



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

**Members Present:** Councillors Harper (Chair), Serluca (Vice-Chair), Hiller, North, Stokes, Martin, Sylvester, Harrington, Okonkowski and Lane

**Officers Present:** Nick Harding, Head of Development and Construction  
Simon Ireland, Principal Engineer (Highway Control)  
Ruth Lea, Acting Head of Legal Services  
Pippa Turvey, Senior Democratic Services Officer  
Paulina Ford, Senior Democratic Services Officer

**1. Apologies for Absence**

No apologies for absence were received.

**2. Declarations of Interest**

No declarations for interest were received.

**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 9 June 2015**

The minutes of the meeting held on 9 June 2015 were approved as a correct record.

**5. Development Control and Enforcement Matters**

**5.1 15/00415/FUL – Peterborough City Lawn Tennis Club, Park Crescent, Peterborough, PE1 4DX**

The planning application was for the demolition of a timber pavilion at Peterborough City Lawn Tennis Club, Park Crescent and the erection of two detached "Prestige" homes.

The main considerations set out in the reports were:

- Planning History
- Replacement Tennis Facilities
- Siting, scale and design
- Impact on residential amenity
- Impact on the character and appearance of the Conservation Area
- Highways
- Community Infrastructure Levy (CIL)

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

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

- Previous applications on this site had been refused because of issues arising from the provision of replacement tennis courts.

- The most recent application was approved, with a condition attached that restricted occupation of the proposed dwellings until a time after replacement tennis courts were completed and operational.
- This condition resulted in developers being reliant on third parties. As such, no finance had been granted to the developers.
- Sports England had been approached regarding the matter and were happy with a new approach. It was now proposed to omit a placing restrictive condition regarding replacement courts on the development, and instead enter into legal agreement for these provisions.
- Concern had been raised by Ward Councillors regarding the two separate access points proposed. It had been suggested that a single access point would be safer and more appropriate.
- The Highways Authority had requested for each access to have sufficient visibility splays for pedestrians, as the site was located near pedestrian heavy areas.
- Planning officers did not consider pedestrian visibility splays to be necessary, given the nature of the proposal.

John Dadge and Bill Skead addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The proposal was similar to the previously granted permission and was reflective of the surrounding area.
- The construction of the developments was planned to take place as soon as possible to release the funds to provide replacement tennis courts.
- Two separate access points had been proposed as the two dwellings were “prestige” in nature. The access points would be similar to the current situation and the majority of the hedging would be retained.
- The proposed legal agreement was already drafted and it was hoped that the tennis courts could be provided within a few months.

The Committee were pleased with the proposed solution to the issues regarding replacement tennis courts. Following the Highways Authority’s comments, concern was raised in relation to the width of the access points. The Head of Development and Construction advised that this could be addressed via condition.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation and an additional condition requiring visibility splays for each access. The motion was carried unanimously.

**RESOLVED:** (unanimous) that planning permission is **GRANTED** subject to:

- The conditions set out in the report;
- A condition to keep 2x2m visibility splays above 600mm clear for each access point; and
- A legal agreement which:
  1. Required the Lawn Tennis Club to put the money from the sale of the site (less any commitments) in ESCROW and use the money to provide the replacement courts in a reasonable timescale; and
  2. Allowed the City Council to access the ESCROW and use the money on the provision of replacement courts in the event that the Tennis Club fails to do so.

### **Reasons for the decision**

The existing planning permission could not be built because the planning condition stating that no house can be occupied until the replacement courts are provided was preventing the scheme from obtaining finance.

Whilst it had previously been rejected by planning committee and at appeal because of the issue of uncertainty about the delivery of replacement courts, using a legal agreement rather than a planning condition must be looked at again as it was the only solution that was likely to unlock the situation. Whilst not ideal given the potential risks, it appeared that it was the only viable solution and therefore officers were recommending approval of the application subject to the owner/applicant entering into a legal agreement for provision of the replacement tennis facilities.

With regard to the other aspects of the development, 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 redevelopment of the site with the 2 houses proposed was considered to be acceptable on this site.
- It was considered that the work would preserve the character and appearance of this part of the Park Conservation Area.
- It was considered that there would be no unacceptable impact on the residential amenity of neighbours.
- It was considered adequate replacement tennis facilities could be secured by Private legal Agreement.
- The proposal was therefore considered to be in accordance with the NPPF, and Policies CS16, CS10, and CS17 of the Core Strategy, and Policies PP02, PP03, PP04, PP12, PP13, PP17 and PP16 of the Planning Policies DPD.

