

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 22 JULY 2014**

**Members Present:** Councillors Harper (Chairman), Hiller, North, Stokes, Sylvester, Harrington and Ash.

**Officers Present:** Lee Collins, Planning and Development Manager  
Vicky Hurrell, Principal Development Management Officer  
Jez Tuttle, Senior Engineer (Development)  
Ruth Lea, Planning and Highways Lawyer  
Hannah Vincent, Planning and Highways Lawyer  
Pippa Turvey, Senior Governance Officer

**1. Apologies for Absence**

An apology for absence was received from Councillors Casey, Martin, Serluca and Shabbir.

Councillor Sylvester attended as a substitute.

**2. Declarations of Interest**

Councillor Hiller raised a non-pecuniary interest in item 4.3 he had met with the persons speaking in objection, with regards to another matter.

Councillor Ash raised a non-pecuniary interest in items 4.4, 4.5, 4.6 as he had been lobbied by local residents yesterday, however had passed queries on to his fellow Ward Councillor.

Councillor North raised a non-pecuniary interest in items 4.7 as he had been lobbied by local residents, however had passed queries on to his fellow Ward Councillor.

**3. Members' Declaration of intention to make representations as Ward Councillor**

Councillor Harrington declared that he would be speaking on items 4.2 and 4.3 as Ward Councillor.

**4. Development Control and Enforcement Matters**

**4.1 14/00536/OUT – Former Site of Peterborough District Hospital, Thorpe Road, Peterborough**

The planning application was for the demolition of existing buildings at the former site of the Peterborough District Hospital. The application included remediation and earthworks, removal of trees and redevelopment to provide residential development of up to 350 residential units of up to four storeys with a total gross external area of up to 33,820 square metres, including retention and residential use of The Gables and 60-62 Thorpe Road, means of access, formal and information open space, a new Community Primary School including the retention and use of part of the Memorial Wind building, associated landscaping, footpaths, secondary access roads and drainage works, with access from Thorpe Road, Midland Road and Alderman's Drive

The key issues to be considered were:

- The Principle of Development, including demolition and location of the school site;
- Traffic Impacts;
- Design and Layout including impact upon Heritage Assets;
- Landscape Impacts and Open Space Provision;
- Ecological Implications;
- Drainage;
- Contamination;
- Archaeology;
- Section 106 Legal Agreement;
- Air Quality and Construction Management.

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.

The Principal Development Management Officer provided an overview of the application and raised the following key points:

- The Committee had before it an outline application only, with further more detailed applications to be submitted at a future date (reserved matters).
- The Gables, 60 – 62 Thorpe Road and the administrative core of the Memorial Wing building would be retained, as they were important to the heritage of the site. The remaining buildings were to be demolished.
- The inclusion of a school on the site would help meet local need and would need to be delivered at the earliest point.
- It was considered the highways impact of the proposal would not be greater than that of the previous hospital use. With regard to the objections received in respect of St John's Close the access proposals are acceptable and the applicant cannot be required to rectify existing highways issues, only those which the application created.
- Traffic lights and crossings were included at various points within the application.
- There were no objections based on landscaping or drainage at this outline application stage.
- The update report detailed that prior approval had been granted for the demolition of the Memorial Wing building, excluding the administrative core, and that the S106 highway contribution was £393,000.

Mr Kevin Moriarty, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- A public consultation had been undertaken regarding the proposals in January.
- 350 mixed homes were to be provided alongside a school, which was believed to be of great importance.
- The proposal would not generate any more traffic than previous use. The applicant had worked with the Council to try and improve the current highway situation.
- The demolition of 600,000 square feet of buildings would improve the look and feel of the site.
- Heritage integration was an important part of the proposal.
- The provision of 600 new school places would be the first area of development within the proposals.
- Traffic flows had been considered alongside the volume of traffic the development would produce.
- The method of demolition used on the site would be included within a method statement and environmental action plan, which would require approval from the Council.
- The applicant aimed to get the road to the walk in centre adopted and work was being carried out with Health Watch to maintain pedestrian access to the centre.

The Committee were happy to see the proposals in front of them and were pleased that the number of dwellings proposed was at the lower end of the scale (as identified in the Hospital SPD which was a material planning consideration). Concerns were raised regarding the school placement next to the Thorpe Road junction and this would need to be considered in the detailed application, as well as the impact on the existing road network.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the conditions set out in the reports.

