough.

The application site covered an area of approximately 1.19 hectares. The site was mainly overgrown grassland which was unused and enclosed by temporary fencing. The site was bounded to the north by Car Dyke, to the east by unused land that would be part of the future Paston Reserve urban expansion, the south by Manor Drive and the residential properties beyond, and to the west by Phase 5 residential development, which was currently under construction.

Planning permission was sought for the erection of 46 affordable houses, 23 of which would be affordable rented and 23 would be affordable shared ownership. The development would be comprised of 23 x 2 bedroom, 21 x 3 bedroom and 2 x 4 bedroom properties, 44 of which would be 2 storeys and 2 of which were 2.5 storeys in height. The houses would be a mixture of semi-detached and terraced properties.

It was advised that vehicle access to the site would be from Manor Drive.

The Group Manager Development Management provided an overview of the proposal including a history of the site and the main issues for consideration, which included the shortfall of open space, discussions around which had been undertaken for the early release of land to serve the Burghfield development.

It was advised that the officer's recommendation was one of approval subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report. Further comments had been received from Ward Councillor John Knowles, an additional objection letter from a neighbour and a petition against the development, together with a covering letter.

Ward Councillor John Knowles addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The residents had been taken for ride, the initial plans had included shops, doctors and a community centre;
- The residents were now faced with half social housing and half part rent/part buy houses for which there would be no facilities available in the area;
- The proposals needed to be looked at again and the original plans followed.

This would give the community a heart;

- Any shops built on the site would be utilised by factories in the area;
- The amended play area offered by Cross Keys was not sufficient;
- The whole site was badly designed, there was no greenery and the quality of life for people living there was not good enough. There was nowhere to go for a walk and no facilities for children; and
- If the Committee did not listen to the residents, the development would become another run down estate.

Mr Stewart Jackson MP addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- This was the only urban extension in the Greater Peterborough area where there were no facilities at all, no bus stops, no shops etc.;
- The residents were being told that affordable homes were to be built, with no community facilities;
- There was £900k of community facilities available in a pot and talk of trigger points was not good enough;
- The application broke a number of policies. It had not been definitively said that there would be no damage to Car Dkye in terms of Phase 4;
- There had not been a flood risk assessment undertaken for Phase 4 since 2007, it had not been given a carte blanche by the Environment Agency. It was in a potential flood risk area;
- Mixed use development policy had been breached, meeting housing needs policy had also been breached and open space and infrastructure policy;
- There was a cross party campaign, a community campaign, a large petition and a public meeting had taken place. Members were requested to look at the proposals again;
- There had been no proper consultation with regards to the proposed children's facility on one part of the site;
- The application should be deferred until such time as a proper plan was available for community infrastructure and S106 spending;
- If deferral was not an option, it was requested that the application be refused for avoidance of doubt;
- There had been a large number of objections from residents and there was a Facebook campaign group; and
- The Chairman of Cross Keys had been very reasonable, however the planning application was sub-standard and needed looking at again.

Ms Karen Ribakovs, a local resident and objector, addressed the Committee and responded to questions from Members. In summary key points highlighted included:

- The residents felt extremely let down by Linden Homes;
- The objections were not against social housing, as it was acknowledged that it was necessary and the only way forward, the objection was to placing the housing en masse which had been statistically proven not to work;
- The proposals went no way to creating a mixed and balanced community. The only way to make it work would be to reduce the amount of social rent and pepper pot it throughout the development;
- Traffic was a major issue on the estate. There was not enough parking for the current residents who were forced to park on the roads;
- The proposals for Phase 6, where a through road was proposed at a 90 degree bend, would exacerbate this and would be an accident waiting to happen;
- It was already impossible for two cars to pass on this road and it would create a rat run for traffic from other areas of the estate;
- There were no open spaces for children to play and this meant that they tended

- to play in the road. The only area identified was a roundabout;
- It was requested that a play area be considered on the land for Phase 6. The interim arrangements were not considered to be adequate. The land was out of sight and in-between current housing and the parkway;
 - The internal infrastructure was not in place to support the additional housing. The local schools in Gunthorpe was also oversubscribed;
 - The only route into Gunthorpe was via a badly lit and maintained footpath;
 - The promised school and community centre and facilities were how many years away? They were needed now;
 - Other than Manor Road, none of the roads would be adopted by Peterborough City Council. The up keep would therefore fall upon the residents;
 - The proposals to build on land off Beadle Way would greatly increase the amount of traffic using the road, including an increase in construction traffic; and
 - The closest facilities were in Gunthorpe, which could only be reached by car or a 20-25 minute walk.

