



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 7 APRIL 2015**

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

Officers Present: Nick Harding, Head of Development and Construction
Alan Jones, Senior Officer Minerals and Waste (item 5.6)
Simon Ireland, Principal Engineer (Highway Control)
Hanna Vincent, 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 Harrington declared an interest in agenda item 5.4 '15/00019/FUL – 32 Main Street, Ailsworth, Peterborough, PE5 7AF' as he was acquainted with a Doctor at the practice.

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

Councillor Hiller declared his intention to make a representation as Ward Councillor for agenda item 5.2 '14/01833/FUL – 21 Castle End Road, Maxey, Peterborough, PE6'.

Councillor North declared his intention to make a representation as Ward Councillor for agenda item 5.3 '14.02171/FUL – 490 Oundle Road, Orton Longueville, Peterborough, PE2 7DF'.

4. Minutes of the Meetings held on 3 March 2015

The minutes of the meeting held on 3 March 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 14/02024/FUL – Land to the East of Manor Farm, Nene Way, Sutton, Peterborough

The planning application was for the proposed demolition of farm buildings on land to the east of Manor Farm, Nene Way, Sutton and the construction of five dwellings with associated works.

The main considerations set out in the reports were:

- Principle of development
- Minerals Safeguarding Area
- Residential amenity
- Access and highway implications
- Character of the area and impact on the Conservation Area
- Impact on the Listed Building
- Trees, landscape and ecology
- Archaeology

- Sustainability
- Permitted Development “fall-back” position
- Developer contributions

It was officer’s recommendation that planning permission be granted subject to conditions set out in the report.

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

- Two of the proposed dwellings would front Nene Way, the remaining dwellings would front the new access road.
- The proposal fell partway outside the village boundary. The boundary had been recently reviewed by an inspector and it had been concluded that the boundary line remain unchanged.
- The site was situated in a minerals safeguarding area and adjacent to a conservation area.
- There were a number of agricultural buildings on site, which it was considered blocked the view of the listed building. The chimney of the listed building was believed to be a key feature.
- Pre-application advice had been provided by the conservation officer in 2013. It was considered in this advice that the replacement of agriculture buildings with permanent dwellings would be positive. This advice was only binding for one year, which had now passed. However, as there had been no change to policy since this advice, it was felt it important to stand by the comments.
- It was noted that the listed building was ‘set off’ against the agricultural buildings, however the nature of the agricultural building was not part of the listed building setting.

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

- The development would extend beyond the village envelope and into the countryside. The proposal was not an essential rural activity and was not appropriate within a mineral safeguarding area.
- The nearby Manor Farm housed livestock and would result in noise and other impacts on the proposed dwellings due to the farmyard use.
- There would be a resulting impact on the nearby listed buildings. The scale of the proposed dwellings would be detrimental and visually intrusive.
- The proposal was contrary to a number of Council policies.

Peter Lee, Vice-Chairman of Sutton Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants should adhere to the village envelope. The breach of this boundary was not justified by the removal of the old agricultural buildings, this could be achieved with just a frontage development.
- The development would have a negative impact on the setting of Manor House and would be visually unattractive.
- Development in the area should be in keeping with the traditional style of the area. A cul-de-sac development would not be so.
- A disproportionate amount of weight had been given to pre-application guidance. It was believed that the views submitted after the application was made should be given greater consideration.
- Sutton residents were not opposed to suitable development in the area. A smaller, frontage development would be considered more appropriate.

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

- Mr Sibthorp was speaking on behalf of Mr and Mrs Scriven of Manor Farm.
- It was considered that a modest frontage development within the village envelope would be acceptable in principle and could secure the removal of the agricultural buildings.
- The proposal was harmful to the setting of a listed building and would result in poor amenity for the proposed residents.
- A lengthy objection had been submitted by the current Conservation Officer, which had not been included in the report.
- Mr Sibthorp objected on seven key grounds; location beyond village envelope, scale, form and layout, harm to Manor Farm setting, out of keeping with character of the area, no heritage impact assessment provided, overbearing impact on residential amenity, proximity to farm yard.
- Mr Sibthorp advised that a frontage development a sufficient distance away from the farm yard would not to be impacted so significantly.

