



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 20 JANUARY 2015**

Members Present: Councillors Harper (Chair), Serluca (Vice-Chair) Casey, Hiller, North, Stokes, Martin, Sylvester, Ash and Harrington

Officers Present: Lee Collins, Development Management Manager
Vicky Hurrell, Principal Development Management Officer
Amanda McSherry, Principal Development Management Officer
Simon Ireland, Principal Engineer (Highway Control)
Jez Tuttle, Principal Engineer (Development)
Ruth Lea, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

Councillor Ash declared a non-pecuniary interest in agenda item 5.1, as he had received an email from Mr Paul Froggitt regarding the application and was acquainted with him, however had not discussed any aspect of the application with him. Councillor Ash also noted that although he referred agenda item 5.2 to the Committee, he had maintained an open mind as to the application.

Councillor Casey declared a non-pecuniary interest in agenda item 5.1, as one of the speakers in objection to the application was his Parish Councillor.

Councillor Stokes declared a non-pecuniary interest in agenda item 5.1, as she had received an email from Mr Paul Froggitt regarding the application and was on the Parish Council with him, however had not discussed any aspect of the application with him.

Councillor Sylvester declared a non-pecuniary interest in agenda item 5.1, as she was acquainted with one of the public speakers, however she maintained an open mind as to the application.

Councillor North declared a non-pecuniary interest in agenda item 5.1, as he was acquainted with him Mr Paul Froggitt and the public speakers, however maintained an open mind as to the application.

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

There were no declarations of intention to make representations as Ward Councillor.

4. Minutes of the Meetings held on 16 December 2014

The minutes of the meeting held on 16 December 2014 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 09/01368/OUT – Land to the North of Norman Cross, East of the A1(M) and West of London Road (A15), Peterborough

The planning application was for the development of land to the north of Norman Cross, east of the A1(M) and west of London Road (A15), Peterborough into an urban extension comprising of up to 5,350 residential dwellings, a district centre (with up to 9,200 square metres of retail floor space) and two neighbourhood centres (with up to 2,300 square metres of retail floor space) comprising of district / neighbourhood retail, community and health, leisure, residential and commercial uses. Provision for education facilities, sports and recreational facilities, a range of strategic open spaces including new landscaping, woodland and allotments and cemetery provision were also included in the application. Associated highway infrastructure (including pedestrian, bridleway and cycle routes), public transport infrastructure and car parking for all uses were to be provided as well as utilities, renewable energy infrastructure, and foul and surface water drainage networks (including SuDs and lakes).

The application was first presented to Members of the Planning and Environmental Protection Committee on 19 March 2013. At that meeting Members resolved to approve the application subject to:

- a) A further report back to Committee to agree the finer detail and design of the Yaxley loop road
- b) A report back to Committee to agree the review mechanism for the S106
- c) The conditions as set out in the original report and the Update Report

The main considerations set out in the report were:

- Further detail on the function of the Yaxley Loop
- Review Mechanism for the Section 106 Agreement
- Conditions

It was officer's recommendation that planning permission be granted, for the reasons set out in the report.

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

- The Committee had previously approved the alignment of the 'Yaxley Loop'. Before the Committee now was purely information on the design of the route.
- The drawings submitted showed a single carriageway with two lanes for turning. Footpaths were proposed along the roadway, which were to be wider around the school sites. There would be limited access points from residential parcels.
- The busiest part of the road would be around the school and district centre. This was proposed to have traffic light controls, pedestrian crossings and a town square designed to control speed and create a safe space for pedestrians. It was not believed that this would discourage use of the road.
- The junctions at either end of the 'Loop' would require drivers to physically turn off from the natural sweep of the road in order to travel through Yaxley.
- These junctions would be in place early on, along with traffic calming measures throughout Yaxley.
- A new approach to the affordable housing allocation within the Section 106 Legal Agreement had been proposed. Previously an initial allocation of 7.5% affordable housing had been proposed, with subsequent trigger points set out for its increase.
- Further viability assessments had been undertaken and a fixed rate of 16% affordable housing had been proposed. It was thought that this option presented less risk and guaranteed a higher amount of affordable housing.