## **5.2 15/00521/FUL – Peakirk Cum Ginton Voluntary Aided Primary School, School Lane, Ginton, Peterborough**

The planning application was for the construction of a new standalone nursery facility at Peakirk Cum Ginton Voluntary Aided Primary School, School Lane, Ginton.

The main considerations set out in the reports were:

- The principle of the development
- The impact of the development on the character and appearance of the Ginton Conservation Area
- The impact of the development on neighbour amenity
- Highway Implications
- Landscaping implications
- Other issues

It was officer's recommendation that planning permission be granted, subject to the 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 proposal was for the replacement of an existing mobile with a permanent structure. This would be located on a different part of the site.
- There would be losses to scrub and trees for the construction of the proposal, however no officer objection had been received.
- The proposal consisted of a two storey, flat roofed, wood clad structure.
- 3 School Lane was the nearest residential property. The Crown Inn opposite the site currently housed a playgroup.
- Any overlooking windows were to be obscure glazed and the structure was to be connected to the main school building by a covered walkway.
- Access for construction vehicles would be via Lincoln Road, to avoid disruption in the village.

- There were an extensive number of updates included within the additional information document. These included further information from the Council's Tree Officer, who had requested additional conditions, further information from the Council's Conservation officer, comment from Councillor Holdich and comments from the neighbour at 3 School Road.

Councillor Bob Johnson, Glington Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Parish Council were supportive of extending the school facility, however in the right place and design.
- As the site was within the Glington Conservation Area, the design should be in line with the village design supplementary planning document.
- The current design and material, it was suggest, would fail. Glington was selected as a limestone village and wood cladding did not fit in with this character.
- It was considered that the location identified within the application was inappropriate. The Parish Council believed that the site of the current temporary mobile structure was the most appropriate and that a single storey development would be suitable.
- The Parish Council was unanimous in its oppositions to the proposal and supported the objections of residents in School and Rectory Lane. The Parish Council were unaware of any representations of support within the village.

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

- Mr Titman had provided a number of visuals which were included within the Committee's additional information document. These visuals highlighted the overlooking and overbearing nature of the proposal on his residential amenity.
- Concern was raised regarding the architect's planning statement and how a number of disadvantages raised for alternative sites also applied to the proposed site.
- The available funding for the project was not a relevant consideration.
- The current site was more advantages with regards to continuity and access for pre-school and after-school clubs.
- There had been no consideration for a single storey site, which would be more appropriate.
- It was noted that a number of the trees due to screen the proposal were diseased and designated for removal.

Rob Diamond, Agent, and Andrew Finding, School Governor, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The current mobile structure had been on the site since 1995.
- All available space on the grounds was investigated for a potential development site and a number were dismissed because of the impact they would have on the conservation area.
- The existing site had created a 'pinch point', which the application hoped to address.
- It was noted that the materials of the current school building would not be considered appropriate for the conservation area. As such, the design of the proposal would not be out of place.
- The proposed cladding would be sustainable and of high quality. This material would soften over time and blend into the environment.
- The shape of the design resulted from the limited available space and the need for accommodation.
- It was noted that if the proposals were to extend further into the school playing field, Sport England may object on the grounds of insufficient open space.

The Acting Head of Legal Services reminded the Committee it was the application in front of them that the Committee should consider. Matters such as Diocese land, school funding and alternative locations were not for the Committee to consider.

The Committee discussed the application and highlighted that the application site was within a conservation area. It was suggested that this proposal would not be considered acceptable from another resident. The Committee sympathised with the school's need to expand, however considered that the provisions of the conservation area needed to be adhered to. It was further suggested that the applicant consult with the Parish Council on any future proposals.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation, as the proposal was located within the Glington Conservation Area and would not contribute positively towards the area. The motion was carried eight voting 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 **REFUSED**.

### **Reasons for the decision**

The application site was located with the Glington Conservation Area. Whilst the school itself was constructed using a variety of styles and materials, the general area was characterised by more traditional building designs and materials. The proposed modern box like structure with its wood clad exterior would not be in keeping with the tones set by the general character of the buildings in the Conservation Area and therefore would not contribute positively towards it and be harmful including in the context of views of the Parish Church. The proposal was therefore considered to be contrary to the provisions of the NPPF (paras 58, 61,131), Peterborough City Council Core Strategy DPD 2011 Policies CS16 and CS17, Peterborough City Council Planning Policies PD 2012 Policy PP2 and Peterborough Design & Development in Selected Villages SPD 2011 Policies BM1, and Glin 1 and 2.

### **5.3 15/00621/FUL – Land to the Rear of 37 and 39 Lincoln Road, Glington, Peterborough**

The planning application was for the erection of a detached bungalow with relevant access at the land to the rear of 37 and 39 Lincoln Road, Glington.

