

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 8 SEPTEMBER 2015
1.30 PM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council.
3. **Members' Declaration of intention to make representations as Ward Councillor**
4. **Minutes of the Meetings Held on:**
 - 4.1 **7 July 2015** **5 - 16**
 - 4.2 **28 July 2015** **17 - 28**
5. **Development Control and Enforcement Matters**
 - 5.1 **15/01057/FUL - Land Adjacent To 2 St Martins Street, Millfield, Peterborough PE1 3BD** **29 - 38**
 - 5.2 **15/01245/FUL - 92 - 94 Burghley Road, Peterborough PE1 2QE** **39 - 46**
 - 5.3 **14/00536/OUT - Deed of Variation to the S106 Agreement - Former Site of Peterborough District Hospital** **47 - 54**
6. **Planning Compliance Quarterly Report** **55 - 60**



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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

Committee Members:

Councillors: C Harper (Chairman), L Serluca (Vice Chairman), P Hiller, N North, J Stokes, S Martin, Sylvester, D Harrington, J Okonkowski and S Lane

Substitutes: Councillors: G Casey, N Shabbir, C Ash, R Herdman and J R Fox

Further information about this meeting can be obtained from Paulina Ford on telephone 01733 452508 or by email – paulina.ford@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning, Transport and Engineering Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

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**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 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 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 replacements of an existing mobile with a permanent structure. This would be location 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 push 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 train 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

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 28 JULY 2015**

Members Present: Councillors Harper (Chair), Hiller, Stokes, Martin, Harrington, Okonkowski, Lane and Casey

Officers Present: Nick Harding, Head of Development and Construction
Alan Jones, Senior Officer Minerals and Waste (Items 4.1 and 4.2)
Vicky Hurrell, Principal Development Management Officer (Item 4.6)
Jim Daley, Principal Built Environment Officer (Archaeology and Building Conservation) (Item 4.6)
Simon Ireland, Principal Engineer (Highway Control)
Hannah Vincent, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer
Paulina Ford, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors North, Serluca and Sylvester. Councillor Casey was in attendance as substitute.

2. Declarations of Interest

No declarations for interest were received.

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

No Member declarations of intention to make representations as Ward Councillor were received.

4. Development Control and Enforcement Matters

4.1 14/01307/MMFUL – Eyebury Quarry, Eyebury Road, Eye, Peterborough

The planning application was for the provision of an in-vessel composting facility at Eyebury Quarry, Eyebury Road and the retention and extension of the existing recycling facility.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report. The Senior Officer Minerals and Waste provided an overview of the application and highlighted a number of key issues within the report and update sheet.

The Committee were pleased with the officer's clear and understandable presentation. Following a question from a Committee Member, it was clarified that all food and organic waste would undergo several stages of sanitisation before being safely composted.

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 NPPF stated that there was a presumption in favour of sustainable development - in terms of decision taking this meant approving development proposals that accord with the development plan without delay.

The proposal represented appropriate waste management development outside an allocated area, which would contribute to moving waste up the waste hierarchy and was therefore supported by both the NPPF and local planning policy. The principle of development was in accordance with the waste spatial strategy, as set out in policies CS2, CS14, CS15 and CS18 of the Cambridgeshire and Peterborough Minerals and Waste Core strategy in relation to the provision of in-vessel composting, and recycling, capacity.

An Environmental Statement accompanied the application which 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.

4.2 15/00229/MMFUL – Cooks Hole, Leicester Road, Thornhaugh, Peterborough, and 15/00230/MMFUL – Thornhaugh Landfill Site, Leicester Road, Thornhaugh, Peterborough

Two planning applications were presented to Committee. 15/00229/MMFUL sought the restoration of part of the quarry at Cooks Hole, Leicester Road, Thornhaugh, to the original ground levels using inert materials and consequential amendments to the restoration scheme. 15/00230/MMFUL sought the continuation of landfilling in phases 1 and 2 at the Thornhaugh Landfill Site, Leicester Road, Thornhaugh. This included consequential amendments to the phasing scheme, relocation of the site roads and infrastructure, including the landfill gas flare, minor amendments to the final restoration contours, continued periodic use of the crushing and processing plant and the deferment of the dates of the cessation of landfilling, and final restoration by 6 years.

It was officer's recommendation that both planning permissions be granted, subject to the conditions set out in the report. The Senior Officer Minerals and Waste provided an overview of the application and highlighted a number of key issues within the reports.

Gean Wilson addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Dr Wilson advised that the officer report was accurate.
- It was clarified that the restoration of the site was progressing and that Councillors were more than welcome to visit the site if they wished.
- The material intended to infill the hole on the site was to be mineral material, which was already present. The surrounding area would be filled with a mixture of low degradable material, with little odour.
- There would be no toxic ash at the site.

The Committee were content with the established nature of the site and were pleased that conditions had been proposed to address dust and noise issues. It was considered that the applicant was to be praised for decontaminating the land fully.

