



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 22 OCTOBER 2013**

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

Officers Present: Nick Harding, Group Manager Development Management
Carrie Denness, Senior Solicitor
Hannah Vincent, Planning and Highways Lawyer
Gemma Wildman, Principal Strategic Planning Officer
Emma Naylor, Strategic Planning Officer
Jim Daley, Principal Built Environment Officer
Karen S Dunleavy, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Simons and Councillor Sylvester.

Councillor Kreling was in attendance as a substitute.

2. Declarations of Interests

Councillor Hiller declared an interest in item 3.1, 29 Maxey Road, stating that he had recently attended a presentation, given by the company Seagate Development, relating to previous developments within Northborough Ward, however this would not prejudice his decision making in respect of this current application.

3. Development Control and Enforcement Matters

3.1 13/01069/FUL - Construction of 5 x 5 bedroom dwellings with associated roadways, hard and soft landscaping - Land to The North of 29 Maxey Road, Helpston, Peterborough

The application site was located on the edge of Helpston village and abutted Maxey Road. It had well defined boundaries that separated it from the countryside. The street scene was characterised by a variety of styles and age of dwellings, including bungalows, two storey semi-detached and new built executive-style dwellings.

To the north was the East-Coast/Cross-Country railway line. A drainage ditch abutted the eastern edge of the site. The site was covered in rough grass and there were a number of trees at the front of the site, the rest of which had been bounded by hedges of varying condition. The Helpston Conservation Area was located 100 metres to the south and the site was situated within Flood Zone 1.

The Applicant sought consent to erect five two storey detached dwellings with detached double garages and a new access bridge, which would be constructed over the drainage ditch.

The site was allocated for residential development with an indicative number of six dwellings under Policy SA6.6 of the Peterborough Site Allocations DPD (2012).

The Group Manager Development Management provided an overview of the proposal and highlighted the key points for consideration. The officer's 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, which included:

- An additional condition requesting that the exact location of bat habitat boxes be provided;
- An additional condition requesting that no windows, other than those previously indicated, to be installed on the front east elevation of Plot 2; and
- A further letter of objection had been received from Helpston Parish Council addressing points raised within the Applicant's Design and Access Statement.

Comments had also been received from Anglian Water confirming that they had experienced one call out in Church Street with regard to foul sewerage, the conclusion being that no fault was found and it could not be proven that there would be a risk of sewerage issues in the future; and

Ward Councillor David Over and Parish Councillor Joe Dobson addressed the Committee and responded to questions from Members. In summary issues raised included:

- The Maxey Road old hedges had come under pressure over the past 20 years due to the number of housing developments;
- Some of the houses built had not met planning permission or followed the appropriate regulations;
- The area was a recent addition to the planning village envelope, which had not widely been consulted upon;
- Materials to be used for the proposed development were not in keeping with the village street scene;
- There had been no recent sewer problems due to the warm summer and the lack of rain;
- The sewer pipe was six inches in diameter and had most likely been installed in the 1960's. This caused concern around future provision;
- There was a lack of services, such as broadband, in Helpston;
- Consideration should be given to allocate the site for affordable housing development for the young or retired;
- The traffic issues currently experienced at the level crossings may increase if the proposed development was approved;
- The proposal appeared to attract high end development and had not catered for the needs of the village nor for families;
- A recent development site within Helpston reached right up to the road and beyond the building line of the adjacent existing properties;
- The plot was overbearing and untypical to what had already existed in other areas of the Helpston;
- Helpston housing developments had increased by 50% and the village was unable to cope with further development as it did not have the necessary infrastructure;
- A S106 agreement would provide more green space if an affordable housing development was introduced in Helpston Village. There would also be the opportunity to update the village hall and various other services;
- Local residents' objections had been raised directly through Helpston Parish Council;
- The site allocation would benefit from a mix of housing options. This would be

- more attractive to the Parish Council; and
- Affordable housing would attract the younger generation to take up residence in Helpston village.

The Group Manager Development Management provided clarification over points raised and stated that an extensive consultation process had been undertaken on the site allocations proposals in accordance with legislation.