The main considerations set out in the reports were:

- Principle of Development
- Design and Layout
- Access, Parking and Highway Safety
- Neighbour Amenity
- Amenity of Future Occupiers of the proposed Dwelling
- Biodiversity
- Environmental Capital
- Flood Risk
- Section 106 and CIL Regulations
- Other Matters

It was officer's recommendation that planning permission is refused 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:

- A previous, similar application on this site and been refused. Refusal had been

on the grounds of the cramped nature of development, overdevelopment and the uncharacteristic design of the proposal.

- The proposed broad access was considered to be out of keeping with the area.
- The current proposal had sought to address these issues by increasing the size of the development site, altering the design of the access arrangement and reducing the footprint of the proposed dwelling.
- It was not considered by officers that the alterations were sufficient to address the previously raised concerns.

Councillor Bob Johnson, Ginton Parish Council, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application had been discussed at a meeting of the parish council, which the applicant did attend and explain their application.
- It was decided that the Parish Council would object to the proposals and were happy to accept planning officers' recommendation for refusal.

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

- It was suggested that the Parish Council had been evenly split 5 in favour and 5 against this application.
- The applicant wished to succeed in this application to allow for her parents to live nearby.
- The proposed access was already utilised by the care home and other residences. It was not considered that one additional residence would have a significant impact.
- It was suggested that as part of the proposal, the materials of the access could be replaced to decrease the level of noise created.
- The surrounding area was home to a number of back land developments. As such, it was not believed that this proposal would be out of character.
- It was suggested that the nature of the dwelling would attract those seeking a quiet lifestyle.

The Committee discussed the application and it was suggested that the back land nature of the development was not inconsistent with other previous developments in the surrounding area. The Committee welcomed the applicant's suggestion to retreat the access road.

Comment was also made regarding the overdeveloped nature of the area and that the Committee should take into account current policy frameworks.

A motion was proposed and seconded to agree that permission be refused, as per officer recommendation. The motion was defeated, three voting in favour, six voting against and one abstaining from voting.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, subject to a condition relating to the materials used for the shared drive and other necessary conditions. The motion was carried, seven voting in favour and three voting against.

**RESOLVED:** (seven voted four, three voted against) that planning permission is **GRANTED** subject to:

- Necessary conditions; and
- A condition relating to materials for the shared drive with the objective of trying to secure a tarmac finish subject to the ability to achieve this given its shared status.

## Reasons for the decision

It was not considered that the proposal would alter the character of the area, as there were a number of back land developments in the surrounding vicinity. As the use of the access road was already established for the neighbouring care home and other residences, it was not considered that an additional dwelling would cause a significant increase in use.

### 5.4 15/00667/FUL – 17 Castor Road, Marholm, Peterborough, PE6 7JA

The planning application was for a proposed three bedroom detached dwelling at 17 Castor Road, Marholm, with associated driveway.

The main considerations set out in the reports were:

- Principle of residential development
- Design and impact upon the character and appearance of the surrounding area and heritage assets
- Neighbour amenity
- Access, parking and highway implications
- Tree implications
- Archaeology
- Developer contributions

It was officer's recommendation that planning permission be refused 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 application site abutted the conservation area.
- A similar application on this site had recently been presented to Committee and refused as it was considered overbearing and with a loss of outlook.
- The revised proposal currently before the Committee had set the dwelling back within the plot and reduced the second story element by 1 metre, with a ground floor rear extension.
- It was considered that the amendments made addressed only an aspect of the concerns raised. The outlook from the middle window of the neighbouring dwelling remained the same.
- There were no concerns regarding the development's design and appearance.

Councillor Serluca left the meeting at this point.

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

- The Parish Council had recently implemented a new programme for dealing with planning applications in the parish, which was explained to the Committee.
- It was advised the general opinion in the village had altered and it was now considered that appropriate render was not so important.
- The Parish Council appreciated that action had been taken to address issues of loss of neighbour amenity.
- It was the general view of the Parish that there was a significant distance between the window of the neighbouring property and wall of the development. As such, the proposal was considered acceptable.

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

- The applicant had liaised with officers and had brought on board a new architect.
- It had been believed that planning officers and the neighbouring residents were happy with the new proposal, however the situation had now moved on from this.
- It was suggested that if the Committee felt that the dwelling was situated too close to the neighbouring wall, the dwelling could be pushed 1 metre to the side. This would still be acceptable from a Highways perspective. If Committee were minded, they could defer the determination of the application to consider this.
- The views from the neighbouring property's windows were affected, but the impact was not thought to be unacceptable.