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

- The site had been vacant for significant period and had fallen into disrepair.
- A solely frontage development would be impractical, as the dwellings would have oversized gardens.
- Discussion had taken place with the Parish Council and Council Planning Officers, and had resulted in a reduction in the number of dwellings and an improvement in the proposed outlook.
- All the development bar the access road was within the village envelope, this was believed to be justified by the current nature of the site and the planning gain of the development.
- The Conservation Officer gave advice in 2014 with suggested improvements. This suggestions were incorporated into the application.
- It was commented that the distance from neighbouring properties was over what was required.

The Committee were sympathetic to the comments of the objectors. It was considered by the Committee that there were a number of sound planning reasons why this application should be refused. It was suggested that the proposal was overbearing and not in keeping with the surrounding area. The Committee expressed concern regarding the potential impact of the development on the setting of a listed buildings. Concern was also raised over the breach of the village envelope by the proposal.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation for the reasons of the development being outside the village envelope, within a Minerals Safeguarding Area, not in keeping with the character of the area, the lack of a heritage impact assessment and the overbearing impact. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

- Part of the application site fell outside the settlement envelope as defined by the Peterborough Planning Policies DPD (December 2012) under Policy SA4 of the Peterborough Site Allocations DPD (April 2012) and was therefore located in open countryside. The proposal was for general residential development and therefore was contrary to the provisions of Policy CS1 of the Peterborough Core Strategy (February 2011) as it was not a form of housing which was supported by the policy.

- Part of the application site was located within a Minerals Safeguarding Area (MSA) and whilst the dwellings themselves were located outside the MSA, their proximity to the MSA would result in the extraction in the locality being compromised as it would bring residential development closer to the MSA than was the case now. The proposal was therefore contrary to Policy CS26 of the Cambridgeshire & Peterborough Minerals & Waste Core Strategy.
- The dominant nature of the built form of the village was frontage development in spacious plots with individual building designs. The village had Conservation Area status but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposal was at odds with this given its backland nature and similarly designed properties. Consequently the proposal would not be in keeping with key characteristics of the Conservation Area and would be detrimental to it including in terms of views in to and within the Conservation Area itself. The proposal was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF.
- Adjacent to the site was a Grade II Listed building but the application was not accompanied by a heritage statement as required by paragraph 128 of the NPPF. The proposed development would have a significant impact on the Listed building itself and also on its setting as a result of the siting, form, mass and design of the development. The proposal was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF.
- The proximity of the proposed development to the existing amenity area of the adjacent Manor would result in a loss of privacy and would have an overbearing relationship. The proposal was therefore contrary to Policy PP3 of the Peterborough Planning Policies DPD (December 2012).

5.2 14/01833/FUL – 21 Castle End Road, Maxey, Peterborough, PE6 9EP

The planning application was for the demolition of the existing garage and outbuilding at 21 Castle End Road, Maxey, and the construction of three detached dwellings and garages.

The main considerations set out in the reports were:

- Principle of development
- Impact on the Character and Appearance of the Conservation Area
- Neighbouring Amenity
- Highway Implications
- Residential Amenity
- Landscape Implications
- Ecology
- Archaeology
- Food Risk
- S106
- Environment Capital

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

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

- The proposed access to the development was pre-existing.
- Although the site was within a conservation area it was considered by officers

- that the development would improve the view at the side elevation.
- Within the context of the site's previous use as a coal yard the proposals were considered to be acceptable.
- The design avoided window placement which were overlooking on neighbouring dwellings.

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

- The local residents were not in objection to development on this site in principle, however did not feel the proposal put forward was appropriate for the area.
- The Highways Authority had recommended refusal for this application.
- The neighbouring residents, as a result of the design of the proposals, would experience a loss of privacy.
- There were concerns regarding overdevelopment, the safety of the second driveway and the impact the proposal would have on the conservation area.
- It was considered that there was an issue regarding overlooking windows that could be easily overcome with a more appropriate design, in order to maintain privacy.
- The proposals were thought to be contrary to the Maxey Conservation Area plan. Within the plan there was a presumption against tandem development and subdivision.
- There were insufficient visibility splays within the proposed second driveway. The comparison made by the applicant to other driveways in the area were false.