15/00229/MMFUL

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 NPPF stated that there was a presumption in favour of sustainable development - in terms of decision making this meant approving development proposals that accord with the development plan without delay. The principle of development was clearly in accordance with policy SSP W2 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD which allocated the site for inert landfill, and contributed to the provision of inert landfill capacity as required by Core Strategy policy CS20.

The proposals also enabled the provision of Stable Non-Reactive Hazardous Waste (SNRHW) and non-hazardous wastes at the neighbouring Thornhaugh I landfill, contributing to the aims of Core Strategy policies CS19 and CS21. The proposals also complied with Core Strategy policies CS14 and CS15 in respect of the need and location of waste management facilities.

An Environmental Statement accompanied the application which was comprehensive and met the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Detailed topic areas had been assessed/considered.

The comments of consultees had been taken into account and suitable conditions would be attached to mitigate any of the issues raised. The comments of neighbours had been taken into account, but given that the site was allocated for waste development 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 Compensation Act.

15/00230/MMFUL

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 NPPF stated that there was a presumption in favour of sustainable development - in terms of decision taking this means approving development proposals that accorded with the development plan without delay. The principle of development was clearly in accordance with policy SSP W4 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD (Site Specific DPD) which allocated the site for SNRHW and complementary non-hazardous land fill. The proposal also sought to provide an appropriate long term solution to the potential pollution risks of over tipping phases 1 and 2 through their excavation and re-engineering into a modern contained landfill design and is in accordance with policy CS46.

The proposal also included recycling of inert waste (from within the site and imported)

for use on the site or for sale off site. The site was not allocated for inert waste recycling but the proposal complies with policies CS14 and CS15 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the Core Strategy) with regards to the need and location of waste management facilities. The additional component parts of the application, namely the retention of the gas flare and time extension to the completion of landfilling operations were considered acceptable in light of the requirements to secure the long term pollution prevention measures at the site as represented by the re-engineering of phases 1 and 2.

An Environmental Statement accompanied the application which 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.

Comments of consultees had been taken into account and suitable conditions would be attached which address any issues raised. The comments of neighbours had been taken into account, but given that the site was allocated for waste development 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 Compensation Act.

4.3 15/00653/OUT - 1 Grove Street, Woodston, Peterborough, PE3 9AG

The planning application was for 6 one-bedroom flats at 1 Grove Street, Woodston, with associated parking and amenity space.

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 highlighted a number of key issues within the report and update sheet.

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

- The current use of the site was industrial and residential was considered to be preferable to this.
- From an historical point of view the surrounding area of the Fletton Towers was better suited to residential development.
- At the current time the design of the site had windows facing the neighbouring properties. The proposal did not have any windows on that side, so would allow residents greater privacy.
- It was not considered that overshadowing would be an issue, as the location of the site allowed for a good amount of sunlight.
- Two of the flats outlined would be set aside for disabled residents and single bedroom flats would not attract families. This was considered to be a good feature for the residential amenity of the area.

Councillor Thacker and Peter Slinger, 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 retired and wished to convert his business buildings into residential dwellings.
- Previously a high number of vehicles had utilised the site, this would be reduced within the proposals.
- The applicant had taken into consideration officer comments and had reduced the development from its 7 x 2 bedroom flat design.

- There was sufficient space on the site for parking, refuse and gardens.
- No objections had been received from residents, and response had been positive.
- It was not considered sensible that the current building was acceptable in terms of amenity, while the proposed dwellings would not be so.
- The specific design of the development was a topic for a reserved matters application.

The Committee noted that there was potential for overdevelopment on the site, however considered that the proposal was reasonable in size and more appropriate than the current building.

A Member of the Committee expressed concern that the two storey nature of part of the proposal would have an impact on neighbouring residence's outlooks.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, and the Corporate Director of Growth and Regeneration be granted authority to attached appropriate conditions. This was because the proposal was not considered to impact residential amenity and did not constitute overdevelopment. The motion was carried seven voting in favour, one voting against.

RESOLVED: (seven voted in favour and one voted against) that planning permission is **GRANTED** and the Corporate Director of Growth and Regeneration be granted authority to attach appropriate conditions.

Reasons for the decision

The Committee did not believe that the development proposal would have a negative impact on residential amenity and it was not considered to be an overdevelopment of the site.

4.4 15/00662/R3FUL – Caretakers House, 9 The Pentlands, Gunthorpe, Peterborough

The planning application was for the change of use of Caretakers House, 9 The Pentlands, Gunthorpe from a caretakers dwelling to a building for the use of a before and after school care centre and holiday play scheme centre. The application included a single storey side extension.

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 highlighted a number of key issues within the report.

Sharon Bishop, Capital Projects and Assets Officer, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Peterborough City Council was required, under statutory guidance, to provide child places for out of hour's services as far as reasonably possible.
- The proposal would cater for children up to the age of 17, however the average age was expected to be between 6 and 8 years old.
- The current take up within Peterborough of such schemes was high, with increased demand.
- The scheme would support local parents in maintaining work, which, in turn, would support the city's economic development.
- The facility would run before school, after school and during school holidays.

