



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 3 FEBRUARY 2015**

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

Officers Present: Nick Harding, Head of Development and Construction
Simon Ireland, Principal Engineer (Highway Control)
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

There were no declarations of interest.

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 6 January 2015

The minutes of the meeting held on 6 January 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 14/01393/FUL – Unit B, Vision House, Fengate, Peterborough

The planning application was for a proposed car park at Unit B, Vision House, Fengate, Peterborough.

The main considerations set out in the report were:

- Highway Implications
- Loss of Employment Use
- Visual Amenity
- Flood Risk

It was officer's recommendation that planning permission be granted with delegated authority to approve the relevant conditions.

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The site had no set out vehicular access or parking on site, which the application intended to rectify.
- Previous, similar applications had been refused for proposal to place vehicular access at the side of the site, rather than the middle.
- Currently, there was evidence that despite the absence of a dropped kerb vehicles were currently accessing the site
- The application was thought to be acceptable, subject to consideration of the

visibility splay towards Boongate. This visibility splay was short of the required length by 4 metres.

- The Highways Authority recommended refusal of the application, on the grounds of insufficient visibility.
- However, as the area of land adjacent to the visibility splay was clear and unlikely to be developed on, officer recommendation was to grant the application.

Councillor Nadeem, Ward Councillor, submitted a representation to the Committee which was set out in the Update Report. The Chairman confirmed that the Committee had read this submission.

The Committee emphasised the importance of the Highways Authority's recommendation and apportioned significant weight to it. It was suggested that to refuse the application on the basis of 4 metres would be unreasonable, as the current situation was considered to be worse than that proposed.

The Principal Engineer (Highway Control) advised that as the visibility splay from the access fell short of requirements in one direction, refusal had been recommended by the Highway's Authority. The Principal Engineer (Highways Control) confirmed that the speed limit on the road was 30mph and further that the accident data showed very few accidents in the vicinity. It was noted that when the adjacent land, which was not within the application site, was considered, the 47 metre required visibility was achieved.

The Committee believed that the proposal was an improvement on the current situation of the site and felt it should encourage economic development.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried by nine votes, with one abstaining from voting.

RESOLVED: (nine voted in favour, one abstained from voting) that planning permission is **GRANTED** with delegated authority to the Head of Construction and Development to approve the relevant conditions.

Reasons for the decision

The proposal was in accordance with Council policy save the length of visibility splay. It was considered that the requisite amount of visibility splay was not significantly less than provided in the Manual for Streets guidance. In taking into consideration that visibility could be achieved when considering the adjacent land and that it was unlikely that future development of the adjacent land would impact upon visibility, the application was acceptable.

5.2 14/02110/FUL – 83 Thorpe Road, Peterborough, PE3 6JQ

The planning application was to retain an existing 15 metre high temporary mast support for 3 antennas at 83 Thorpe Road, Peterborough, temporary radio equipment housing and ancillary development, including a temporary fenced compound for 12 months.

The main considerations set out in the report were:

- Design and impact upon the character and appearance of the surrounding area
- Impact upon neighbour amenity
- Highways implications
- Radiation and public health

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

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The background to the application involved the demolition of the hospital. The applicant had a mast on the hospital site that was removed, with the application site used as an interim measure.
- A permanent site had been identified and established, however the coverage had not been as comprehensive as predicted. As such, the interim site was maintained, while a second permanent site was found.
- Initially the temporary mast had a diesel engine attached to it, which generated a significant amount of noise.
- This generator had been removed and Environmental Health had been satisfied that noise complaints had been sufficiently addressed.
- The applicant had originally requested a temporary permission until September 2015, however officer recommendation was to grant a permission until 3 August 2015.

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

- The applicants knew the hospital would be demolished and should have planned accordingly. It should not have taken this long to find a permanent solution.
- The local residents experienced substantial disturbance while the diesel engine was in situ. Although the situation had significantly improved, additional background noise still occurred at night.
- Residents were in the process of putting together a petition on the topic.
- It was suggested that instead of a six month temporary permission, a three month permission be granted.
- The temporary structure had an overbearing impact on local residents.
- Residents had expressed concern about the mast becoming a permanent fixture on the site.

The Head of Development and Construction clarified that the end date for the temporary permission of 3 August that had been recommended by officers represented a twelve month period from the time the previous permission had expired. The mast may have been in place for longer than this.

Jenny Bye, Waldon Telecom Ltd, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- It was accepted that the diesel engine on the site was unsuitable, which had now been rectified and replaced with a domestic air conditioning unit.
- It had taken a long time to find a suitable alternative site for a permanent mast. One had recently been identified near the Thorpe Meadows roundabout. Consultation in relation to this site would begin shortly.
- It may be possible to have a permanent site ready in three months, however it would be a tight timescale.
- The feasibility of such a timescale would depend upon whether a permanent site was granted planning permission or not.
- It was explained that a permanent site had been established prior to the demolition of the hospital, however this had provided insufficient coverage. As such, a second permanent site had to now be found.
- Assurance was given that a permanent site would be found as quickly as possible.
- No communication had been provided to residents and it was accepted that this was an error.