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

- Mr Dixon was representing a number of local residents who believed that a better thought out and more in keeping development was needed for the application site.
- There was an established presumption against tandem development as per the Maxey appraisal in 2007.
- It was believed that the proposal would have a negative effect on neighbour amenity. An increase in the number of vehicle movements on the site would create more noise.
- The proposed driveways were near to neighbouring bedrooms, which was considered to be an unnecessary aspect of the design.
- It was emphasised that objections had been raised by the Highways Authority.
- It was suggested that the application would represent overdevelopment of a small site.

The Committee discussed a number of points including what was considered to be a disregard for the village plan and the objection raised by the Highways Authority. The Committee suggested that a development on the site in question should be in keeping with the local character.

The Head of Development and Construction advised that officers had considered that, on balance, it was no reason to recommend refusal for this application on the basis of lack of visibility splays, as there was only very light resulting traffic expected.

The Principal Engineer (Highway Control) advised that the visibility splays could be achieved if all the land surrounding the road was considered, however in the Highways Authority representation only the land within the application site could be taken into account.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation for the reasons that the proposals were situated in a

conservation area, there was tandem development and subdivision proposed, overdevelopment, impact on residential amenity and highway safety. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

- The application site fell within a Conservation Area. The main form of development in this part of the Conservation Area is street frontage plots. Whilst part of the site was occupied many years ago by a coal yard the remainder was residential curtilage. Consequently the development was tandem and backland in nature. The proposal was therefore out of keeping with the character of the Conservation Area and detrimental to it. The development was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF and draft Maxey Conservation Area Appraisal (2007).
- Plot 1 in the proposal was in a location which represented the subdivision of the existing site frontage and the design of the dwelling had a wide plan form which would be detrimental to the character of the Conservation Area. The proposal was therefore out of keeping with the character of the Conservation Area and detrimental to it. The development was therefore contrary to Policy CS16 and CS17 of the Peterborough Core Strategy (February 2011) and Policy PP3 and PP17 of the Peterborough Planning Policies DPD (December 2012) and para 61 (see also para 64) and 133 of the NPPF and the draft Maxey Conservation Area Appraisal (2007).
- The layout of the development was such that it was of cramped appearance in relation to the built form of the locality and given the resultant over development of the site, there was a detrimental impact on the adjoining existing residents by way of loss of privacy and it having an overbearing impact on their outlook. The proposal was therefore contrary to Policy PP3 of the Peterborough Planning Policies DPD (December 2012).
- The proposed new access which was to serve the existing house and two of the new dwellings, was unsafe as the vehicle to pedestrian visibility splays are shown to be wholly contained within the highway verge when they should be contain within the application site. The proposal was therefore contrary to Policy PP12 of the Peterborough Planning Policies DPD (December 2012)

5.3 14/02171/FUL – 490 Oundle Road, Orton Longueville, Peterborough, PE2 7DF

The planning application was for the demolition of existing buildings at 490 Oundle Road, Orton Longueville and the erection of a new convenience food store (Class A1), three detached residential properties, car parking, landscaping and associated works.

The main considerations set out in the reports were:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking, access and highway safety
- Neighbour amenity
- Landscape implications
- Impact upon heritage assets
- Contamination
- Ecology
- Amenity provision for future occupants
- Environment Capital contribution
- Developer contributions

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

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

- A previous scheme on this site had been submitted and refused. An inspector dismissed the appeal of this decision, as set out in the update report.
- Issues raised by the inspector in their report were the three separate accesses, the limited space for car movements, overdevelopment, overlooking and the loss of trees under a tree protection order.
- The application now before the Committee had a smaller site footprint, only two points of access, a reduction in the number of units and greater separation distances.
- As the inspector was content with the design of the previous submission, it would be difficult to object to this application on design grounds.
- A condition had been proposed to restrict deliveries on site. It was proposed that heavy goods vehicles would only be permitted to turn left when leaving the site and would only be able to deliver at times avoiding heavy traffic.