- The parking arrangements would be similar to those currently in place. It was considered that as the peak hours for traffic in relation to the proposal were different from those of the current school, the impact would not be significantly worse.
- The proposal could cater for up to 44 children, though in practice this number would be less.
- The applicants understood the concerns of residents, however it was commented that the current sound of the school would carry to those areas.

Linda Parrish-Smith addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- As a resident of one of the properties that backed onto the application site, the area was currently quiet, regardless of the nearby school. The additional noise the proposal would create would be a disadvantage.
- The proposed change of use had the potential to house up to 44 children. That amount of children playing would be disruptive.
- The traffic that would result from the development would increase existing problems with parking and residents being blocked into their driveways.
- The hours of operation were beyond normal school times, which was unfair on residents who lived immediately next to the site.
- It was agreed that the facilities were needed, however there were other sites that would be more appropriate nearer current school amenities. The proposed site was too small and too near residences.

The Committee sympathised with the concerns of local residents. It was considered that the noise created from the proposal would be significantly greater than background noise and would be unacceptable. It was suggested that, although the provision of out of school hour's child places was important, this did not outweigh the importance of residential amenity.

While the Committee were not accepting of the change of use, the physical design of the application was considered to be acceptable.

A motion was proposed and seconded to agree that permission be refused, for reason 2 as set out in the report. The motion was carried unanimously.

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

Reasons for the decision

The building would change from a single dwelling to a building that would cater for a large number of children not connected with Gunthorpe Primary school, and would operate outside of core school hours. It would result in harmful levels of noise and disruption over and above the existing situation exacerbated through the coming and going of traffic. This unacceptable impact would be exacerbated as children would likely play immediately outside the building, thereby having a harmful impact on the amenity of adjoining neighbours and was contrary to Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

4.5 15/00671/HHFUL – 80 Ledbury Road, Netherton, Peterborough, PE3 9PJ

The planning application was for a two storey and a single storey rear extensions to 80 Ledbury Road, Netherton and a new 2 metre high boundary wall.

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 highlighted a number of key issues within the report and update sheet.

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

- The planning history of this development was set out in the report and had been ongoing for a significant length of time.
- Councillor Fitzgerald was speaking on behalf of Stewart Jackson and fellow Ward Councillor, Councillor Maqbool, who had all received complaints in relation to the development.
- It was considered that the proposals reflected an overdevelopment of the site and were not acceptable.
- The applicant had housed a large amount of rubble on the front of the sight, which continued to sour relations with neighbours.
- The Councillor fully supported the reasons given by officers in the report for the refusal of planning permission.
- There was concern that the applicant would continue with work regardless of the success of the application.
- The extension of the boundary fence infringed on land owned by the City Council. The applicant had not originally served notice on the Council, though had done so now.
- It was considered that the expansion was to cater for a driveway, which the Councillor would object to.

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

- The increased footprint of the ground floor was going through the prior approvals process.
- The two storey element of the proposal would not impinge upon neighbours and fitted within the scheme of the building. As such, there would be no additional visual impact.
- The extension of the boundary fence would still leave a wide space beyond. It was accepted that the applicant did not own this land and progress on this aspect would be investigated.
- The applicant intended to live in the development with his family. As a developer it was felt more economical to tailor the dwelling to his requirements.
- It was believed that the extension of the boundary was in order to gain access down the side of the property.

The Planning and Highways Lawyer advised Committee that Members were not permitted to speculate on the applicant's future actions and that the ownership of land was not relevant to the application. This was addressed through private law and was not for Committee to consider.

The Committee agreed with the officer recommendations, considering that the application would have a detrimental impact on neighbours and that the extension was bulky and incongruous.

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 given in the report.

4.6 15/00692/FUL – Memorial Wing, Peterborough District Hospital, Thorpe Road, Peterborough

The planning application was for the construction of a new community primary school at the Memorial Wing, Peterborough District Hospital, Thorpe Road. The application included the retention of the Midland Road façade of the Memorial Hall building, and all associated landscaping, car parking and boundaries.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report. The Principle Development Management Officer provided an overview of the application and highlighted a number of key issues within the report and update sheet.

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

- When the outline proposals were first granted, it was intended to retain as much of the heritage asset on site as possible. The fabric of the building, however, was in poor condition.
- The application was a matter of balance and the proposals were considered appropriate.
- The Council's Heritage Team recognised the proposal as the best option.
- In relation to the traffic measures proposed, concerns had been addressed and solutions proposed. It was not expected that traffic would increase a significant amount.
- The memorial plaques were to be reinstated within the new building.

John Dadge, on behalf of Hunt and Coombs Solicitors, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Reservations had been held in relation to the highways issues, however this issues had been addressed by the applicant and an acceptable scheme was reached. As such, previous objections had been withdrawn.
- The Thorpe Road / Thorpe Lea Road still needed designing. The applicant should be mindful that provision should be made to accommodate a right turn, with hatching or a 'keep clear' section.
- It was suggested that if the right turn was extended, this would also be able to serve the Register Office.

