



**MINUTES OF THE PLANNING REVIEW COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 10 NOVEMBER 2014**

**Members Present:** Councillors Holdich (Chair), Maqbool, Elsey, Johnson, Martin, Miners, Herdman, Sandford and Lane

**Officers Present:** Nick Harding, Head of Development and Construction  
Simon Ireland, Principal Engineer (Highway Control)  
Ruth Lea, Planning and Highways Lawyer  
Pippa Turvey, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillors Cereste, Seaton and Thacker. Councillor Elsey was in attendance as substitute.

**2. Declarations of Interest**

Councillor Lane declared a non-pecuniary interest in agenda item 3, as he knew one of the objectors, Angus McDonald, from his work with the Parish Council. He stated that it would not affect his judgement.

In relation to agenda item 3 Councillor Martin declared that although he was part of the Planning and Environmental Protection Committee whose decision was called in, he was not predetermined and had an open mind.

**3. 14/01301/FUL – 70 - 80 Storrington Way, Peterborough, PE4 6QP**

A planning application was presented for a new shop unit with two flats above at 70-80 Storrington Way, Werrington. The application outlined in the report was a resubmission, following refusal of a previous scheme in 2013.

The application was considered by the Planning Environmental Protection Committee on 7 October 2014 and planning permission was granted. This decision had been called-in under Part 3, Delegations Section 2 – Regulatory Committee Functions – Paragraph 2.6.2 of the constitution for the Planning Review Committee to consider.

The main considerations were:

- The Principle of Development
- Highways
- Design and Visual Amenity
- Residential Amenity
- Neighbourhood Amenity
- Landscaping
- Section 106

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

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

- The Planning and Environmental Protection Committee had previously refused

planning permission for an earlier version of this application, against officer recommendation.

- The past refusal had been on the grounds of highways. The footprint of the then proposed development would extend into the visibility slope of the roads.
- The decision was upheld at appeal, however the Planning Inspector was critical of the lack of detail presented to the Planning and Environmental Protection Committee and costs were awarded.
- The proposal now before Committee had been altered to eliminate the development's impact on the forward visibility splay. As such, a corner of the development was now further set back from the road.
- The area required for forward visibility was calculated using the results of recent a speed survey. The distance required for forward visibility was established as 28 metres.
- Additional photos were displayed, which had been received from residents, highlighting the fly-tipping problems and internal conditions of the current flats.
- The trees on site were not considered worthy of Tree Preservation Orders, however a condition had been included in the proposal for replacement planting.
- The Committee were advised that the issues for consideration were the redesigned area of the development and the highways issues. All other matters had been previously tested by the Planning and Environmental Protection Committee and the Planning Inspector.

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

- Numerous complaints had been received from residents regarding anti-social behaviour, drugs, fires and fly-tipping. This usually results in a call to the Neighbourhood team.
- The state of the existing flats were disgraceful and the application would, if approved, add to this.
- The current properties were vacant, no more were required.
- The parking on the site was insufficient for the current residents. Adding further development would increase this problem. The site was adjacent to a main bus route and a school route, which resulted in traffic issues.
- The proposals were contrary to many Council policies, including those relating to adding quality, positive contributions, open space, overbearing impact, shop frontages, parking and trees.
- There was no further capacity on the road to cater for further development.
- The proposal would be detrimental to the character and amenity of the area.
- The lack of maintenance of the site encouraged anti-social behaviour.
- The trees on the site should be maintained.

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

- Little support had been received by the tenants from the landlord to repair the existing properties.
- There were problems in the flats relating to heating, health and safety and anti-social behaviour as well as the maintenance of the grass area.
- Young people tended to gather in the area and display criminal or anti-social behaviour.
- There had been occasion where waste water had filled into the flats, for which the landlord had not accepted responsibility.
- There should be regular maintenance, lighting and visits from PSCO's.
- If planning permission were granted, it would impound the current problems. Drainage of the site would also be impacted and could attract significant costs.
- The application did not embrace the environment capital aspirations of the City.
- It was not considered that 28 metres visibility would be sufficient to alleviate

highway problems. Buses currently had to traverse two lanes in order to travel around the corner.

- The current open space was valuable to residence, which it was kept in an acceptable condition.

The Committee agreed to extend the speaking times for those objecting to and supporting the application to six minutes.

Margaret Phearson, local resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The application had been previously refused because of the blind spot resulting from the corner in the road.
- The site currently housed six shopping units, only three of these were trading. There was no need for any additional units.
- The area was plighted by anti-social behaviour, litter, gangs, vermin, parking, theft and graffiti.
- The community was becoming a 'no go' area and residents wanted to reclaim their village.