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

- Local views had been sought on this matter and the convenience store was generally opposed in its proposed form, though the housing was not opposed.
- Concern was raised about the additional traffic which would result.
- It was suggested that there was insufficient space for delivery vehicles on the site.
- Oundle Road was a busy road and conditions would be adequate in mitigating the impact of large vehicles nearby the local school.
- It was considered that the dwellings proposed still constituted overdevelopment and were out of keeping with the surrounding area. It was believed that occupiers of neighbouring properties would suffer from overlooking.
- It was acknowledged that the site had established use as a garage, which could generate significant amounts of traffic.

Councillor Ian Allin, Parish Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Car parking was considered to be a serious problem. It was a concern that the proposed dwellings only provided sufficient space for one car. One garage space and a space in front of the garage was not practical.
- It was suggested that reduction in the number of dwellings on the site was the best answer.

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

- Mr Slater was representing Mr Vitas of 488 Oundle Road.
- It was accepted that the site would and should be developed. However, issues were raised relating to the amenity and privacy of neighbouring residents.
- It was believed that the proximity of the design would result in overdevelopment and an increase in noise pollution.
- The distance between plot three and the existing dwelling was less than five metres. It was thought this would be relatively easy to re-design.

Councillor Sylvester declared an interest in this item, as an elected Member of Central England Co-op Council, and withdrew from the Committee.

Giles Walter, Applicant, and Paresh Pancholi, Co-op, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Pancholi explained that the site would house a small convenience store.
- The work ethos of the Co-op involved serving communities through social and commercial means. It was intended for the store to contribute to the long term good health of the area through sustainable means.
- Conditions in relation to transport and deliveries would be straightforward to adhere to, as the Co-op used its own vehicles for deliveries and could control the type of vehicle use. It would be able to ensure that only light goods vehicles were used outside of the restrictions proposed. The restriction in hours of delivery only applied to heavy goods vehicles.
- Giles Walter advised that the site had been vacant for approximately 11 years.
- The applicant had worked hard to address the issues raised following the previous application being refused.
- The number of dwellings on site had been reduced and the siting of each dwelling had been examined.
- It was not proposed to retain all the beech trees on site.
- The proposal would bring a redundant site back into use.
- The applicant was previously unaware of any concerns from neighbours regarding overlooking or loss of privacy.
- It was noted that the officers were content with the proposal to have one garage and one parking space per dwelling. There were to be two visitor spaces on the site.

The Committee appreciated that the application site was in need of development and that the Highways Authority had not raised any objection to the proposals. Concern was still raised, however, over the issue of resident parking and overlooking nature of the part of the development.

The Head of Development and Construction advised that within the inspectors report concern was only raised about the number of access points. As this had now decreased it would be difficult to refuse on such grounds. The issue of overlooking on 488 Oundle Road was not raised by the inspector, there was no explicit reference to whether the inspector was content with the proposal or not. It was advised that, if granted, an additional condition would need to be added in regarding the opening times of the store; 7am to 10pm were suggested.

A motion was proposed and seconded to agree that the Director of Growth and Regeneration be granted authority to grant planning permission, as per officer recommendation subject to an acceptable solution to the overlooking first floor window, the provision of an additional visitor car parking space, and an additional condition restricting the store opening hours. It was stated that within the consultation process, only reasonable objections in relation to the window would be considered. The motion was carried five voting in favour, one voting against and one abstention.

RESOLVED: (5 voted in favour, 1 voted against, 1 abstained from voting) that the Director of Growth and Regeneration be granted authority to **GRANT** planning permission subject to:

- i) The conditions set out in the report;
- ii) The additional condition 'Opening hours for customers to be restricted to 7am to 10pm';
- iii) An acceptable amended plan being received (neighbour to be consulted) which addressed overlooking from the first floor front bedroom window (closest to the site boundary); and

- iv) An acceptable amended plan being received which provided for one additional visitor parking space.