Councillor Murphy and Dan Windwood addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Councillor Murphy suggested that to rely on the issue of structural integrity in case of a vehicle collision, when the building was set so far back from the road, was not relevant.
- It was thought that, considering the air quality of the area, Thorpe Road was not

- the right place for a school.
- It was believed that providing space for children to play was more important than car parking provision on the site.
- The crossing points outlined in the report were mentioned and it was subsequently questioned where the proposed playing fields for the school would be located.
- It was suggested that the proposal should be reworked and funding be used instead to increase the size of the playing fields.
- Councillor Murphy believed that traffic would increase.
- Dan Windwood raised concerns following those set out by the 20th Century Society. It was suggested that public benefit would be achieved by the retention and strengthening of the Memorial Wing.
- It was considered that a war memorial should not be treated in such a wasteful manner. Mr Windwood believed that the retention of the whole structure was important to keep a tribute to a working building and not just a façade.

The Committee accepted that decision relating to historic buildings would always be difficult, however the proposed school required a workable, safe building. It was considered that the proposals would keep the sentiment and historic memory of the building, while maintaining its use.

The Principal Engineer (Highway Control) commented that hatched yellow grids were limited to use within junctions, but that a ‘keep clear’ area could be investigated. A right turn to serve the Register Officer was not possible, as there was insufficient highway land width to this area. It was further noted that, on page 6 of the report, “a crossing point on Midland Road,” should read, “a crossing point on Thorpe Road”. It was further explained that reducing the occurrence of illegal manoeuvres at the Midland / Thorpe Road junction was part of the proposed alterations.

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

Subject to the imposition of the conditions set out in the report, the proposal was acceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The principle of locating a school on this site was established by the granting of outline planning permission. The development would help meet the existing demand for school places and also the demand which would be created when the hospital site was redeveloped. The proposal therefore accorded with the National Planning Policy Framework and policy CS13 of the adopted Core Strategy.
- Notwithstanding the concerns which have been raised the traffic impacts of the development were considered to be acceptable given the context of the previous use of the site as a hospital. The changes to the Midland Road junction would help prevent illegal manoeuvres into and out of the road and the inclusion of a pedestrian crossing as part of the signalisation of the Thorpe Road/ Thorpe Lea Road junction would ensure a safe route to the Thorpe Meadows where the school’s playing fields would be located in the future. On-site parking would be

provided for staff, the level of which was considered to be acceptable. In addition, new parking bays would be created on Midland Road which could be used for drop off and pick up. As such the proposal was considered to accord with policy PP12 and PP13 of the adopted Planning Policies DPD. The development would also be subject to a Travel Plan and Parking Management Plan in accordance with policy CS14 of the adopted Core Strategy.

- Notwithstanding the objection received the impact of the development upon the non-designated heritage asset was on balance considered to be acceptable given the benefits to the scheme which the proposal approach would bring. The design of the new build was also considered to achieve a satisfactory relationship with the locally listed building. The proposal was therefore considered to accord with paragraph 135 of the National Planning Policy Framework, policy CS16 of the adopted Core Strategy and policies PP2 and PP17 of the adopted Planning Policies DPD.
- Subject to noise attenuation measures an appropriate environment would be provided for the children. It was also not considered that there would be any adverse impact upon neighbouring residents. The proposal therefore accorded with policies PP3 and PP4 of the adopted Planning Policies DPD.
- The application sought to retain the key protected trees within the site and there would not be any adverse ecological issues. Subject to conditions the proposal was therefore considered to accord with policy PP16 of the adopted Planning Policies DPD.
- The site could be adequately drained and the detailed proposal would include measures to promote sustainability. The proposal therefore complied with policies CS10 and CS22 of the adopted Core Strategy.

4.7 15/00740/FUL – 126 Lincoln Road, Peterborough PE1 2NT

The planning application was for the change of use of part of the ground floor of 126 Lincoln Road, to A1 (retail). The application was retrospective in part.

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 highlighted a number of key issues within the report.

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

- The Councillor supported the application, which was made under an exceptional set of circumstances.
- The applicant was a widow and her daughter hoped to support the family through a home sari-making business.
- The business would take up a single room within the family home and would be small in scale compared to the commercial premises opposite.
- It was not considered that the proposal would detract from the street scene and no highways access was proposed.
- It was suggested that the application was a reasonable solution to a delicate situation.

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

- The proposal would maintain the character of the area and would exist in a small scale only.
- The applicant's daughter had limited options and required planning permission for a change of use to set up her business.

- The commercial buildings on either side of the application site fell outside of local commercial centres, therefore the proposal was not uncharacteristic.
- Though the option to use the current front door as a front door for the business was available, the applicant wished to maintain their privacy. The alteration proposed was not a significant one.

The Committee discussed the application and whether a permission could be identified as for the lifetime of the current owners, not subsequent owners. It was noted that although the proposal was small, the fact that it fell outside of any retail area was a problem.

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 reason set out in the report.