Angus McDonald, local resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Buses driving around the corner have no clear view and would have to stop if they met another bus. This causes a backup of traffic.
- Added to this, school children regularly walked along the path, which was dangerous.
- Had a survey or risk assessment been carried out regarding the build-up of traffic?
- The grass on the site acted as a natural soakaway. With this removed who would pay for an upgraded drainage system, or the damage resulting?
- The trees on the site had been there for over 50 years. It was suggested that they did not belong to the applicant, however more research on this topic needed to be undertaken.
- The trees assisted with the drainage of the site, by soaking up water.

Claire Davidson, local resident, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Ms Davidson was a tenant at one of the current flats on the site. She had been served with an eviction notice, she believed, as a result of this application.
- The block had a significant amount of young children and families as tenants.
- The veranda at the first floor of the building was not secure. Security measures would need to be put in place to stop vandalism occurring.
- In its current state cars were able to see through the trees at the corner and to the oncoming road.
- The proposal would block off this line of sight completely. A 28 metre visibility splay would be insufficient.
- The proposal would add to the traffic problems already faced with buses frequently using the roads.

The Planning and Highways Lawyer advised the Committee that ownership of land was not a planning consideration and could not be taken into account when deciding this application.

The Committee meeting was adjourned for five minutes at 7:55pm, to allow for a comfort break.

The Planning and Highways Lawyer reassured the Committee and members of the public that although Committee members had approached the Head of Development and Construction during the adjournment to view the presentation, which they had not been able to clearly see, there had been no discussion about the application.

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

- The application had been a long running one, with permission granted for a residential development already on the site. As such the principal of development had already been established.
- The only reason the current application was previously refused on the grounds of highway visibility.
- The applicant had increased the visibility to an acceptable level, to the agreement of officers.
- The trees on the site did not have TPO's placed on them. The current planning permission on the site permitted the felling of these trees. A condition had been included in the application for the replanted on trees.
- The maintenance of the current buildings was not a material planning consideration. However, many of the leases places responsibility to maintenance and repairs on the tenants.
- The Council had been called to cut the grass on the site, however the applicant had been duly invoiced for this.
- It was suggested that the Council, landlord and tenants should meet together to resolve concerns about anti-social behaviour in the area.
- Investment and development of the area would not be achieved by withholding planning permission.
- Anglian Water and the Environment Agency were standard consultees and no objections had been received from them.

The Head of Development and Construction confirmed that the site had planning permission for seven flats. Work had commenced on this development however it was currently dormant. The Planning Inspector had given the matter only minimal weight. It was further confirmed that only the visibility splay and altered design of the proposal could be considered. In response to a member question it was clarified that the previous incarnation of the application did not include a speed survey.

The Principal Engineer (Highway Control) advised that a survey was conducted in the area over seven days and gave an average speed result. Based on this survey it was determined that a 28 metre visibility splay would be required. This distance could be achieved through the amended plans as was considered acceptable.

In response to questions from the Committee, the Head of Development and Construction clarified that no provision was currently included in the application relating to bicycle parking. This matter could be conditioned and added to the recommendation. It was further explained that, as the application site was not in a flood risk zone, Anglian Water and the Environment Agency had not been consulted. Any drainage issues would be dealt with either by Building Regulations in the form of a soakaway, or by Anglian Water through updated sewer connections.

Councillor Martin declared that, due to concerns raised by Committee Members, he would abstain from voting.

The Committee sympathised with the concerns expressed by the Ward Councillors and local residents. Several members of the Committee stated that, had they been on the

original Planning and Environmental Protection Committee, they would have raised objections on matters other than highways.

The Committee considered that there were no grounds for refusal in relation to the altered design or the impact on highways, as the Principal Engineer (Highway Control) was content with the amended visibility splay.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation with the addition of a condition to provide for bicycle parking. The motion was carried, five voting in favour and four abstaining from voting.

**RESOLVED:** (five voted in favour, four abstained from voting) that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the conditions set out in the reports, with the addition of a condition to provide for bicycle parking.

### **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 was for retail development within a local centre;
- The site had extant planning consent for 7 flats therefore the principle of residential development was already established;
- The proposal would not be detrimental to the surrounding character or to neighbouring amenity;
- The proposal would provide a satisfactory level of accommodation for the future occupiers of the flats;
- The proposal would not result in any adverse highway implications; and
- The proposal would provide for replacement tree planting.

Hence the proposal accorded with policies PP2, PP3, PP4, PP12, PP9, PP11, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS15 and CS16 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

Chairman  
7.00pm – 8:40pm