Councillor Ian Allin and Councillor Chris York, Norman Cross Action Group, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Allin believed that, as a major 'A' road, it would be difficult to divert traffic away from the A15.
- It was suggested that the A15 could traverse straight down the middle of the development, with overhead roundabouts for access.
- The preferred suggestion of Mr Allin was that the A15 travel from Parnwell Junction, down the Fletton Parkway to join the A1(M) at Junction 17. This was already a fast and suitable road.
- Councillor York reminded the Committee that decision regarding the application needed to be taken in consultation with Cambridgeshire County Council.
- The proposed 'Yaxley Loop' need to be attractive to use and more desirable than going through the Yaxley in respect of fuel costs.
- Ease of traffic movement was required, included no parking and minimal traffic lights.
- Pollution levels were detrimental to residents and would be detrimental to Peterborough's aim of being the Environmental Capital of the UK.
- The capacity figures provided by the application did not seem to reflect the true capacity of the road.

Ms Heather Pugh, David Lock Associates, Mr Ron Henry, Peter Brett Associates, and David Shaw, Mr David Shaw Planning, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Henry maintained that the 30 mile per hour speed limit on the road would not affect its capacity, which had been fully checked with future growth accounted for.
- Traffic modelling had been undertaken for the proposal.
- Downgrading the A15 to 'B' road status was not a bad idea, however not the focus of the application before the Committee.
- Traffic levels and capacity would continue to be monitored throughout the development and into the future.
- Matters such as noise and air quality had been considered as part of an Environmental Impact Assessment.
- This assessment had also considered the sustainability of the proposal. Infrastructure provisions, public transport and sustainable travel had all been included with the proposal.
- Mr Shaw believed that the urban extension would be an example of environmental good practice. There would be an increase in traffic, however this increase would be carried out in the best way possible.

The Committee were happy with the updated recommendations for the allocation of affordable housing and considered this a positive result.

Several Members of the Committee highlighted the importance of getting the 'Loop' design right. The Committee believed that the proposed junctions on and off the 'Yaxley Loop' were well designed and would encourage drivers to follow the road away from Yaxley, as it would be a physical task to do otherwise.

The Committee were pleased to hear that the applicant intended to focus attention to public transport within the site and to the city centre.

The Planning and Highways Lawyer advised the Committee that the only aspects of the application to be considered at this time were the functionality of the proposed 'Loop' road and the affordable housing allocation within the Section 106 Agreement.

In response to questions from the Committee the Principal Engineer (Development) explained that the Fletton Parkway was currently undergoing widening work to discourage use of the A15. Junction design, signage and timing of signals, along with additional tools, could all be used to ensure that the 'Yaxley Loop' was the most attractive choice.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried eight in favour, one voting against and one abstaining from voting.

RESOLVED: (eight voted for, one voted against and one abstained from voting) that planning permission is **GRANTED** subject to:

- i) The conditions set out in the report;
- ii) The satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990; and
- iii) Any changes to conditions relating to Orton Pit SSSI / SAC which may be requested by Natural England during Section 106 discussions.

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 weighting against relevant policies of the development plan and specifically:

- The Great Haddon urban extension was allocated in the adopted Core Strategy and the adopted Site Allocations DPD. The principle of development was therefore acceptable in accordance with the policies CS1, CS2, CS3 and CS5 of the adopted Core Strategy and policy SA1 of the Site Allocations DPD.
- Following detailed assessment of the transport modelling the impact of the development on the surrounding highway network was considered to be acceptable in accordance with policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Planning Policies DPD and the National Planning Policy Framework.
- Through the provisions of the Travel Plan and funding for the bus service, to be secured as part of the S106 Agreement, the development was considered to make adequate provision for sustainable travel in accordance with policy CS14 of the adopted Core Strategy;
- The amount of retail floorspace in the new district and local centres was considered to be appropriate for the scale and the size of development and it would not unacceptably impact upon the vitality and viability of any existing centre. The proposal therefore accords with policy CS15 of the adapted Core Strategy.
- It was accepted that as a result of the development the existing rural character of the site would be permanently altered. However, a strategic decision had been made to develop this site in the adopted Core Strategy. In this context, the visual impact of the development was considered to be acceptable in accordance with policies CS5 and CS16 of the adopted Core Strategy.
- Following review of all aspects of the development the impact of the development on the amenity of neighbouring residents was considered to be acceptable in accordance with policies CS14 and CS16 of the Adopted Core Strategy and policy PP3 of the Planning Policies DPD.