Mr Julian Foster, on behalf of Cross Keys, the Applicant, addressed the Committee and responded to questions from Members. In summary key points highlighted included:

- There was existing approved planning for Phase 4, the density of which had been reduced;
- Out of the homes being provided at Burghfield Place, 66 would be shared ownership and 63 would be for affordable rent. These were not unreasonable allocations for people needing a home;
- Meetings had been undertaken with local residents and Cross Keys had not been forced to attend;
- Cross Keys were committed to forming a responsible management company to try and address some of the concerns of local residents;
- As a landlord, Cross Keys was committed to supporting the communities that it served, and it tried to do the best to limit anti-social behavior, whether from its own tenants or other residents;
- The neighbourhood centre would be designated on the Paston Reserve. It was not felt appropriate to provide the facilities on particular parts of the land designated for housing;
- Facilities and schools came along following development, not at the outset. Declining or deferring the application would simply hold up the provision of these facilities further; and
- A substantial part of the facilities would be paid for through S106 which was only paid upon completion of a development.

Following questions to the speakers, the Group Manager Development Management addressed a number of concerns raised, highlighting that all of the planning applications had been undertaken through the correct procedures and there had been no objections raised in relation to flood risk from the Environment Agency, nor had there been objections raised by English Heritage in relation to the scheduled ancient monument.

Members debated the application and it was commented that the planning permission already in place on the site could not be ignored and part buy and part rent houses needed to be encouraged, however concern was expressed in relation to the lack of green space provision.

In response, the Group Manager Development Management provided further context around the ongoing discussions being held relating to the possible early release of land to serve the Burghfield development.

Members debated the application further and raised a number of further concerns in relation to the lack of provision of facilities on the site, specifically the provision of open space for Phase 4.

A motion was put forward and seconded to defer the application, requesting that open space/play area provision be incorporated into the Phase 4 scheme. The motion was carried unanimously.

RESOLVED: (Unanimous) to defer the application.

Reasons for the decision:

To allow officers to request that the Phase 4 scheme be amended to incorporate provision for open space/a play area.

5.3 13/00928/FUL – Construction of 27 dwellings and associated works - Phase 6. Land at Manor Drive, Gunthorpe, Peterborough

The application site covered an area of approximately 0.54 hectares. The site was mainly overgrown grassland which was unused, and enclosed by heras fencing. There was however part of the site, adjacent to Manor Drive, which was cut grass with some landscaping. The site was bounded to the east by Beadle Way Road and the residential properties beyond, to the south by the residential properties on Brickenden Road, to the west by the Barker Perkins site and car parking, and to the north by Manor Drive and the Phase 5 residential development, which was currently under construction.

Planning permission was sought for the erection of 27 affordable houses, 14 of which would be affordable rented and 13 would be shared ownership. The development would comprise of 20 x 2 bedroom, 5 x 3 bedroom and 2 x 4 bedroom properties, 25 of which would be 2 storey and 2 of which would be 2.5 storeys in height. The houses would be a mixture of semi-detached and terraced properties.

It was advised that vehicle access to the site would be from Manor Drive and Beadle Way.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. The officer's recommendation was one of approval subject to the imposition of relevant conditions, however it was advised that should the Committee consider that open space should be provided on the site, Cross Keys Homes had provided an initial site layout which made space for open space provision and also cut off the vehicular through link from this phase to an existing phase. The Committee could therefore defer the application to allow for a full public consultation on these proposals.