Members debated the application and commented that although they were sympathetic to the concerns raised in relation to the Helpston villager's needs, there would be a POIS contribution which would go towards improvements within the village. It was further noted that sufficient provision should be made to ensure that the bat population was provided for.

The Group Manager Development Management confirmed that the bat survey conducted had not shown a high numbered population, however, Members may request an additional condition calling for additional bat boxes to be installed.

A motion was put forward and seconded to grant the application, as per officer recommendation, subject to the imposition of relevant conditions. The motion was carried by 6 votes, with 2 voting against and 1 abstaining.

RESOLVED: (6 For, 2 Against, 1 Abstention) to grant the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C17 as detailed in the committee report;
2. An additional condition requesting the provision of additional bat boxes and the specification of the location of those boxes;
3. An additional condition regarding the restricted installation of windows for Plot 2.

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 design, layout and scale of the development was considered appropriate to the surrounding character and context of the area, it would not have an unacceptably adverse impact on the adjacent Conservation Area and it would not have an unacceptably adverse impact on the amenity of existing and future residential occupiers. The proposal was therefore considered acceptable in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), the NPPF (2012), SA4 and SA6 of the Peterborough Site Allocations DPD (2012) and PP2, PP3, PP4 and PP17 of the Peterborough Policies DPD (2012);
- A suitable access and sufficient on-site parking and turning could be provided. Subject to conditions with respect to securing a 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 trees or existing ecological features of the site. An appropriate scheme for bat mitigating, tree protection and the hard and soft landscaping of the site could be secured via the imposition of a condition, as well as providing opportunities for biodiversity gain. 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 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 had been secured through a Section 106 Legal Agreement. The proposal was therefore in accordance with Policy CS13 of the Peterborough Core Strategy DPD (2011).

4. Application to Designate a Neighbourhood Area (Bretton Parish Council)

The Strategic Planning Officer introduced a report which outlined the application from Bretton Parish Council to become a Designated Neighbourhood Area, in accordance with the procedures contained in the adopted Peterborough City Council Statement of Community Involvement.

The options open for Committee's consideration were as follows:

- Option A: 'area approved, without amendment';
- Option B: 'area approved, with minor amendments'; and
- Option C: 'minded to approve an area, but only if significant amendments were made which were subject to a further round of consultation'.

It was advised that the Bretton Parish Council area, if approved, would become the fifth Neighbourhood Area in Peterborough.

A motion was put forward and seconded to approve officer recommendation.

RESOLVED:

The Committee agreed that:

1. Bretton Parish Council's application to designate a Neighbourhood Area was to be approved without amendment (Option A - approval without amendment); and
2. That the Neighbourhood Area would not be designated as a business area.

Reasons for the decision:

It was been considered that the whole of the parish was a logical and appropriate area for designation as a Neighbourhood Area and that the Neighbourhood Area should not be designated as a business area.

5. Peterborough City Centre Development Plan Document (DPD)

The Principal Strategic Planning Officer introduced a report which sought comments from the Committee on the City Centre Plan (Proposed Submission Version) before it was presented to Cabinet on 4 November 2013. Cabinet would then be asked to recommend the document for approval by Full Council for the purpose of public consultation and submission to the Secretary of State.

The Principal Strategic Planning Officer also highlighted the changes to the DPD which were outlined within the report.

Members commented on the development ideas for the Worrina and the recent £250k that had been secured as a result of the Potters Way developments. Members also commended the DPD document and the work undertaken by officers.

RESOLVED:

The Committee confirmed their agreement of the draft Peterborough City Centre DPD (Proposed Submission Version) and had no comments to be presented to Cabinet.

Following a request to the Committee, it was agreed that agenda item 7 would be taken as the next item of business.

6. Three Month Appeal Performance

The Group Manager Development Management introduced a report which outlined Planning Service's performance at appeals and identified if there had been any lessons to be learnt in terms of the appeal outcomes. The aim was intended to help inform Committee when undertaking future decisions in order to potentially reduce costs.

Key points highlighted included:

- There had been no costs of award against the Council; and
- The outcome of the appeal for installation of a temporary mobile home for occupation by managers of Dairy Foods.

In response to a question raised by Members regarding the appeal progress of 12/01922/FUL, Cherry Orton Road the Group Manager Development Management advised that an enforcement notice was due to be served.