The Head of Development and Construction advised that a three month timescale to find, secure and construct a permanent mast site would be tight and that the applicants would be able to apply for an extension to the temporary permission if required.

The Committee sympathised with residents' objections and suggested that communication had been poorly handled by the applicant. Concern was raised in relation to the possibility of an increase of noise in the summer months. It was suggested that, although not ideal, the applicant needed sufficient time to establish an alternative site for the mast.

In response the questions from the Committee the Head of Development and Construction clarified that if the mast was found to be operating beyond the noise limits stipulated in any permission granted, enforcement action could be taken. It was noted that if the application were to be refused and the applicant appealed, the temporary mast would be allowed to stay in place until any appeal was determined.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried by eight votes, with two voting against.

RESOLVED: (eight voted in favour, two voted against) that planning permission is **GRANTED** subject to the conditions set out in the report.

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 retention of the mast and its supporting infrastructure would not result in any unacceptable level of harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the plant associated with the telecoms mast would not result in any unacceptable level of disturbance and harm to the amenities of neighbouring occupants, in accordance with paragraph 123 of the National Planning Policy Framework (2012), Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the retention of the mast would not result in any unacceptable impact to the adjacent public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012); and
- the application had been accompanied by a certificate confirming accordance with the International Commission on Non-Ionizing Radiation, in accordance with paragraph 43 of the National Planning Policy Framework (2012).

5.3 14/02166/OUT – Land to the South of Constantine Drive, Stanground South, Peterborough

The planning application was for the erection of 14 dwellings to the south of Constantine Drive, Stanground South, Peterborough.

The main considerations set out in the report were:

- Principle of Development
- Connections to other developments within the urban extensions
- Layout, design and amenity provision
- Highway safety and parking
- Contamination

- Archaeology
- Drainage
- Development contributions

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

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The application before the Committee was outline in nature, the only detail provided was the access point. This access was identical to the access of a scheme already provided with planning permission.
- The land had initially been allocated for a Local Centre, specifically a nursery and health centre. No development of this nature had been attracted despite comprehensive advertisement. As such, it was considered that release of the land for residential use was appropriate.
- No access to the site was planning for directly opposite the nearby school.
- With the reserved matters application the site would need to adhere to parking standards.
- Several amendments to conditions were set out in the update report.
- The Highways Authority had suggested a condition in relation to parking restrictions, however the area in questions was not within the application site, so could not be addressed via condition.

Tim Slater, 3D Planning Ltd, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Slater thanked the planning officers for their excellent service during the application process.
- It was advised that the manner by which the gate would operate was something that would be considered in the reserved matters stage of the application.
- A noise consultant had considered the proposals. It was considered that deliveries to local business entered mainly from the south, away from the site.
- The traffic levels generated from a residential development would be much less than the previously proposed nursery and health centre.
- A single access had been proposed so that no conflict arose with school traffic.
- The design and access to dwellings would be determined at the reserved matters stage.
- Pedestrian access was available around the site to the nearby supermarket.

The Committee considered that many of the matters that caused concern were relevant to the reserved matters stage of the application, not the outline stage. Several members of the Committee expressed concern that traffic with the school may present a problem. It was further noted that a health centre was an important service.

The Head of Development and Construction advised that sufficient work had gone into promoting the site as a health centre and nursery, and no interest had been forthcoming. It was advised that once the road adjacent to the site was adopted, parking restrictions could be put in place.

The Committee suggested that the site would benefit from development, rather than being left empty.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried by eight votes, with two voting against.

RESOLVED: (eight voted in favour, two voted against) that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the conditions set out in the report and update report.

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:

- whilst the proposal would result in the loss of a portion of the allocated Local Centre, it was not considered that the loss of the land would result in any unacceptable impact to the provision of services and facilities of residents of the Urban Extension;
- the application site was considered an appropriate location for residential development which would provide good connections to the wider South Stanground Urban Extension, in accordance with Policies CS1 and CS16 of the Peterborough Core Strategy DPD (2011);
- the overall density of the proposal would mirror the existing wider development of Cardea, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would afford an acceptable level of amenity for future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- the proposal would provide safe access for all users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- subject to appropriate remediation, the site would not pose any unacceptable risk to human health, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
- the site had already been subject to archaeological evaluation and it was considered that there was little potential for undiscovered remains, in accordance with paragraph 128 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in unacceptable flood risk elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the Applicant had agreed to enter into a Section 106 legal agreement to secure a financial contribution towards the infrastructure demands generated by the proposal, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and the Peterborough Planning Obligations Implementation Scheme SPD (2010).

Chairman
1.30pm – 3:20pm