Members' attention was drawn to additional information contained within the update report. Further comments had been received from Ward Councillor John Knowles, an additional objection letter from a neighbour and a petition against the development, together with a covering letter.

Ward Councillor George Simons and Ward Councillor John Knowles, addressed the Committee. In summary the key points highlighted included:

- There used to be nine houses on the site and outside the show house was a board, detailing all the great facilities that potential residents of the new site could expect;
- Play areas and schools were desperately needed on the site;

- The Ward Councillors had been working for over four years on the site and the only thing that had happened was broken promises with the provision of no facilities at all;
- The Ward Councillors had attended several meetings and a number of site visits;
- The residents had been repeatedly let down and the fairest action was for a deferral of the application;
- Under pressure, the Council had come up with a poor proposal for green space on an area that had yet to be developed;
- The grass verges were rutted and could not be walked upon; and
- The development would be too close to Car Dyke, 30 metres was not adequate distance.

Mr Stewart Jackson MP addressed the Committee. In summary the key points highlighted included:

- No one had been asked whether Phase 5 should have been 100% affordable houses. Local people had been excluded from these discussions;
- Why had Cross Keys not engaged with residents during the past six months?
- There were issues being experienced in Hampton Vale, such as anti-social behavior and infrastructure issues, due in part to the over-concentration of affordable housing. Although this was not solely the reason for the issues, this did need to be looked at to avoid a repeat of the situation;
- The development would be contrary to policy CS19, open space and green infrastructure;
- The belated decision to remove one home for one play area was not good enough. Proper consultation was needed;
- Traffic access and egress was important between Brickenden Road and Beadle Way, as the residents were never expecting a road connection; and
- The proposal was contrary to policies OB18, CS8, CS19, OB4 and OB7.

Ms Karen Ribakovs, a local resident and objector, addressed the Committee. In summary the key points highlighted included:

- There were no green spaces, it was more like a concrete jungle;
- Residents had not been notified that previous planning permission had been granted for the site;
- Children playing on the road was a danger and it was only a matter of time before a serious incident occurred; and
- It was requested that the Committee take into account the views of the residents and refuse or defer the application to allow further discussions to take place.

Mr Julian Foster on behalf of Cross Keys Homes, the Applicant, addressed the Committee. In summary the key points highlighted included:

- The site had originally been granted permission for 34 units, the proposed was now for 27 units, to allow for adequate sized homes and adequate parking provision;
- Cross Keys Homes was financially and contractually committed to acquiring the land. Exchange had already taken place;
- Extensive consultation had not taken place as there was already planning permission for the site;
- Green space costs developers money and this was always an impact on the financial viability of a site;
- The additional proposal made was to deal with local residents concerns

- following the public meeting held;
- Given the deferral of the first phase, Phase 5 would have to be reconsidered too.

The Group Manager Development Management clarified a number of issues relating to the site's case history and it was advised that the site had been granted permission for residential development only.

Members debated the application and raised a number of concerns relating to the lack of provision of green space/a play area on the site. Further consultation was required with the residents to discuss the aforementioned initial site layout provided by Cross Keys, which made space for open space provision.

A motion was put forward and seconded to defer the application, to allow for the draft revised layout provided by Cross Keys to be the subject of a public consultation. The motion was carried unanimously.

RESOLVED: (Unanimous) to defer the application.

Reasons for the decision

So that a draft revised layout, produced by Cross Keys, which made provision for a play area, could be the subject of public consultation.

The meeting was adjourned for ten minutes.

5.4 13/00967/FUL – Proposed two static caravans and two touring caravans with facilities block for one extended gypsy/traveller family. Land to the North of 4 Werrington Bridge Road, Milking Nook, Peterborough

The application site was comprised of a small parcel of land measuring approximately 0.012 hectares, sited within a wider open pasture field located on the eastern side of Werrington Bridge Road. The site lay to the west of the village of Newborough and north of the area known as Milking Nook.