### **Reasons for the decision**

Subject to the imposition of the attached 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 application site was the Hospital Opportunity Area and policy CC13 of the adopted Peterborough Local Plan (First Replacement) promoted the complete redevelopment of this area. The proposed land uses were broadly in accordance with the adopted SPD albeit that it reflected the current market conditions and the requirement of the Council for additional school places. The proposal would therefore facilitate the redevelopment of this area and help to meet housing demand. As such the scheme was considered to comply with policies CS1 and CS8 of the adopted Core Strategy, policy CC13 of the adopted Peterborough Local Plan (First Replacement), policy CC4 of the City Centre DPD (Submission Version) and the provisions of the National Planning Policy Framework.

It was not considered that the proposal would have any adverse impact upon highway safety. The new access points were acceptable and contributions toward off site highway improvements were being secured. The site was also a sustainable location close to the city centre. The proposal therefore accorded with policy PP12 of the adopted Planning Policies DPD.

The application allowed for the retention and conservation of the Gables a Listed Building, the conservation of 60-62 Thorpe Road a building of local importance and the retention of the administrative core of the Memorial Wing. The application therefore sought to bring these heritage assets back into active use which will help preserve them in the longer term. It was also considered that the proposed demolition of the hospital block would improve the setting of Sessions House. The proposal was therefore considered to comply with section 12 of the National Planning Policy Framework, section 66 of the Planning (Listed Building and Conservation Areas) Act, policy CS17 of the adopted Core Strategy and policy PP17 of the adopted Planning Policies DPD.

In principle it was considered that the site could be developed without any unacceptable adverse impact upon neighbour amenity and that it could afford the new occupiers a satisfactory level of amenity. The proposal therefore accorded with policies PP3 and PP4 of the adopted Planning Policies DPD.

Subject to conditions the site could be adequately drained and mitigation measures secured to deal with ground contamination. The development therefore accorded with policy CS22 of the adopted Core Strategy DPD and the NPPF.

The application sought to retain the key protected trees within the site and there would not be any significant ecological impacts. The proposal therefore accorded with policy PP16 of the adopted Planning Policies DPD.

The proposal would deliver a new school site which would be key to meeting the need for additional school places in the west place planning area. In addition, S106 funding would be secured for off site highway works, along with contributions toward community and leisure and the environment. The proposal therefore accorded with policy CS13 of the adopted Core Strategy.

#### **4.2 14/00206/FUL – Land to the West of Williams Close, Newborough, Peterborough**

Councillor Harrington left the Committee meeting.

The planning application was for a residential development on the land to the west of Williams Close, Newborough comprising 42 dwellings, access, associated works and landscaping.

The main considerations were:

- The Principle of Development;
- Highway Implications;
- Design and Layout;
- Landscape Implications;
- Ecological Implications;
- Flood Risk and Drainage;
- Section 106 Legal Agreement;
- Other Matters.

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.

The Planning and Development Manager provided an overview of the application and raised the following points:

- The open space outlined in the application was the only part of the site in flood zone 2.
- A viability assessment had been submitted, suggesting the proposal would not be viable with affordable housing. As such, none was to be provided.
- Ground works for the proposal would raise the site by one metre.
- Two letters of support had been received and 24 letters of objection. Most of these highlighted the principle of development, the agricultural nature of the land, the proposed access, loss of privacy and drainage.
- Highways officers had objected to the access off Soke Road, for seven residences, advising that the road required widening. The applicant had not considered this necessary.
- The roads within the proposal site had been widened to comply with policy.
- It was considered that plot 20 would have an overbearing impact on Williams Close, however the significant separation distance meant that that it was acceptable, on balance.
- The applicant had relocated the footpath on Soke Road. This did not alter the Highways objection, however the proposal was still considered acceptable.

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

- This was an on balance decision that needed to be made.
- Plot 20 would have an overbearing impact on Williams Close.
- A one metre raising of the site was significant and land shrinkage may result.

- Flooding would be an issue if the land was raised. The land surrounding the site would flood as a result, as has happened before with other, similar sites.
- Soke Road was a narrow road and caused problems for residents. There had been fatalities and more work needed to be carried out to make access to the site safe.
- On balance, Councillor Harrington was not happy with the proposal and asked the Committee to refuse it as more detail was needed and it would result in overbearing impact.

Mr Paul Fowler, Parish Councillor, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- A hedgerow had not been included on the site plan and this suggested that the proposals had not been fully considered.
- It was believed that the attitude the applicant presented towards Soke Road was concerning, as they had ignored suggestions to make the road safer. Seven residences using the accesses off Soke Road was significant.
- Williams Close would be overlooked by the proposals as they are currently.
- The Highways recommendations had not been considered.