- Subject to detailed design it was considered that the development will be able to afford future residents an acceptable level of amenity in accordance with policy PP4 of the adopted Planning Policies DPD.
- The potential impacts of the development on Orton Pit SSSI/SAC could be acceptably mitigated via the creation of a buffer zone and through the access control measures proposed. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework.
- Other ecological impacts of the development can also be acceptably mitigated so the development accords with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework.
- The impact of the development on existing trees and hedgerows within/adjoining the site was considered to be acceptable subject to the imposition of conditions requiring more detailed assessment as development comes forward and protection measures. New landscaping would also be planted, including the provision of new hedgerows. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.
- In light of the archaeological assessment carried out and the proposed buffer zone the relationship of the development with the SAM was considered to be acceptable. Further archaeological assessment would be required by condition as the development progresses. It was therefore considered to accord with the National Planning Policy Framework, policy Cs17 of the adopted Core Strategy and policy PP17 of the Planning Policies DPD.
- Following assessment of the submitted information it was considered that the site can be adequately drained and would not give rise to an increased risk of flooding in accordance with policy CS22 of the adopted Core Strategy and the National Planning Policy Framework;
- Via the imposition of a condition it was considered that the development would make a contribution towards the Council's Environment Capital objectives in accordance with policy CS10 of the adopted Core Strategy.
- Subject to the completion of a S106 Agreement it was considered that the development would make sufficient contribution towards the infrastructure requirements arising from it. It therefore accorded with policies CS12 and CS13 of the adopted Core Strategy.

5.2 14/01560/FUL – 63 Sycamore Avenue, Dogsthorpe, Peterborough, PE1 4JP

The planning application was for a proposed single storey extension to a restaurant at 63 Sycamore Avenue, Dogsthorpe.

The main considerations were the siting, scale and design of the extension.

It was officer's recommendation that planning permission be granted, for the reasons set out in the report.

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

- The proposal was for a single storey extension to the existing restaurant site. A

new car parking layout had been proposed alongside the extension.

- Ward Councillors Miners and Saltmarsh has submitted representations outlining the current problems faced with car parking in the area, welcoming any improvements proposed. Councillor Miners further welcomed conditions restricting firework use on the site.
- The management had stated that they would be doing all they could to ensure the proper conduct of their customers in relation to parking.
- The design of the extension was considered to be in keeping with the height and design of the existing dwelling, and was recommended for approval. There was not considered to be overbearing or overshadowing impact.
- Twelve extra car parking spaces would be provided with the extension, bringing the total to thirty-nine spaces. This was three less than the maximum standard and was considered acceptable.

The Committee was pleased to see that work was being undertaken to improve the site. The Committee further discussed the clarity of the entrance and egress of the car park, and enquired as to whether appropriate fencing could be included as a condition.

The Principal Development Management Officer clarified that a condition could be added to any planning permission in relation to boundary treatment, to find a suitable solution. Condition three could also be strengthened in relation to the car park lay out and line out of spaces.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, with the strengthening of condition three in relation to the lay out and lining of the car park, and an additional condition regarding boundary treatment. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report and:

- i) The strengthening of condition three in relation to the lay out and lining of the car park; and
- ii) The addition of a condition in relation to boundary treatment.

Reasons for the decision

Subject to the imposition of the attached conditions, the proposal was acceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The siting, scale and design of the proposed extension was considered to be visually compatible for the site and the surrounding streetscene.
- The proposed car parking provision was considered on balance to be sufficient for the extended restaurant proposed.
- The proposed extension would not adversely reduce the current residential amenity of neighbours in terms of any overbearing or overshadowing impacts.
- The proposal was therefore considered to be in accordance with Policy CS16 of the Core Strategy, and Policies PP02, PP03 and PP12 of the Planning Policies DPD.