4.8 15/00768/HHFUL and 15/00769/HHFUL – 21 Grange Road, West Town, Peterborough, PE3 9DR

Both planning applications were for a proposed two storey side extension at 21 Grange Road, West Town, and a ground floor rear extension. The applications also included a veranda and loft conversion including a dormer window, increasing in roof height. Application 15/00768/HHFUL proposed a 9.15 metre ridge height for the main house and an 8.85m ridge height for the side extension, and application 15/00769/HHFUL proposed a ridge height of 8.85 metres for both the main house and the side extension.

It was officer's recommendation that planning permission 15/00768/HHFUL be refused, for the reasons set out in the report, and that planning permission 15/00769/HHFUL be granted, subject to the conditions set out in the report. The Head of Development and Construction provided an overview of the applications and highlighted a number of key issues within the report and update sheet.

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

- Councillor Murphy believed a decision needed to be made on this, as building work had currently stopped.
- There had been no material objections and residents were not concerned about the proposals.
- The split roof height proposal was favoured as a flat, terraced design was not the nature of the street.

Phil Branston, Agent, and Yasir Qureshi, Applicant, addressed the Committee in support of the applications and responded to questions from Members. In summary the key points highlighted included:

- Mr Branston advised that the applicant would like to retain an increased roof height, to keep the development in keeping with the rest of the street.
- Mr Qureshi drew the Committee's attention to examples of staggered roof

- heights within single dwellings in the surrounding area.
- He wanted the proposal to impact positively on the area.
 - There was a dwelling, 45 Grange Road, which had a roof height the same as that proposed in 15/00758/HHFUL.
 - As the dwelling was situated with a gap between it and the neighbouring property, the effect of the proposal was not as significant.
 - The extension minimised the massing affect.
 - Mr Qureshi explained that part way through the build he had realised there was not sufficient room in the loft. After discussing his options with planning officers, he decided to take a calculated risk and raise the roof height. He appreciated that this risk was a mistake. His builders increased the roof to a greater degree than requested. As such, new builders were now being used.

The Committee discussed the applications and considered that the varied roof height, although high was not unacceptable. It was suggested that a completely flat roof would look out of place within the street and that a varied roof would add to the area.

15/00768/HHFUL

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, and the Corporate Director of Growth and Regeneration be granted authority to attached appropriate conditions. This was because the application was not considered to be unacceptable, but would add to the street scene. The motion was seven voting in favour, and one voting against.

RESOLVED: (seven voted in favour, one voted against) that panning permission is **GRANTED** and the Corporate Director of Growth and Regeneration be granted authority to attached appropriate conditions.

Reasons for the decision

The proposal was not considered to be unacceptable and it was believed that it would add to the character of the street scene.

15/00769/HHFUL

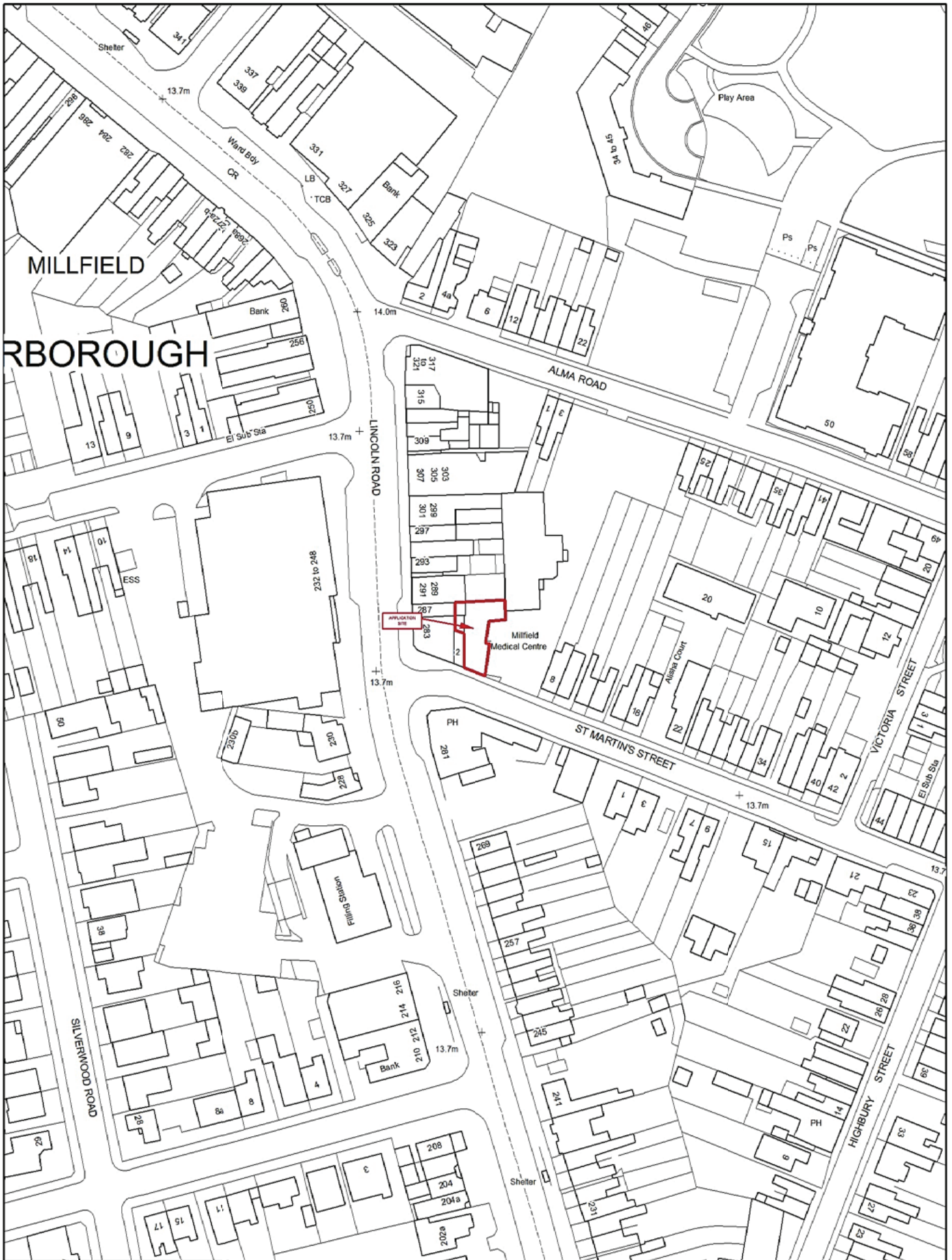
A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision

Having been assessed in light of all material considerations, including weighing against relevant policies of the development plan that the planning permission for the application was considered acceptable.

Chairman
1.30pm – 4:54pm



LOCATION PLAN 15/01057/FUL

Land Adjacent to 2 St Martins Street, Millfield, Peterborough, PE1 3BD

Scale NTS Date 26/8/2015 Name AA Department Planning Services



PETERBOROUGH



CITY COUNCIL

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PCC GIS

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Application Ref: 15/01057/FUL

Proposal: Construction of two storey side extension comprising retail (Class A1) unit at ground floor and 1 no. 2-bed residential unit at first floor

Site: Land Adjacent To 2 St Martins Street, Millfield, Peterborough, PE1 3BD

Applicant: Mr Shahid Anwar

Agent: Mohammed Iqbal

Referred by: Councillor Nadeem

Reason: The proposal is of good quality design and would redevelop an unattractive and run-down site

Site visit: 17.02.2015

Case officer: Miss Louise Lovegrove

Telephone No. 01733 454439

E-Mail: louise.lovegrove@peterborough.gov.uk

Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises an area of hardstanding located to the rear of Nos.283-287 Lincoln Road and No.2 St Martins Street. The area appears presently vacant albeit there are large refuse bins which appear to be associated with the adjacent retail units along Lincoln Road and St Martins Street. The site is secured by way of two large metal mesh gates, with a 2 metre high brick wall forming the eastern boundary. The site is gravelled, with two semi-mature trees located within the south-eastern corner.

To the north and west, the site is bound by retail properties along Lincoln Road whilst to the east, the site is bound by the Millfield Medical Centre. Further to the east are residential dwellings.

The site is located within the identified Millfield District Centre.

Proposal

The application seeks planning permission for the construction of a two storey side extension to No.2 St Martins Street which would comprise a ground floor retail unit (falling within Use Class A1) and a two-bed residential flat at first floor.

2 Planning History

No relevant planning history.

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Peterborough Core Strategy DPD (2011)

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS15 - Retail

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP04 - Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

PP09 - Development for Retail and Leisure Uses

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

RECAP Waste Management Design Guide SPD (2012)

Chapter 5 - Waste storage points

Sets out design guidance and specifications for waste storage points relating to commercial and residential development.

4 Consultations/Representations

Building Control Manager

No comments received.

PCC Transport & Engineering Services (27.07.15)

Objection – The proposal would remove the existing parking and loading/unloading areas for adjacent retail units and create additional demand. No on-site parking is proposed and therefore parking, loading and unloading facilities would need to be accommodated on-street. The surrounding area is already heavily congested and therefore additional demand would result in vehicles parking in unsafe locations and harm the safety of the public highway.

Cambridgeshire Fire & Rescue Service

No comments received.

PCC Pollution Team

No comments received.

Waste Management

No comments received.

Millfield & New England Residents Planning Sub Group

No comments received.

Victoria Park Residents Association (11.08.15)

Support – The proposed development is in keeping with other properties at the junction of St Martins Street and Lincoln Road. It would also enhance the streetscene given the current vacant piece of land attracts a great deal of fly-tipping, as well as the occasional drug related and other anti-social activities.

Local Residents/Interested Parties

Initial consultations: 10

Total number of responses: 2

Total number of objections: 1

Total number in support: 1

One objection has been received from the owner/occupant of No.287 Lincoln Road on the following grounds:

- The current building works being undertaken have illegally blocked the fire exit to No.287 Lincoln Road, causing inconvenience and putting lives at risk.
- Nos.283-285 and 287 share joint guttering systems. The development is ill-considered, as it is built on top of the manhole meaning the access point for making connections, inspections, valve adjustments and performing maintenance is unfeasible.
- Earlier this year I received planning permission to make necessary amendments to the fire exit to No.287. Due to the development, I am unable to progress these.
- The development is proving to have adverse effects not only on my business but also my

health.