Mr Nigel Ozier, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- There had been a lot of work carried out to get to this position. The applicant had met with the Parish Council twice and has been willing to amend the proposals as a result.
- A viability assessment had been undertaken to establish the Section 106 contributions, although the contribution figure in the report was questioned.
- Only seven houses would access the site from Soke Road so the volume of traffic would not significantly increase. However, the footpath has been altered so residents will not need to walk on the road.
- The general consensus from consultation was that the area did not flood. This situation would not change as the road would remain higher than the land.
- The design of plot 20 had been altered and met with the required standards. Only 1 landing window faced on to Williams Close.

The Senior Engineer advised that comment had been made on the application regarding the narrowness of Soke Road. The road was well used by vehicles and pedestrians. The road was sub-standard and the addition of more traffic caused the Highways officers to object. A solution was offered to the applicant, where one access was provided off the widened road, however this was not taken up.

The Committee raised concerns regarding the Highways implications of the proposals and that the applicant had not taken into account the comments of Highways officers. The loss of amenity for Williams Close residents was discussed and considered as an important issue, which should be altered.

The potential for flooding on the site and the land surrounding the site was discussed. The Planning and Development Manager clarified that no objections had been raised from the relevant bodies that had been consulted.

The Planning and Highways Lawyer advised that if the Committee were minded to defer the application any such motion would need to be clear on the precise grounds that the decision was being deferred.

A motion was proposed and seconded to defer the application for further consideration of the Soke Road access, loss of amenity for residents of Williams Close and to examine the viability of the proposal. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **DEFERRED**.

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

To consider the Soke Road access and the alternative suggestions of the Highways Authority.

To consider the loss of amenity for residents of Williams Close.

To examine the viability of the proposal with regard to the Section 106 Legal Agreement and the provision of affordable housing.

### **4.3 14/00908/FUL – Fen Cottage, Werrington Bridge Road, Milking Nook, Peterborough**

The planning application was a part-retrospective application for the change of use of an agricultural paddock at Fen Cottage, Werrington Bridge Road, Milking Nook to parking and storage of vehicles in association with the existing plant hire business.

The key issues to be considered were:

- Principle of development;
- Impact upon the character and appearance of the surrounding area / landscape character;
- Highway implications;
- Neighbour amenity;
- Drainage and flood risk.

It was officer's recommendation that planning permission be granted, subject to conditions.

The Planning and Development Manager provided an overview of the application and raised the following points:

- The site was in the open countryside with residential dwellings nearby.
- Part of the hard core flooring had already been laid, which was why the application was part-retrospective.
- Nine objections had been received from local residents.
- The NPPF supported economic growth in connection with an established economic use. A condition had been proposed to ensure that any permission granted was personal to the applicant.
- There would be no significant increase in traffic, however the front of the building would become less cluttered.
- A condition had been proposed to restate the hours of operation already in place on the business site.
- The proposal was in flood zone 3. Following the sequential test, as there was an established business at the site, an alternative location would not be practical.
- The update report included additional conditions regarding landscaping and it was clarified that sub-letting would not be allowed, as the permission was personal.
- Any non-compliance of conditions should be reported to the compliance team.

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

- Development should not be permitted in the open countryside.
- The applicant could utilise an industrial site elsewhere.
- No further jobs would be created from the proposals.
- There was a high amount of traffic movement on Werrington Bridge Road and this was often at high speed.
- The proposal would result in overdevelopment.
- The applicants would not be able to mitigate the impact of the proposal.

Mr Paul Fowler, Parish Councillor, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The proposal represented a threat of industrialisation to a small hamlet.
- The NPPF stated that development in the countryside should be restricted unless through the conversion of existing buildings or well-designed new buildings. The application was neither of these, nor is it essential to the effective operation of local agriculture as set out in the Councils' 2012 DPD.
- There are local business which could store the machinery for the applicant with expansion.
- If the application were approved, a condition requiring the applicant to demonstrate their vehicles were essential to the effective operation of local agriculture was requested.
- The risk of flooding was significant and more work needed to be undertaken to ensure that conditions regarding flooding were effective.
- Liaison with the Environment Agency was requested as well as a SUDS test and flood mitigation, all by condition.
- It was highlighted that the application would have an impact on residences visual amenity.
- A condition to exclude the permanent storage of HGV's on site was requested.