5.3 14/02013/FUL – Land to the East of 9 Windmill Street, Millfield, Peterborough

The planning application was for the change of use of land to the east of 9 Windmill Street, Millfield from car parking lot and domestic garden to car sales.

The main considerations were:

- Impact of residential amenity
- Highway implications

It was officer's recommendation that planning permission be refused, for the reasons set out in the report.

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

- The site was neighboured on either side by residential dwellings.
- At current the site was gated. This gate would be retained, however moved further into the site. The office building on the site would be retained and repositioned.
- The front of the site would contain three visitor car parking spaces and one staff car parking space.
- The rear of the site would be used to sell cars, with a maximum of five cars on site at a time. It was proposed that business would operate on an appointment only basis.
- One objection had been received. A petition containing sixty signatures and eight letters had been received in support of the application.
- Pre-application advice had been provided to the applicant that this proposal was considered by officers to be unacceptable.
- It was believed that the proposal would represent an intensification of use that could not be reasonably controlled through the use of conditions. The support of residents did not negate the negative impact on residential amenity.
- It was required within policy that a site of the use applied for have sufficient parking and turning space for delivery vehicles. The application site did not meet this requirement

Councillor Nadeem, Ward Councillor, was unable attend the Committee meeting, however his representation was read out by the Senior Democratic Services Officer. In summary the key points highlighted included:

- The proposal would be a less intense use than that already existing.
- The area was used for several varied commercial activities, which generated commercial noise.
- Deliveries could be covered by conditions.
- An appointment based system would be used, which would monitor the business.
- Sound reduction measures could be conditioned. The current level of surrounding noise was much greater than that of the proposal.
- The site would, in reality, have minimal impact on the area.

Mr Barry Nicholls, Architectural and Surveying Services Ltd, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The site would not be permanently manned. Only when a prior arrangement appointment was scheduled would the owner be on site.
- No car transport was proposed for use, the owner would drive each car to the site. If one was necessary it would be a single car transporter only.
- Noise reduction could be achieved. The application would be happy to follow the Committee's suggestions.
- The appointment system proposed would be applied and the application would accept conditions proposed regarding this. When the owner was not on site the gates would be shut, with signage outlining the appointment system.
- In reality the proposal would have a positive impact on the surrounding area.
- If required the application would be happy for a condition to renew the boundary fencing to be included within the planning permission.
- The parking available to individuals at present would no longer be available

within the proposed scheme.

- The Committee were shown several video clips of commercial activity in the surrounding area, highlighting the nature of noise that was already experienced on the site.

In response to a question from a Member of the Committee, the Principal Engineer (Highway Control) advised that policy PP13 required commercial car sites to have sufficient room for car transporter manoeuvrability, to off load off the highway and turn on site.

The Committee questioned whether a condition could be put in place to ensure that a car transporter vehicle was not used on the site and that an appointment based system maintained.

The Planning and Highways Lawyer advised that any conditions added to an application needed to be necessary and enforceable. The Development Management Manager further advised that it was considered that such conditions would not be enforceable or reasonable.

The Committee sympathised with the applicant's intentions, however considered that there was no a practical way to condition and regulate the proposed application, it would not be appropriate to grant planning permission. The Committee believed, however, that objections in relation to the intensification of noise were not justified to include as a reason for refusal.

A motion was proposed and seconded to agree that permission be refused, for the reason that the site could not provide for the turning of a large car transported vehicle that would need to visit the site. The motion was carried seven in favour and three abstaining to vote.

RESOLVED: (seven voted in favour, three abstained from voting) that planning permission is **REFUSED** for the reason given below.

Reasons for the decision

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reason:

- R1 The site could not provide for the turning of a large car transporter vehicle that would need to visit the site. As a consequence the manoeuvring of such vehicles would cause danger to the users of the adjoining public highway contrary to policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD 2012.

Chairman
1.30pm – 3.52pm