



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 21 APRIL 2015**

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

Officers Present: Theresa Nicholl, Development Manager
Julie Smith, Highway and Drainage Control Manager
Hannah Vincent, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies of absence were received from Councillor Martin.

2. Declarations of Interest

Councillor Harrington declared an interest in agenda item 4.1 '13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough' as he was a member of Newborough Parish Council. He had excluded himself from any discussion on the matter and was not predetermined.

Councillor Ash declared an interest in agenda item 4.1 '13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough' as he was a member of the Dogsthorpe Landfill Liaison Committee. He had excluded himself from any discussion on the matter and was not predetermined.

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

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

4. Development Control and Enforcement Matters

4.1 13/01541/FUL – Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough

The planning application was for the erection, 25 year operation and subsequent decommissioning of a single wind turbine (including micro-siting) at Dogsthorpe Landfill Site, Welland Road, Dogsthorpe. The application included a wind turbine with a maximum overall tip height of 90 metres, associated infrastructure including turbine transformer, hardstanding, control building and cabling.

The main considerations set out in the reports were:

- Principle of Development
- Landscape and Visual Impact Assessment (LVIA)
- Shadow Flicker
- Noise
- Cultural Heritage (including Archaeology)
- Geology, Hydrology and Hydrogeology
- Ecology (including Ornithology)
- Traffic and Transport
- Aviation Safety

- Interference with television reception and other electromagnetic interference
- Other Issues

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

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

- Altered and additional conditions had been proposed in the update report. These removed reference to 'typical' drawings and requested that drawings be submitted prior to commencement, and that the wind turbine be restricted to 90 metres in height.
- The application site was outside the current landfill operation, however was still subject to micro-siting.
- CS11 supported renewable energy developments, if there was no resulting unacceptable impact.
- The application site was within a minerals and waste allocation zone. It was considered that the proposal only affected a small part of the total mineral and waste allocation across the authority area, and would not be compromised.
- The landscape effects, landscape character and visual effects of the proposal were not considered to be significant, or significantly detrimental.
- It was not thought that the proposal caused any of the surrounding residential dwellings to be wholly unacceptable or unattractive.
- Conditions had been proposed in relation to shadow flicker, noise assessments, ecology, traffic, aviation and television interference.
- The effect on nearby sites of cultural significance were considered to be less than substantial and any harm was outweighed by the benefits received.

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

- The applicant was part of the FCC Group, which held renewable energy at the heart of its development strategy.
- The wind turbine would create 500 kW of energy, enough to power 285 homes. This was equivalent to 510 tonnes of CO₂.
- National policies and Council policies were in favour of sustainable development.
- The proposal would have a positive social and economic impact on the area.
- No statutory objections had been raised to the proposals. Out of the 1,058 consultations only 9 objections had been received from local residents.
- The fact that the wind turbine would be visible was not a reason to refuse, as there was not considered to be any overwhelming visual detriment.
- The initial objection from the Ministry of Defence had been withdrawn after discussions with the applicant.
- It was clarified that the only aspect of the previously approved eco-park proposals effected by this application were the storage areas for the anaerobic digester energy crops. It was considered that these could be relocated if necessary.
- A detailed site investigation would be carried out before any works commenced.
- The chance of shadow flicker resulting from this development was considered to be low, however the wind turbine would be closely monitored as part of the site management arrangements and the turbine would be shut off at any time shadow flickering occurred.

The Committee considered the relatively low level of objection from local residents and suggested that the visual impact of the proposal would be minimal. It was noted that the potential for shadow flicker was a concern and it was requested that the applicant ensure that the wind turbine be closely monitored for such a phenomenon.

In response to questions regarding access for construction vehicles the Highway and Drainage Control Manager advised that restrictions would be in place and there would be no benefit to vehicles to access the site from Welland Road. It was expected that the A47 would be proper access route for all construction traffic.

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 conditions set out in the report and additional information.