The boundaries to the site were comprised of an open ditch running along the eastern boundary adjacent to Werrington Bridge Road, with some semi-mature and mature trees and shrubs to the north-western most corner. The northern boundary was comprised of a low post and rail fence with the remaining extent of the site open to the wider field. There were residential dwellings located to the south, screened from the site by mature conifer hedging between 3 and 4 metres in height.

Vehicular access to the site was currently taken by an informal gate across the existing grass verge running along Werrington Bridge Road. A telegraph pole was situated to the front of the site, albeit within the highway verge and outside the extent of the red line boundary.

The application sought planning permission for the siting of two static caravans 3.2 by 9.2 metres by 3 metres high and two touring caravans 2.4 by 6.6 metres for use by a single extended gypsy/traveller family. Associated ancillary development included internal driveway, parking, turning and a facilities block 3.1 x 4.5 metres by 3.4 metres high. The static caravans would have a 1 metre high wall with flood boards.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. It was advised that Council had a Gypsy and Traveller Assessment, undertaken in 2011, which indicated that for the planned period 2011 to 2016, a total of 10 new pitches were required to be

provided, with a further seven to be provided in the period 2016 to 2021. The officer's recommendation was one of approval subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report and it was highlighted that revisions to highways conditions C7, C8, C9 and C19 were proposed. A representation had been received from Councillor Harrington, Ward Councillor, an additional neighbour letter of objection and an additional objection from solicitor action for a number of local residents.

Post publication of the update report, the following submissions had been made:

- i) An objection letter had been received from a Mr Edwards highlighting a number of issues including:
 - The lack of publicity on the application;
 - The Committee report did not give sufficient weight to the concerns expressed by objectors; and
 - That he would not have bought his property if he knew that this development was proposed or that there was the potential for it to be proposed and in his view, this development proposal would have a negative impact on the landscape, ecology and the social fabric of the area.
- ii) An objection letter from a Mr Hornsby stating that he wanted to know where the improved water course would be in relation to the development;
- iii) Two emails of objection, one being from a Mr Fowler stating that he had spoken to the Environment Agency, who had stated that if there were any changes to the access this may result in the static caravans proposed being moved into the flood zone risk area 3 and the Environment Agency would need to be re-consulted if this happened. Secondly, that the Environment Agency's final comments on the application did not negate the fact that there was the need for a Flood Risk Assessment and the Sequential and Assessments test to be run. The Environment Agency's position, as reported to the Planning Committee, should be changed because there would only be no objection if there was a Flood Risk Assessment which was acceptable and if the proposed mitigation was implemented. If these two things were not provided then the Environment Agency would object to the application. The Environment Agency had stated that the proposal was highly vulnerable and that it should only be permitted if the Sequential and Assessments test was passed; and
- iv) An objection email from a Mr Bishop stating that the visibility splays that Highways said were satisfactory were not.

The Group Manager Development Management advised that in respect of Mr Fowler's additional comments, these were based on a verbal conversation. There had been nothing received in writing from the Environment Agency, nor had he had an opportunity to speak to the Environment Agency Officer.

Mr Stewart Jackson MP addressed the Committee. In summary the key points highlighted included:

- Mr Jackson MP had been approached by a number of residents in the area on this issue;
- There had been inadequate consultation by the Local Planning Authority in respect of the application;
- Allowing residential development on the site would contravene planning policy on building in the open countryside;

- Any such development would change the character of what had been a pasture used for agricultural purposes, this would set precedent for development in the open countryside;
- The land was situated in a high risk flood plain, with a high probability of flooding;
- The comments received from the Environment Agency should be heeded;
- There was poor access and egress to the main road and the site was also situated adjacent to notable nature sites;
- Reference the Department for Communities and Local Government's (DCLG) Planning Policy for Travellers Sites, page 4, Policy B, specifically asked that Local Authorities not locate sites in areas a high risk of flooding, including functional flood plains, given the particular vulnerability of caravans; and
- The site was not a vacant site and alternative accommodation was available for the Applicant at the Oxney Road Traveller's Site.