If the overlooking issue cannot be addressed then the application shall be refused on the grounds of overlooking. If the additional car parking space cannot be reasonably accommodated then its absence will not be an additional reason for refusal.

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:

- there was an established commercial use on the site and therefore the development of a small-scale retail unit is considered acceptable in principle, in accordance with Policy CS15 of the Peterborough Core Strategy DPD (2011);
- given the location of the application site within a predominantly residential area which was well-served by existing services and facilities, the principle of residential development is acceptable, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011);
- the design of the proposal would not result in any unacceptable impact upon the character, appearance or visual amenity of the streetscene and surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- adequate and safe parking, access and turning can be provided to/within the site so as to not result in any unacceptable impact upon the safety of the public highway and highway users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the revised proposal would, on balance, not result in any unacceptable level of harm 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);
- the proposal would retain trees which were of key landscape value to the visual amenity of the locality, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to heritage assets, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 128 and 131 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);
- contamination present within the site would be adequately addressed so as to not pose a 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 proposal would not result in any unacceptable impact to ecology or biodiversity within the site, in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
- on balance, the proposed dwellings would provide an acceptable level of amenity for future occupants, in accordance with Policy PP4 Planning Policies DPD (2012); and
- there was no requirement for a financial contribution towards infrastructure demands generated by the development, in accordance with the National Online Planning Guidance and the Peterborough Planning Obligations Implementation Scheme SPD (2010).

5.4 15/00019/FUL – 32 Main Street, Ailsworth, Peterborough, PE5 7AF

Councillor Sylvester re-joined the meeting.

The planning application was for a single story flat roof extension to the rear of the doctor's surgery at 32 Main Street, Ailsworth, Peterborough, PE5 7AF.

The main considerations set out in the reports were:

- Background of Development
- Character Appearance
- Area Amenity
- Highways
- Trees

It was officer's recommendation that planning permissions be refused for the reason set out in the report.

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

- The extension proposed was a single storey rear extension into the garden area.
- The Highways Authority had objected to the application as there was no parking to be provided on the site. It was believed that the extension would attract extra traffic to the surgery from beyond the village.
- Ailsworth Parish Council had asked that their representation be considered as in support of the application.

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

- The proposal was considered to be overdevelopment, out of character and overbearing on Helpston Road residents.
- Concern was raised on highways grounds as there was no parking on the site, neither currently, nor proposed.
- If the surgery was aiming to expand and cater to patients outside the village, who would be travelling by car, parking was vital.
- It was suggested that those supporting the proposal were concerned that without expanding, the funding to the surgery would be lost.

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

- Mr and Mrs Nash lived in the property that backed on to the surgery.
- It was acknowledged that the village benefited from having a medical practice, however the scale and suitability of the proposed extension was called into question.
- The proposal would extend to 1.5 metres from their boundary and 0.5 metres above the boundary wall.
- This impact would be increased by the removal of all of the shrubs and trees from the application site.
- It was not believed that the proposal had been sufficiently thought through and it was suggested that the development was too large for the application site.

The Committee discussed the application and maintained that adequate healthcare provision was important. It was considered, however, that the site was not suitable for the size of extension proposed, which comprised the majority of the existing garden.

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

RESOLVED: (unanimous) that planning permission is **REFUSED** for the reasons set out 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 reasons:

- R 1 The proposed increase in development and the services offered at Ailsworth Medical Centre as part of this proposed extension were considered likely to exacerbate the parking problems currently experienced in the vicinity of the site, specifically on Main Street, to the detriment of highway safety and therefore contrary to Policy PP12 and PP13 of the Peterborough Planning Policies DPD 2012.

5.5 14/01691/HHFUL – Rectory House, Castor Road, Marholm, Peterborough

The planning application was for ground floor and first floor extension at Rectory House, Castor Road, Marholm, with remodelling.

The main considerations set out in the reports were:

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

It was officer's recommendation that planning permissions be granted subject to conditions set out in the report.