Reasons for the decision

The key development plan policy in relation to renewable energy was CS11 of the adopted Peterborough Core Strategy. This policy set out that permission would be granted if the developer had satisfactorily addressed the following issues on a case by case basis;

- Use of most appropriate technology for site
- Impact on air traffic operations, radar etc.
- Measures to mitigate any adverse effects on amenities of occupiers of nearby properties during construction, operation and decommissioning
- Provision for the protection, preservation and/or mitigation for any features of strategic, cultural, agricultural, ecological, historic/archaeological importance, including landscape character, where relevant

It was considered that the applicant had satisfactorily demonstrated that the proposal could meet these criteria with the imposition of conditions. None of the statutory consultees had objected to the proposal. Given that over 1000 letters were sent to nearby residents notifying them of the proposals (as well as site notices and newspaper notices), few objections had been received. Naturally, given that the proposal was a wind turbine, it would be highly visible but the submission and comments received do not suggest that its impact would be unacceptable with regard to any of the issues/criteria referred to in policy CS11.

Account had also been taken of national policy advice, particularly the NPPF and NPPG as well as other relevant development plan policies. Special regard had been had to the desirability of preserving a building or its setting, or any feature of special architectural or historic interest which it possessed.

The original submission was considered to be deficient in terms of content and clarity regarding aviation, visual amenity, micro-siting, substation/control building, TV interference, ecology and the approved eco-park development/waste allocation. These matters had been satisfactorily addressed.

4.2 15/00306/HHFUL – 1 Franklyn Crescent, Eastfield, Peterborough, PE1 5NE

The planning application was for proposed two story side and rear extensions at 1 Franklyn Crescent, Eastfield, Peterborough.

The main considerations set out in the reports were:

- Design and impact upon the character and appearance of the surrounding area
- Impact upon neighbour amenity
- Parking provision

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

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

- The neighbouring property had previously been extended on two floors towards the shared boundary with the application site.
- Permission had been granted in 2013 for an extension on the application site, including a single story side element and a two storey rear extension.
- A 2014 application including a two storey side extension and a partial wrap-around development had been refused.
- The impact on neighbouring properties was considered acceptable, as it would not be significantly different to that permission already granted.
- The recommendation for refusal stemmed from the effect the development would have on the streetscene. It was considered that the proposal would effectively 'terrace' the neighbouring houses. The street was characterised by the gap in between each pair of houses. To lose this character would be detrimental.

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

- The applicants had approached Councillor Shabbir following issues with their architect.
- The applicants' architect had submitted the previously approved planning application without the approval of the applicants.
- It was noted that the roof of the neighbouring property extended unnecessarily far. It was urged that the applicants were not penalised for the bad design of the neighbouring dwelling.
- The applicants required a two storey extension in order to look after family members, whose health was fading. The applicant's father had been diagnosed with dementia.

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

- The previously approved application for the site had been submitted by the architect without the applicants' approval.
- Mrs Rahman's father had recently been diagnosed with dementia and, as such needed continuous treatment and care
- The applicant's parents could not cope by themselves and it was necessary for them to stay with the applicant.
- The applicants did not want to, nor were they able to, move house.
- The neighbouring property already had a similar extension to that proposed. It was considered unfair that one was permitted and the other not.
- No complaints or objections had been received from any neighbours.
- It was vital that the applicants created additional space in their property.

The Committee commended the applicant for their desire to care for their elderly relatives. It was, however, noted that the Committee could consider material planning considerations only. The Committee believed that the proposal did represent a change in the streetscene however this change would not be detrimental enough to warrant refusal. It was believed that in respect of this application in particular, because of the angle of the dwelling in relation to the neighbouring property and the fact that the site was at the end of the road, the effect on the streetscene would be less than in other circumstances.

The Development Manager advised that, in exceptional situations, the personal circumstances of an applicant could be taken into consideration. It was suggested that

emphasis be made on the unique situation of this application in relation to its siting at the end of the street and its angle in relation to the neighbouring dwelling, in order to avoid setting a precedent.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, as it was considered that the proposal was not detrimental to the surrounding streetscene. The motion was carried eight votes in favour and one vote against.

RESOLVED: (eight voted in favour, one voted against) that planning permission is **GRANTED** subject to relevant conditions.

Reasons for the decision

The proposal was not considered to cause sufficient detriment to the surrounding streetscene to justify refusal of the application.

Chairman
1.30pm – 3:10pm