Mrs Alex Terry, a local resident and objector, addressed the Committee. In summary the key points highlighted included:

- Milking Nook was in an area of open countryside which was of great archaeological and natural importance;
- Solicitor Hewitson's objection letter clearly proved the planning departments conclusions were flawed and lacked vital information;
- There had been no flood risk assessment, no sequential and no exception tests, no archaeological data, no accurate data for the Highways Agency, no mineral statements to satisfy the Minerals and Waste Board objections, no information regarding moving an electricity pole and overhead cables, no information from the Applicant or English Nature regarding ecology or biodiversity, no mention of the three important county wildlife sites or the numerous scheduled monuments and no information about the intention to fill in drains and block culverts;
- New plans had been submitted because the original access was unsafe, but none of the problems had been solved and the plans had been approved without being checked. There was now an electricity pole blocking the entrance and on both sides visibility was well below requirements because of neighbouring trees and hedges;
- The new access required two existing drains and culverts to be filled in which would increase flooding risk;
- It was not correct to say the Environment Agency had no objections. They stated in their original submitted letter that the proposed development was classified as highly vulnerable and that it should only be permitted in flood zone 2 if the sequential and exception tests were passed. On that ground alone the application should at the very least be deferred if not refused;
- The Planning department would not allow a house to be built on the site because of flooding, yet they were happy for vulnerable caravans to be put at risk;
- Sites should not use hard landscaping so that the site and occupants were deliberately isolated. The Applicant wished to enclose this open field in a newly planted hedgerow of over 1.8 metres high. No hedgerows or any form of hard landscaping should be used;
- The site needed to remain open to safeguard the landscape and to help the family become part of the local community;
- The report indicated that the Plan met CS9 because Peterborough had failed to complete its Gypsy and Traveller Plan. The planning department must have been aware that this plan was due to be published the following month;
- 17 pitches by 2021 was a very low level of need;

- The DCLG and the National Planning Policy Framework (NPPF) advised that this type of land should not be used for traveller gypsy sites;
- In Hewitson's legal opinion the site failed to satisfy CS9 in every way;
- The report's conclusions were unsupported and the Committee should have serious health and safety concerns regarding flooding, access and services; and
- It was hoped that the Committee would refuse the application so that the Applicant could either find a more suitable location on a previously developed site or complete all of the necessary paperwork and put in a new and accurate and complete application.

Mr Barry Nicholls, the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- These applications were always difficult because generally people did not want gypsy and travellers in their location;
- A flood risk assessment had been submitted to the Planning Department;
- Work had been undertaken closely with the planning department, who supported the application;
- In relation to the electricity pole, that was not a planning condition, it was a private treaty between the land owner and the electricity board to move it, hence not a planning issue;
- The site was one of the rarities. It was not a move-on and eviction or appeal against enforcement. The Applicant's had found one of the few rare sites where a land-owner was willing to sell to them to move onto;
- The Environment Agency had advised the Agent that the site was in flood zone two. The data for Newborough, including Northborough, was incorrect and a change was due to the data in 2015;
- The family had local connections and also both their children went to local schools. The need for family pitches was great;
- The gypsy community continued to grow and a supply of approximately 20-30 pitches was required;
- Policies CS9, 14, 20, 21 and 22 had all been proven at appeal;
- 180 pitches in relation to the population of Peterborough, being around 180,000, was a very small percentage;
- In relation to amenities, the site was only 1.7 kilometres away from Newborough;
- The proposal would be surrounded on both sides by development; and
- Mitigation landscaping would aid the proposal and the Planning Department had assisted with positioning the site so that the impact was compliant to the policy.

Following questions to the speakers, Members debated the application and raised a number of concerns relating to the adverse impact that the development would have on the appearance and character of the area and the flood risks. Further clarification was also sought on the access and egress to the site.

The Highways Officer advised that the visibility splays required for the site had been demonstrated, the plans had been checked and officers were happy that they were achievable within the public highway.

The Group Manager Development Management addressed the Committee in relation to the apparent differing views from the Environment Agency. It was advised that a deferral could be sought from the Committee in order to allow for the situation to be clarified.