Councillor Nadeem has expressed support of the proposal on the following grounds:

- The site is a vacant land situated at the side of no. 2 St Martins Street.
- Currently vacant land and has been vacant for number of years and collecting rubbish thrown by passing pedestrians. The site is currently gated and serves no purpose, which makes the area look very unattractive and run-down.
- The proposal is in an ideal location as the area surrounding is predominantly commercial/residential and situated within the local shopping centre.
- The applicant seeks to build a quality development having good quality detailing, matching bricks, roof tiles and traditional shop fronts matching adjacent retail units.
- The elevation treatment is bold, informal and contemporary to provide a landmark and enhance the local character. Detailing is contemporary with brickwork, with prominent entrances creates a lively frontage.
- Pedestrian and vehicular access to the property will be from St Martins Street as is the case for all other properties on the road. As the site is level there will be no difficulties in providing pedestrian access which conforms to Part M.
- The current servicing arrangements for the existing retail units takes place either on Lincoln Road or on St Martins Street fronting the application site.
- The proposed development will not have any impact with the existing servicing arrangement and the servicing arrangement for the proposed development will also be from St Martins Street fronting the development site.
- The applicant confirms that as per their lease contract with the landlord no parking is provided as part of the lease.
- The application site is in an ideal sustainable location to be developed for a mixed use scheme, enjoying excellent public transport and a wide range of local amenities.
- The proposed development would have a positive impact on the amenities of the surrounding area removing the nuisance and visual incongruity of the underused vacant land and enhancing the ecological value of the site.
- Sufficient parking spaces are available in the vicinity of the site.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Neighbour amenity
- Amenity provision for future occupants
- Bin provision
- Landscape implications

a) Principle of development

As detailed in Section 1 above, the application site is located within the identified Millfield District Centre. In accordance with Policies CS15 and PP9, such a location is considered the most sequentially preferable for new retail development, as the surrounding uses are compatible and serve the needs of the surrounding community. Given that the proposal includes a ground floor retail unit, it is considered that the location of the application site is appropriate for this. Furthermore, there are many examples within the immediate locality of residential development above ground floor retail premises and accordingly, this part of the use is also considered acceptable.

However notwithstanding this, the proposal must also be acceptable in light of all other material planning considerations which are set out below.

b) Design and impact upon the character and appearance of the surrounding area

The proposal has been designed as a two storey side extension to the existing property known as No.2 St Martins Street. This adjacent property itself forms the end of a terrace of properties which wrap around the corner of the St Martins Street and Lincoln Road junction. It is acknowledged that the proposal has been designed to mirror the adjacent property, through a continued eaves and ridge height. In addition, the fenestration arrangement maintains that of the adjacent property. However, the overall size and depth of the property is considered excessive and of poor design, particularly to the eastern side elevation of the proposal. Whilst some attempt has been made to reduce the overall mass of this elevation, by setting back part of the rear element of the building, it would still extend to a depth of 13.4 metres with little relief through the fenestration which would be at first floor only. In addition, the proposal includes an awkward arrangement to the south-eastern corner whereby it has an angled corner which would be at odds with the regular form of surrounding properties.

Given the open nature of the immediately adjacent site to the east, it is considered that the proposal would appear an unduly dominant and obtrusive feature within the streetscene. Whilst it is noted that both the Victoria Park Residents Association and Councillor Nadeem support the proposal, noting its overall good design and improvement upon the present situation, Officer's disagree for the reasons given above. It is considered that the proposal would result in unacceptable harm to the character, appearance and visual amenity of the surrounding area which is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

c) Parking and highway implications

Parking provision

The Local Highway Authority (LHA) has objected to the current application on the basis of parking demand. Whilst at present the existing site is gated, there is photographic evidence that shows it has previously been used for parking purposes, likely to be associated with the adjacent properties. The Applicant has advised that their lease for the land does not permit the use for parking purposes, however no formal evidence of this has been submitted and accordingly, it is considered for the purposes of this application that parking is available on the site.

The construction of the proposed extension would result in the loss of this entire site for parking purposes. In addition, the proposal would result in the presence of a 2-bed residential flat. In accordance with adopted parking standards, two on-site parking spaces should be provided for future occupants which the current scheme does not provide. Accordingly, it is considered that the cumulative effect of the lack of parking for the proposal and the removal of existing parking within the site would result in increased on-street parking demand. In the event that it is accepted that the site is not presently used for parking purposes, increased demand would still result from the proposed residential unit.

With regards to cycle parking, it is noted that the proposal includes a secure and lockable shelter for occupants. Subject to securing more details, this would be sufficient.