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

- The application aimed to be a more energy efficient development, utilising 'green' energy.
- The proposal included raising the roof of the existing dwelling.
- It was considered that the proposed development would improve shadow of the property in some areas and would mean very little difference in others.

Councillor Holdich, Ward Councillor, and Tim Hawkins, Chairman of Marholm Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Ward Councillor asked for this application to be heard by Committee as the applicants wife was a Parish Councillor. It was considered that this was the best way for the objectors to feel they had a fair opportunity to have their say.
- Marholm Parish Council were trying to modernise their approach to planning applications and become more transparent. As such, applicants were invited to attend Parish Council meetings to support their application.
- The Parish Council were pleased with the proposal and were impressed with the ecological credentials of the design.
- It was confirmed that the wife of the applicant had been excluded from voting on this matter.
- The Parish Council believed that the shadowing of the development would not be worse than current.
- The Parish Council considered the application submitted. It was noted that interior could be updated at the same time, the applicant desired, but this was not relevant for the application.

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

- The first floor of the proposal ran parallel to Mr Plant's boundary. It was considered that this would block out areas of light and have an overbearing impact. The application site was higher than the neighbouring land, which would increase the effect.
- The proposals ran for 14 metres of Mr Plant's boundary, out of a total of 23 metres. It was believed that the proposals could be sited elsewhere on the property, where they would have less of an effect on neighbour amenity.
- It was believed that the property could be extended and modernised without having such a detrimental impact on neighbours' amenity.

David Shaw, Agent, and Jan Maciag, Architect, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The applicants wanted to establish their family home on the application site. The proposal would house a wood burner and other equipment at the rear of the garage.
- Pre-application had been sought and had resulted in several changes to the design of the application.
- It was stated that the applicants invited neighbours and the Parish Council to comment, and the application was received positively.
- Objections had been received during the application process and the scheme was further revised to reduce its height and bring it further away from the boundary.
- It was not considered that the proposal would impact on the amenity of the neighbours at Grey Gables, as the shadowing was no greater than current. With the removal of the hedge, it would be marginally improved.
- The equipment that was to be housed in the development would create approximately the same noise as a large freezer. It needed to be in the proposed location to minimise the transition route.
- It was not considered that there was a large difference in the height of the site and the neighbouring site.

The Committee considered the application and discussed the potential impact of the proposal on neighbour amenity. The resulting shadowing was discussed and it was concluded that the proposal did not represent an increase in the level of shadowing over the neighbouring property.

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

RESOLVED: (8 voted in favour, 1 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 proposal would not unacceptably harm the character of the area or the amenity of the occupiers of neighbouring dwellings; in accordance with policies PP2, PP3 and PP17 of the Peterborough Planning Policies (DPD) 2012 and policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011.

5.6 14/01716/MMFUL – Land at Leicester Road, Wansford, Peterborough

The planning application was for limestone extraction and restoration on land at Leicester Road, Wansford, Peterborough.

The main considerations set out in the reports were:

- Suitability of the proposal (mineral extraction and infilling with inert material)
- Noise and dust
- Landscape and visual impact
- Biodiversity and Geodiversity
- Flood risk
- Archaeology
- Traffic and Highways
- Other Issues

It was officer's recommendation that planning permission be granted subject to conditions set out in the report.

The Senior Officer Minerals and Waste provided an overview of the application and raised the following key points:

- The application added to the eastern series of quarries, with access off A47. The closest residences were Sibberton Lodge and Old Pump House.
- The proposed extraction of limestone would take place over a five year period and would operate between 7am and 6pm, Monday to Friday and 7am to 1pm, Saturday.
- It was expected that the development would attract a maximum of 156 vehicle movements a day.
- It was intended that the land would be restored to agricultural purposes and that the conditions were to be imposed in relation to the environmental impact of the proposal.
- Conditions were proposed in order to limit and manage the level of noise and dust resulting from the scheme.