Members continued to debate the application and expressed differing views, with concerns highlighted relating to flood risk, impact on minerals and landscaping and comments that the consultation had not been as comprehensive as it could have been.

Those in support of the application commented that they felt points had been adequately covered by officers and they could see no valid reasons for refusal.

A motion was put forward to approve the application, as per officer recommendation. There was no seconder for the motion and therefore the motion was not carried and a further proposal was sought.

A motion was put forward and seconded to refuse the application, contrary to officer recommendation. The motion was carried by 6 votes, with 1 voting against and 1 abstention.

RESOLVED: (6 For, 1 Against, 1 Abstention) to refuse the application, contrary to officer recommendation.

Reasons for the decision

1. The nature of the development in the context of the level of flood risk associated with the location was such that it needed to be demonstrated that there were no other sites available at lower flood risk where the proposal could be accommodated. The proposal was therefore contrary to the provisions of Para 100 of the NPPF and Policy CS22 of the Peterborough City Council's adopted Core Strategy DPD 2011 both of which sought to direct development away from areas at highest risk of flooding. It was also contrary to criterion a) of Policy CS9 of the Peterborough City Council Core Strategy DPD 2011 which stated that the proposal should comply with national and local planning policies including those relating to flood risk and Para 11 of the DCLG's Planning policy for traveller sites 2012;
2. The location of the proposed development in the open fenland countryside was such that the development would appear as an obvious new build development which would be difficult to mitigate given the open and flat nature of the local landscape. The proposal was therefore contrary to Para 109 of the NPPF and Policy C20 of the Peterborough City Council's Core Strategy DPD which sought to protect landscapes from inappropriate development. It was also contrary to criterion a) of Policy CS9 of the Peterborough City Council Core Strategy DPD 2011 which stated that the proposal should comply with national and local planning policies including those relating to landscape character; and
3. The proposal site lay within a Minerals Safeguarding Area (MSA), designated due to the presence of reserves of sand and gravel and Brick clay which were considered to be of current or future economic importance. The proposal was contrary to Policy CS26 of the Cambridgeshire and Peterborough adopted Minerals and Waste Core Strategy DPD 2011 as it had not been shown: that the minerals concerned were no longer viable to extract, that the minerals could be extracted prior to the development taking place, that the development would not inhibit extraction of the mineral in the future or that that the proposal was compatible with mineral extraction.

5.5 13/01263/FUL – Extension to retail floorspace with two flats above. 70 - 80 Storrington Way, Werrington, Peterborough, PE4 6QP

The application site was located on the northern side of Storrington Way and on the corner with Amberley Slope to the west and was a grassed area adjacent to the western end unit within a Local Centre. The Local Centre was comprised of a terraced shopping parade with commercial units at ground floor and flats at first and second

floors. There were parking bays for up to four cars to the front of the parade and a car park was located to the east and accessed off Storrington Way. The surrounding character was predominantly residential comprising bungalows and 2 storey properties. There were currently two trees located within the grassed area to the west of the site.

The application sought approval for the erection of an extension to the western end unit within the shopping parade. The extension would provide 136m² of retail (A1) floorspace at ground floor and 2 no. 1 bed flats at first floor. The flats would be accessed via an external staircase at the rear in a similar way to the existing flats. The commercial units would also be serviced from the rear. Two parking spaces would be provided to serve the flats. The footprint of the extension would be 11 metres in length x 13 metres in depth. The roof would have a gable end style to match the existing building at a height of 7.2 metres. A small terraced area would be available to both flats on the southern elevation (front) and a small amenity/drying area would be provided to the rear.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. The officer's recommendation was to approve the application subject to the signing of a legal agreement and the imposition of relevant conditions.