Ms Alex Terry addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- There were significant undiscovered remains on the site, which should be considered.
- This expansion was a step too far in the development of the site.
- There was concern that the business would turn into a haulage company and that commercial activity was inappropriate as there were no footpaths on the surrounding roads.
- Attention was drawn to the fact that conditions relating to previous working hours had been flouted, as work was carried out on Sundays.
- Residents were in a difficult situation as the only way to reinstate previous conditions on the existing site was to grant this application.
- Conditions needed to be specific with regard to protecting heritage, protecting nature, child safety, environmental consultation, business use for local agriculture and consultation with the highways department regarding HGV licences.

The Committee discussed proposed condition two and whether this included the prevention of HGV's. The Planning and Development Manager advised that the condition clearly restricted the number and type of vehicle to be held on site, and this excluded HGV's. It was clarified that condition two related to storage on site only and did not restrict the method of delivery. However, traffic generation was not expected to significantly increase.

The Committee noted that the enforcement and the applicant's compliance with the conditions of any permission were of paramount importance.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation.

**RESOLVED:** (4 voted in favour, 1 voted against and 1 abstained from voting) that planning permission is **GRANTED** subject to the amended conditions.

### **Reasons for the decision**

Subject to the imposition of the attached 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 development would allow for the continued effective operation of a business within the rural area but is only acceptable for the duration of the associated plant hire business which itself has a limited personal permission, in accordance with paragraph 28 of the National Planning Policy Framework (2012);
- the existing paddock had historically been segregated from the wider open countryside and the development represents a natural extension to the existing business use. The parking of vehicles would result in some detriment to the overall visual amenity of the locality however this is not considered to represent unacceptable harm, in accordance with Policies CS16 and CS20 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the development would not materially increase the traffic generation from the site and would not result in unacceptable impact to the safety of the nearby public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the development would not result in any unacceptable impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012); and
- the development had met the requirements of the flood risk sequential test, would increase surface water storage within the site and would not result in any increased surface water flood risk to neighbouring sites, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

#### **4.4 14/00866/FUL – Land to the Rear of 55 Figtree Walk, Dogsthorpe, Peterborough**

Councillor Harrington re-joined the Committee meeting.

The planning application was for the demolition of an existing garage block on the land to the rear of 55 Figtree Walk, Dogsthorpe and the construction of three two-bed affordable bungalows with associated external works and parking.

The main considerations were:

- Principle of development;
- Design and impact upon the character and appearance of the surrounding area;
- Parking and highway implications;
- Neighbourhood amenity;
- Amenity provision for future occupants;
- Developer contributions.

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.



The Principal Development Management Officer provided an overview of the application and raised the following key points:

- The site was close to existing facilities and, as such, was considered to be sustainable.
- The development would help meet the affordable housing need.
- The applicant could demolish the garages currently on the site without planning permission.
- No objection had been raised by Highways Officers.
- Although access to the site was narrow, traffic movement would be less than current.
- There would be an impact on surrounding residences' amenity, however this was considered to be acceptable given the separation distances between dwellings.
- Section 106 contributions would total £3,000.

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

- All three garage site applications were initially objected to, however this particular application was now considered acceptable, with the exception of the concerns as to the existence of asbestos in the garage roofs.
- It was also requested by residents that the brick wall along the access remained.

The Committee considered that the proposal would constitute overdevelopment and an unacceptable impact on amenity for existing residents. The space was still used by local residents and the proposal would take away a vital facility. The development was believed to be inappropriate for the space.

A motion was proposed and seconded to agree that permission be refused, against officer recommendation, on the ground of overdevelopment and loss of amenity in accordance with policy CS16 of the adopted Core Strategy. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **REFUSED**.

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

The proposal was unacceptable having regard to planning policy CS16 as it was considered to represent overdevelopment and would result in the loss of residential amenity.

#### **4.5 14/00863/FUL – Land to the Rear of 30 and 32 Furze Ride, Dogsthorpe, Peterborough**

The planning application was for the demolition of an existing garage block on the land to the rear of 30 and 32 Furze Ride, Dogsthorpe and the construction of one two-bed affordable dwellings including external works with parking.

The main considerations were:

- Principle of development;
- Design and impact upon the character and appearance of the surrounding area;
- Parking and highway implications;
- Neighbourhood amenity;
- Amenity provision for future occupants;
- Developer contributions.

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.