RESOLVED:

The Committee noted past performance and outcomes.

Following a request to the Committee, it was agreed that agenda item 8 would be taken as the next item of business.

7. Planning Compliance Quarterly Report on Activity and Performance – July to September 2013

The Group Manager Development Management introduced a report which outlined the Planning Service's planning compliance performance and activity which identified if there were any lessons to be learnt from the actions taken. The aim was for Committee to be kept informed of future decisions and potential to reduce costs.

Key highlights within the report included:

- In the second quarter of 2013/4 the Council received a total of 116 service requests (usually average was 150 cases per quarter). And taking into account the number of cases closed over the period (117 cases) as at 31 September 2013 the Council had 238 live cases being investigated / in the process of being resolved;
- The Technical Services Team had acknowledged 97% of new service requests within three working days during the quarter, this was well above the target of 80% and 91% of initial site visits were made within seven days of the service request being received; and
- A total of seven enforcement notices had been issued in the quarter and six enforcement notices issued in previous quarters had been checked and were found to have been complied with. The Council had received 34 less cases than the quarterly average of 150. The number of cases closed was 33 below the quarterly average. The Council had brought a successful prosecution case

against an unauthorised residential extension although the fine imposed had been successfully challenged and the Council was awaiting news on what the new fine would be.

The Group Manager Development Management responded to questions and comments raised by Members. In summary responses included:

- The notices regarding advertisements in the open countryside were currently being prepared;
- The timeliness of when enforcement would be served on a development would depend on the nature of the matter and the number of people affected. As a guideline, most notices were served within six months; and
- The outcome of the appeal regarding the retrospective planning approval for 12/00050/ENFACC, 90 Vere Road was outlined to Committee. The Inspector dismissed the appeal and the Applicant was to take the building back to its original approved planning permission.

RESOLVED:

The Committee noted past performance and outcomes.

8. Peterborough Shop Front Design Guidance Supplementary Planning Document (SPD)

The Principal Built Environment Officer introduced a report to Committee which followed public consultation on a draft version of the Shop Front Design Guidance Supplementary Planning Document (SPD).

The Committee was advised that the purpose of the report had been to enable the Committee to comment on the draft final version of the Shop Front Design Guidance SPD before it was presented to the relevant portfolio holder (the Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement) for approval by Cabinet Member Decision Notice. The Leader would be requested to take into account any comments from the Planning Committee.

The Design Guide was intended to provide good representation over shop front designs that were preferred by the Council.

Members commented on the document and key points raised, and responses given by the Principal Built Environment Officer, included:

- The document was a good representation of shop front design requirements and once it was embedded into planning policy, it should make the City a more attractive place;
- Requirements on the diameter of shop front entrances for the provision of wheelchair access would be advised by building control;
- Small and Medium-sized Enterprises (SME) would not be subject to a prescriptive material in the choice of frontage design, as the SPD guidance set out the Council's preference in the use of materials. There would however, be constraints for graded buildings or conservation areas;
- The team's assessment of a shop front design would be referred to within planning applications, in order to check whether the proposal was a good design that worked well with the street scene, with the aim being to avoid an area becoming cluttered with overbearing shop fronts;
- There would be no advertisement control over stickers displayed in shop front windows, however the SPD would aim to avoid shop windows becoming

- completely covered in unnecessary signage;
- There was no objection by the team as to outside lighting, however consideration should be given from a highway point of view in that the lighting should not be too dominant. As an example a small pool of light to welcome customers into a shop was acceptable;
 - The style of shutters outside shops, would be determined by considering the crime statistics for an area;
 - Some Members commented that the SPD was an important document, however, it would be disappointing if SMEs were to experience obstacles due to the rules contained within it and over regulation; and
 - Some Members commented that the Council had a duty to protect other shopkeepers in terms of setting shop design standards within an area and to preserve the character of old buildings. Businesses needed to be aware of what the Council's design expectations were.

RESOLVED:

The Committee commented on the Peterborough Shop Front Design Guidance Supplementary Planning Document (SPD). There were no specific recommendations put forward by the Committee in order to assist the Leader in reaching his decision.

1.30pm – 3.08pm
Chairman