Ward Councillor Paula Thacker, Ward Councillor Julia Davidson and Mr David Hedges, Werrington Neighbourhood Committee, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There had been numerous problems experienced with the shops including anti-social behavior and flytipping;
- The landlord did not look after the site adequately and this application would add to the dreadful appearance of the building;
- Why did the Applicant want another shop and flats when he could not look after those that he already had?
- There were only four parking spaces in front of the building which encouraged double parking and caused a blind spot on the corner;
- The corner was extremely dangerous, with numbers of buses passing through and children crossing the road regularly;
- Section 7 of the National Planning Policy Framework 2012, stated that development should add to the overall quality of the area and create a safe environment, which was visually attractive. The existing property was far from this;
- PPO2, design and quality, stated that permission would only be granted for development that made a positive contribution;
- Permission should not be granted that would result in an unacceptable loss of green space and be overbearing. There would be a loss of two trees;
- PPO4, residential development should be designed for the needs of residents;
- PP11a, shop frontages, development would not harm the character and appearance of the street scene;
- PP13, for development to only be granted if there was appropriate parking;
- PP16, permission to only be granted for development for retention of trees which contributed to the local landscape;
- There were too many landlords getting away with renting out properties that were in poor states of disrepair;
- The landlord had failed in his responsibility for the maintenance and upkeep of the properties;
- The residents should have been provided with a gas safety certificate to confirm that the gas safety services were applicable and current;
- There was a list of failures in relation to the property including blown double

- glazing, insufficient lighting, broken windows, insufficient car parking, lack of car park maintenance, flytipping and graffiti issues;
- The Neighbourhood Council concurred with all points mentioned by the Ward Councillors; and
- It was requested that a condition be implemented in relation to the proper surfacing of the car park to the rear.

The Senior Solicitor advised that a large number of the objections raised by the Ward Councillors had been in relation to landlord and tenant issues and were not planning considerations, therefore these representations should be disregarded by the Committee.

Mr John Norman and Mr Roly Pape, local residents and objectors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The main concern was the safety factor in relation to the visibility around the corner. The addition of the shops and flats would impede visibility even further;
- Car users speeded around the corner, with no thought of safety for children or pedestrians;
- There was no room for two buses to pass at any one time;
- The issues raised by the Ward Councillors were not housing issues, they were environmental issues which affected the people who lived locally;
- There were rats infesting the empty shop and this had been reported;
- There had been many incidents of flytipping, robberies and gangs of unruly youths causing trouble;
- Without the local residents rubbish picking, the area would look like a tip;
- Many local residents had received no information about the development;
- Why should more shops be allowed to stand empty and fall into disrepair?
- There had recently been a flood in one of the shops due to a hole in the roof of the flat above; and
- The road safety issue was of major concern to local residents.

Mr David Shaw, the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Many of the objectors comments were did not relate to planning matters;
- The site clearly needed improving and in order to do that the current owner was more likely to get development interest in the site, and to be able to sell it, if there was a good planning permission with the site;
- The Applicant had received interest from a food convenience based retailer;
- It was suspected that the premises would be sold onto a new owner should the application be granted; and
- There was no objection for the imposition of a condition relating to the improvement of the car park.

Following questions to the speakers, Members debated the application and raised a number of concerns including the design of the proposal and the safety aspects of the building line.

The Highways Officer double checked the forward visibility and confirmed that it was not achievable and as such, it did represent a highways safety issue.

A motion was put forward and seconded to refuse the application, contrary to officer recommendation. The motion was carried unanimously.

RESOLVED: (Unanimous) to refuse the application, contrary to officer recommendation.

Reasons for the decision

The proposed building would be located such that it would reduce the forward visibility for drivers travelling southbound along Amberley Slope as they approached the 90 degree bend in the highway. The proposal would therefore compromise highway safety, contrary to Policy PP12 of the adopted Peterborough City Council's Planning Policies DPD 2012.

The meeting was adjourned for five minutes.

5.6 13/01272/FUL - Proposed extension to care home to form 3 bedrooms and a lounge. Lavender House, 205 Broadway, Peterborough, PE1 4DS

The application site was located on the south side of Broadway and within the Park Conservation Area Boundary. The site contained a large 2 storey property which dated from the early 20th Century which had had significant extensions and operated as a residential care home run by Peterborough Care. The surrounding area was predominantly residential in character and there was another care home 'Broad Leigh' further to the east at 213 Broadway, also run by Peterborough Care.