The Acting Head of Legal Services advised that if the Committee were minded to refuse, the agent has suggested that a deferral be considered. It would be possible for the Committee to defer the application without debate.

The Committee discussed the amendments made to the proposal and suggested that while the outlook of the neighbouring property had been improved, the issues had not been alleviated completely. It was considered by the Committee that the site may be inappropriate for development.

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.

#### **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 given below.

#### **5.5 14/02222/FUL – The Hostel Site, London Road, Yaxley, PE7 3NQ**

Councillor Serluca returned to the meeting at this point.

The planning application was for the development of a miniature railway and ancillary infrastructure at the Hostel Site, London Road, Yaxley.

Councillor North declared that as he had provided residents in his ward with advice surrounding this planning application, he would not take part in the meeting for the duration of this item. Councillor North left the meeting at this point.

The main considerations set out in the reports were:

- Principle of Development
- Neighbour Amenity
- Contamination
- Biodiversity
- Highway and Pedestrian Safety
- Heritage
- Design and Layout
- Other Matters



It was officer's recommendation that planning permission be refused 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 application site was within the development plan for the Great Haddon urban development. The area in question had been designated as open space and woodland.
- The proposal before the Committee was for a miniature railway, with a track on site, scrubland, steam bays, kiosks, club house, storage and car parking. It was intended that the site would be fenced off.
- It was suggested that gaps would have to be carved through the wooded area for the miniature railway to run. Subsequently the Council's Tree Officer and Ecology Officer had raised some concerns with the proposal.
- A previous application for four dwellings had been submitted to Huntingdonshire District Council for a nearby area of land. That proposal had utilised the same access point and, at appeal, an inspector identified that the increase in traffic four dwellings would attract would be unacceptable.
- Following this, it was suggested that as the current proposal would generate more traffic than four dwellings, the impact on residential amenity would also be unacceptable.

Councillor McGuire, Cambridgeshire County Councillor for Norman Cross, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- It was stated that this application was premature and that the land as already designated as open space within the Great Haddon development.
- With reference to the Huntingdonshire District Council appeal decision, the current proposal would generate more traffic than this. The Committee should also consider the possibility of school visits to the site, which would result in coaches using the access road.
- Councillor McGuire sympathised with the applicants and hoped that a more appropriate site could be found for their proposals, however this site was not suitable.
- To grant this application would be contrary to Peterborough City Council's own policies.

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

- Mr Cannell was the Chairman of the Peterborough Society of Model Engineers. The Society currently supported their events via a portable truck. With a permanent site they would be able to provide more public events.
- The Society would welcome engagement with the City Council in order to find a suitable site.
- It was believed that a miniature railway was an appropriate use of open space and would improve the quality of life for local people via recreation and leisure.
- An attraction such as the proposed would encourage individuals to visit the area and make use of the space.
- It was considered that the traffic access to the site would increase only modestly with the proposals, as the number of vehicles would be minimal and travelling slowly.

The Committee stated that they would be pleased to see a proposal of this nature, however the site was not appropriate. It was hoped that officers would be able to assist the applicants with this matter. The Committee agreed that, taking into account the

appeal decision of application for four dwellings, this proposal would have a significant impact.

A motion was proposed and seconded to agree that permission be refused, as per officer recommendation. The motion was carried seven voting in favour and two abstaining from voting.

**RESOLVED:** (seven voted in favour and two abstained from voting) that planning permission is **REFUSED** for the reasons set out in the report.

### **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 given below.

The development proposed would go towards providing a community facility which in time could be of a wider appeal and contribution to the City. The application site however was identified as public open space within the Great Haddon Urban Extension masterplan; the applicants were not seeking a temporary consent therefore if the development were approved it would prevent the land from being available to use as public open space and could prejudice this major allocated site from coming forward.

The proposed development would be accessed via an existing concrete road situated between two residential properties (8 Folly Close and 33 London Road). The proposal would result in an increase in vehicle movements to and from the site, which given the roads proximity to adjoining residential properties would have an unreasonably harmful impact on the living conditions of adjoining residents. Issues of noise and disturbance could be exacerbated through noise generated by locomotives and persons using the site, and was likely to impact to an unsatisfactory degree on a wider number of nearby residential properties.

The proposed development would be situated within an area of dense woodland, which had also been identified as being host to a number of protected species. Insufficient information has been provided to demonstrate a satisfactory woodland management strategy can be secured and the proposed development, rail track, access and parking areas would not harm protected species or biodiversity features of the site.

For these reasons the development was contrary to Policies CS5 and CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2, PP3 and PP16 of the Peterborough Policies DPD (2012) and Policy SA1 of the Peterborough Site Allocations DPD (2012).

Chairman  
1.30pm – 4.26pm