The Principal Development Management Officer provided an overview of the application and raised the following key points:

- The site was close to existing facilities and, as such, was considered to be sustainable.
- The development would help meet the affordable housing need.
- The applicant could demolish the garages currently on the site without planning permission.
- No objection had been raised by Highways Officers.
- Although no other dwellings front this part of the street the proposal was not out of keeping with the general pattern of development in the area. The proposal was also acceptable in terms of design.
- There would be an impact on surrounding residences' amenity, however this was considered to be acceptable given the separation distances between dwellings.
- Section 106 contributions would be £1,000.

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

- There was a minimal number of other garages in the surrounding and to remove these would result in a significant reduction in parking amenity.
- If development were to happen, one dwelling on the site was considered acceptable.

The Committee considered that the gain of one dwelling did not outweigh the loss of amenity that would result from the proposed development.

A motion was proposed and seconded to agree that permission be refused, against officer recommendation, on the ground of overdevelopment and loss of amenity in accordance with policy Cs16 of the adopted Core Strategy. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **REFUSED**.

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

The proposal was unacceptable having regard to planning policy CS16 as it was considered to represent overdevelopment and would result in the loss of residential amenity.

#### **4.6 14/00864/FUL – Land to the Rear of 264 and 266 Eastern Avenue, Dogsthorpe, Peterborough**

The planning application was for the demolition of an existing garage block on the land to the rear of 264 and 266 Eastern Avenue, Dogsthorpe and the construction of two two-bed affordable dwellings including external works with parking.

The main considerations were:

- Principle of development;
- Design and impact upon the character and appearance of the surrounding area;
- Parking and highway implications;
- Neighbourhood amenity;
- Amenity provision for future occupants;
- Developer contributions.

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.

The Planning and Development Manager provided an overview of the application and raised the following key points:

- The site was close to existing facilities and, as such, was considered to be a sustainable.
- The development would help meet the affordable housing need
- The applicant could demolish the garages currently on the site without planning permission.
- The dwellings had been reduced from the original submission to be more modest in size.
- There would be no impact on the street scene.
- There would be an impact on surrounding residences' amenity, however this was considered to be acceptable given the separation distances between dwellings.
- Section 106 contributions would be £2,000.
- Three comments had been received from residents with regards to overshadowing, the loss of garages and privacy.

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

- Councillor Saltmarsh and Councillor Miners strongly objected to this application.
- The site was completely surrounded by residences and parking would be significantly reduced.
- Rear access would be lost for 109 and 111 Poplar Avenue.
- Cross Keys Homes had not carried out proper consultation or informed the garage owners of the applications.
- The proposals would have an overbearing impact on the residences, with the proposed buildings having moved closer to the gardens of existing properties and with additional windows.

Mr Henson addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Cross Keys Homes has specifically told him that no building would take place on this site in the near future.
- People who were applying for garages were being told that none were available, even though only ten were let on this site.
- He would have a 20 foot high brick wall at the bottom of his garden.
- The traffic problem in Eastern Avenue would be exacerbated.
- It was suggested that bungalows would be more appropriate, as there would be less overlooking.
- Concern was raised over how ambulances and emergency vehicles would gain access to the properties.
- Concern was also raised regarding whether the correct procedure would be followed when removing the asbestos roofs.

The Committee raised the point that even if the garages were demolished, the space would still be available to use as parking. It was believed that the proposals plainly resulted in an unacceptable impact on residents. It was noted that such a development should not be shoe-horned into an established community.

In response to a query the Senior Engineer explained that highways implications had to be considered against the existing use of the site. As the proposed use would result in less traffic, no objection had been raised regarding the narrow nature of the access road.

A motion was proposed and seconded to agree that permission be refused, against officer recommendation, on the ground of overdevelopment and loss of amenity in

accordance with policy CS16 of the adopted Core Strategy. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **REFUSED**.

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

The proposal was unacceptable having regard to planning policy CS16 as it was considered to represent overdevelopment and would result in the loss of residential amenity.

#### **4.7 14/00501/FUL – Land Adjacent to Haddon House, Brickburn Close, Hampton Centre, Peterborough**

The planning application was for the erection of a foodstore with associated car parking and landscaping on the land adjacent to Haddon House, Brickburn Close, Hampton Centre.

The main considerations were:

- Principle of Development;
- The Sequential Test;
- The National Planning Policy Framework;
- Cycle Parking;
- Car Parking;
- Impact on nearby residents;
- Design;
- Drainage;
- Sustainability;
- Air Quality and Contamination;
- Section 106 Legal Agreement.

It was officer's recommendation that planning permission be refused.