The site had 31 rooms, two of which were double rooms and most were equipped with en-suite facilities. The care home was currently registered for 33 beds.

The application sought approval for a single storey extension to an existing single storey rear element of the existing building. The extension would be located on land which was currently the far rear garden of number 209 Broadway. The extension would provide three bedrooms with en-suite facilities and a lounge. The dimensions of the extension were 9.6 metres in length x 11.2 metres in width. The height would align with the existing single storey element of the building. The proposal would replace 2 no. double rooms and enable the provision of en-suite facilities to bedrooms within the existing care home. The 33 registered number of beds would remain the same. The proposal would not result in any additional employees at the care home.

The Group Manager Development Management provided the Committee with an overview of the proposal and the main issues for consideration. The officer's recommendation was to approve the application subject to the imposition of relevant conditions.

Members' attention was drawn to additional information contained within the update report and it was highlighted that Councillor Peach had submitted a statement in objection to the application.

Ward Councillor John Shearman addressed the Committee, on behalf of both the Applicant and local residents, and responded to questions from Members. In summary the key points highlighted included:

- There was a slight error within Councillor Shearman's submission in that he had originally believe that the extension would be for additional residents and not additional room for existing residents;
- The Applicant was seeking to improve the facilities for the residents within the care home. It was imperative that the provision of care was to the highest quality;
- The Broadway Residents Association had expressed concerns that the site had already been extended and this application may represent a modest increase,

- but these increases could keep happening incrementally going forward;
- The back garden development had a negative impact in relation to the infilling of the green area, to the detriment of surrounding properties and the character of the area;
- There had been previous applications that had been refused not only locally, but on appeal to the Secretary of State; and
- There had been a number of accidents in the area, however there would be no increase in residents, therefore no increase in the number of vehicles.

Mr Needham, a local resident and objector, addressed the Committee. In summary the key points highlighted included:

- Mr Needham was also representing the views of the Broadway Resident's Association;
- This was the twelfth application relating to the site in the past twelve years;
- The site was situated within a Conservation Area, made by the Committee for a purpose, which was to protect the area;
- The site and one other were the only non-residential sites in this part of Broadway. All other properties were residential houses;
- The history of the site was outlined and it was highlighted that the previous application had been rejected. The decision highlighted that the site was full and had been developed to its limit;
- The site was full and the application sought to circumvent the previous decision; and
- The extension would be built over the boundary and would reduce the green space within a Conservation Area.

Mr David Shaw, the Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was clarified that there would be no increase in the number of residents or staff, this would mean there would be no increased activity in relation to this development;
- In relation to the impact on the Conservation Area, the proposal would be located close to the edge but within it, the trees which could be seen from public areas would be retained and within the new area of space, the majority would be kept as green space;
- The green space would be used as a private garden for the residents. The garden would be quiet as the residents were elderly;
- The building would hardly be visible from any public area; and
- The scheme would have minimal impact upon the Conservation Area.

Following questions to the speakers, Members debated the application and stated that the increase in size of the facility would not mean an increase in residents or staff. The proposed extension would provide facilities for existing residents and ensure a good quality of accommodation.

A motion was put forward and seconded to approve the application, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (Unanimous) to approve the application, as per officer recommendation, subject to:

1. Conditions numbered C1 to C6 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 weighing against relevant policies of the development plan and specifically:

- The extension would be to the rear of the site and would not harm the character and appearance of the conservation area;
- It was considered that the design, scale and proposed materials of the proposed extension would harmonise with the existing building;
- The proposal would provide enhanced facilities for the existing residents in terms of accommodation and external amenity space;
- The extension would not result in any adverse impact on the amenity of the occupiers of neighbouring properties;
- The proposal would not result in the loss of high quality trees; and
- The proposal would not result in additional bed space or employees and would not result in any adverse highway implications.

Hence the proposal was in accordance with policies PP2, PP3, PP4, PP12, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

1.30pm – 6.28pm
Chairman

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