Councillor Holdich, Ward Councillor, and Councillor Richard Clarke, Wansford Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Quarry work had recently been undertaken in the area to the west of the application site. This work had resulted in a number of complaints regarding dust and noise.
- It was believed that a hydraulic drill would be required to carry out the proposed work.
- It was suggested that the calculations put forward by the applicant in relation to noise and dust were not factual.
- Questions were raised as to why work was not scheduled to commence until 2021.
- The noise levels given in the report were claimed to be unreliable. The noise predicted at the Old Pump House was 46db, equivalent to a library setting, which was not believed to be realistic.
- Previous quarries at Thornhaugh had registered noise levels of 64 or 65db.
- It was suggested that noise mitigation measures would only take effect after a year, as it would take this long to dig down far enough to dampen the works noise.
- Limestone, once extracted, would dry and carry on the wind. It was believed that this would reach residential areas.
- The number of objections were low, it was suggested, because residents were confident that the Parish Council would sufficiently represent the concerns of the

village.

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

- The officer report was commended to the Committee as a reflection of the careful consideration taken in the application.
- The principle of mineral extraction had been established on the site.
- An independent review had been undertaken to assess the noise levels and this was accepted by Council officers. It was considered that this noise assessment was robust and reflective of the proposed works.
- The Applicant's had worked with the Council in order to minimise the effect the quarry would have on residents.
- It was advised that Limestone, although it does dry, would not carry over 100 metres. As such, nearby residences would not be effected.
- The Applicant had not experienced any problems with other quarries along the A47 and it was expected that any problems could be resolved with appropriate conditions.
- Noise mitigation measures were standard practice and believed to be acceptable.
- The application was due to start in 2021 in order to allow work at a different quarry and infilling of the adjacent land to finish, to avoid any cumulative impact.

Councillor Harrington and Councillor Stokes left the Committee meeting.

The Committee expressed concern at the contradictory statements referred to by the public speakers, however considered that the officer report should be relied upon to inform their decision.

The Senior Officer Minerals and Waste advised that he was entirely confident in his report and the expertise he had drawn upon. The Environment and Pollution Control Officer had been consulted and raised no concerns to the proposal. As such, it was believed that the targets set out in the report were attainable, and were similar to comparable sites. It was explained that the noise mitigation measures would be put in place and be effective from the start, however they would become more effective as the extraction progressed. This had been taken into consideration when setting appropriate noise levels.

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

RESOLVED: (6 voted in favour, 1 voted against) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision

The NPPF states that there was a presumption in favour of sustainable development - in terms of decision taking this meant approving development proposals that accorded with the development plan without delay. The principle of development was in accordance with policy SSP W2 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (SSP DPD) which allocated the site for inert landfill; and the proposed extraction lay within the Minerals Consultation Area (CS27) associated with the previous permission for limestone extraction at Thornhaugh II quarry.

An Environmental Statement accompanied the application which, alongside the submitted further information was considered comprehensive and met the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2011. Detailed topic areas had been assessed/considered:- With regard to noise and dust, the proposal was in compliance with policies CS24 and CS34. The

landscape and visual impacts of the proposal were in compliance with policies CS25, CS33 and CS34 of the Core Strategy. Ecology, Hydrogeology and Physical characteristics (including soils) had been carefully considered (no objections raised by Natural England or the Environment Agency subject to conditions) and were in compliance with policies CS22, CS25, CS35 CS38 and CS39 of the Core Strategy. Heritage and Archaeology had been assessed and were in compliance with policy CS36. Other matters had been assessed including Traffic and Highways, Flood risk, quarry design and climate change and were considered acceptable and in compliance with development plan policy. Cumulative impact of this development with that of the neighbouring site, Eyebury landfill, had also been taken into account. Comments of consultees had been taken into account and suitable conditions would be attached which address any issues raised. The representations had also been also taken into account but given that the site was allocated for inert landfill, previously benefitted from permission for limestone extraction, and in all other respects the proposal was acceptable, there was no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

6. Planning Compliance Quarterly Report

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

Following questions raised by the Committee the Head of Development and Construction advised that there had been no costs awarded in the Council's favour, however prosecution was commencing regarding 15 Serlby Gardens.

RESOLVED:

The Committee noted past performance and outcomes.

Chairman
1.30pm – 6.44pm