The Planning and Development Manager provided an overview of the application and raised the following key points:

- 47 letters of support of the application had been received, with many residents supporting the introduction of an alternative to Tesco.
- There was no objection to the principle of development in Hampton, however national guidance directed such development to local centres.
- The development needed to pass the sequential test, or it should be refused. It was considered that a more appropriate undeveloped site was 'available' in the local centre.
- The alternative site was included in the Site Allocations DPD, included retail use and was not subject to a current applicant. As such, it was considered available by officers.
- Many of the reasons for refusal could be overcome by conditions, however the Highways Authority had objected to the design of the access and insufficient parking.
- The update report included a parking survey carried out by the applicant. The number of car parking spaces to be provided on the site had been increased to 98.

The Senior Engineer advised that the junction proposed to access the site had originally been designed for low key use. The alteration proposed to change the 'nose' of the junction would result in HGV's moving into the next lane to manoeuvre out. It was

unclear whether there was a solution to this problem, as such the Highway Authority objected to the proposal.

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

- He supported the application and believed that it would bring further jobs and income to the city.
- Residents were clearly in favour of the application.
- The reasons for refusal were technical, but not practical. The site presented as an alternative by officers was not available, in the sense that the owners of the site would not sell it and would be more appropriate for a town square or cinema development.
- A development on the alternative site would not be viable because of the competition from Tesco's.
- Within the sequential test, all three categories – availability, suitability and viability – were questionable for the alternative site.
- The applicants were prepared to offer a local labour agreement within their proposals.
- It was not anticipated that any congestion problems would result from the proposals and all deliveries would be carried out at night.
- Any future planning applications for residential dwellings near the proposed site would need to consider any permission granted for a foodstore.
- Access from the A15 was possible. However, for a development on the alternative site, access through Hampton would be incredibly difficult for deliveries.

Mr Adam Ward, Applicant, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- ALDI were pleased that their proposal had the support of local residents.
- Many of the issues cited as reasons for refusal had been resolved and it was believed that all the highways issues raised could be dealt with via conditions. The applicant was keen to work with the authority on these.
- The highways implications would be minimal, as all HGV's would be accessing the site at night, when traffic would be at its lowest level.
- ALDI stores nationwide, including the store at Stanground, worked with around 95 car parking spaces. The applicant would not wish to propose insufficient car parking, as it would not be in their interest to do so.
- The alternative site suggested by officers was not available, as the owners would not sell to ALDI and the site lacked the infrastructure to support such a development. Nor would a foodstore be viable on the alternative site as access and visibility were poor, and competition in the shadow of the Tesco's store would be too great.
- The development would be environmentally sustainable with solar cells and a heat recovery system.
- There would only be a maximum of two deliveries a night and these would not be at similar times as they were provided by ALDI themselves. The delivery system was integrated into the building to ensure that it was as quiet as possible.

The Committee commented that it would be a shame to deny residents a store they clearly desired because an alternative site had been identified, if that site was not practically available. An opposing view was expressed that a site closer to the local centre would be more appropriate.

Concern was expressed regarding the unresolved highways implications of the proposal. The Planning and Development Manager advised that no condition could be put in place to resolve this issue, as no solution to the matter of access was readily apparent.

The Committee suggested that they did not have sufficient information to make a decision at that time. The Planning and Highways Lawyer advised that if the Committee were minded to defer the application any such motion would need to be clear on the precise grounds that the decision was being deferred on and whether that would be limited to highways access or include consideration of the parking survey information and sequential test.

A motion was proposed and seconded to agree that permission be deferred to consider the highway implications of vehicle access to the site.

**RESOLVED:** (5 voted in favour, 2 voted against) that planning permission is **DEFERRED.**

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

To consider the vehicular access to the site and any alternative suggestions of the Highways Authority.

#### **5. Planning Compliance Quarterly Report on Activity and Performance April to June 2014**

The Committee received a report which outlined the Planning Service's planning compliance performance and activity, and identified any lessons to be learnt from the actions taken.

The Planning and Development Manager provided an overview of the application and raised the following points:

- Within the cases closed in the past eight weeks 86% were found to have no breach.
- 97% of service requests were acknowledged within three working days, above the target.
- 98% of site inspections were carried out within seven days of acknowledgement, above the target.
- Enforcement cases to note included a building in a back garden being demolished, the termination of an unauthorised car wash and the reduction of a rear extension.

**RESOLVED** that the Committee noted the past performance and outcomes.

Chairman  
1.30pm – 5:55pm