Given that the surrounding residential and commercial area is heavily congested with on-street parking, it is considered that the increased parking pressure would further exacerbate issues of parking in unsafe locations. This would give rise to an unacceptable danger to highway safety and therefore, the proposal is contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

Loading and unloading facilities

The LHA has also objected to the proposal on the basis of lack of facilities for the loading/unloading of goods associated with both the proposed ground floor retail unit and those existing premises along Lincoln Road and St Martins Street. As above, it is the view of

Officers that the site has previously been used as an area for loading/unloading, with rear accesses into the neighbouring retail units. The development of the entire site as proposed, would remove this off-street loading/unloading area and result in such activities taking place within the public highway. In addition, the proposal would further exacerbate this through the creation of a further retail unit which would itself need to be serviced from the public highway. Given the proximity of the site to the junction of St Martin's Street/Lincoln Road and the adjacent vehicular access to the busy Millfield Medical Centre, it is considered that the use of the public highway for loading/unloading purposes would pose an unacceptable impediment to the free flow of traffic and would create an obstacle to the busy junction. This would harm the safety of the public highway and be contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

As above, the Applicant has advised that no loading/unloading takes place within the existing site. They have provided photographic evidence of deliveries taking place along St Martin's Street however no dates have been shown. These are noted, however the photographs in themselves show unsafe deliveries taking place with clear obstruction to the junction which poses a highway safety danger. As such, in the event that it were accepted that the existing site is not used for loading/unloading, Officers would not wish to see the present unacceptable highway safety risk exacerbated through the creation of an additional retail unit.

d) Neighbour amenity

It is noted that an objection has been received from the owner of No.287 Lincoln Road with regards to the impact that the proposal would have upon his business operations. Whilst these are noted, the matter of right of access (which all objections relate to) is a civil matter and not a material planning consideration. Therefore, this cannot form part of the assessment of the proposal.

With regards to surrounding neighbour amenity, the proposal would not be sited immediately adjacent to any residential properties. It would result in some overbearing and overshadowing impact to the first floor side facing window of No.2 St Martins Street however this is also within the Applicant's ownership and the window is shown as serving an office which itself is served by other windows. Accordingly, it is not considered that the proposal would result in an unacceptable level of impact to the amenities of neighbouring occupants and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Amenity provision for future occupants

Policy PP4 of the Peterborough Planning Policies DPD (2012) requires that all new residential development should be designed to provide adequate internal living space with sufficient daylight, and natural sunlight commensurate with the nature of the intended use. On the whole, the proposed residential flat accords with these requirements however proposed Bedroom 2 would be served by a single window which would be sited only 0.8 metres from the existing two storey side elevation of No.2 St Martins Street. This window would not allow an adequate level of natural daylight to enter the room, and would afford future occupants with an extremely poor outlook.

Furthermore, the proposed residential unit would have no private amenity space, as it would be shared with the yard areas of the adjacent retail units and proposed retail unit. Occupants would have to share this area and would not benefit from an acceptable level of enjoyment of this area. It is noted that the Applicant has advised of similar situations within the immediate locality, however many of these have resulted from the exercising of 'permitted development rights' whereby up to two flats can be created above retail premises. In this instance, the Local Planning Authority has the ability to control the development and should be seeking to ensure that an acceptable level of amenity is afforded to future occupants.

On the basis of the above, the proposal would not provide an acceptable level of amenity for future occupants and is therefore contrary to Policy PP4 of the Peterborough Planning Policies

DPD (2012).

f) Bin storage

At present, it is clear that the application site contains a number of commercial waste bins which are associated with the adjacent retail units along Lincoln Road and St Martins Street. Whilst the submitted plans identify an enclosed refuse store within the rear yard area of the proposal, the only means of access to the public highway are via the proposed covered walkway running along the side elevation of No.2 St Martins Street. This walkway is proposed to be a width of only 0.8 metres which, whilst sufficient to permit passage of a household waste bin, would not be wide enough to allow for commercial waste bins. The RECAP Waste Management Design Guide SPD (2012) states that for commercial waste, containers should not have to be moved through a building to the collection point and that matters of health, safety and security should be considered.

In the first instance, the proposal fails to accord with this policy. Moreover, given that the bins could not be acceptably stored within the site, this would lead to storage either along the shop frontages (in the case of properties on Lincoln Road) or on the public highway (in the case of No.2 St Martins Street and the proposed retail unit). The storage of bins within the public realm would result in a significant level of harm to the character, appearance and visual amenity of the locality and would also unacceptably restrict the width of the available footway, posing a risk to users of the highway.

On this basis, the proposal is contrary to Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012) and Chapter 5 of the RECAP Waste Management Design Guide SPD (2012).

g) Landscape implications

As detailed in Section 1 above, there are two semi-mature trees located within the south-eastern corner of the application site. Whilst these trees offer some verdant relief within a hard landscaped area, they are not of particular quality and would not be suitable for protection by way of a Tree Preservation Order. Accordingly, their loss as proposed, could be accepted in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

6 Conclusions

The proposal is 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.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED** for the following reasons:

- R 1 The proposed two storey extension, by virtue of its size, scale and design, would appear an unduly dominant and obtrusive feature within the streetscene at odds with the built form and character of the locality. The proposal would result in unacceptable harm to the character, appearance and visual amenity of the surrounding area and is therefore contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- R 2 The proposed retail unit at ground floor and residential unit at first floor would result in the loss of existing parking and loading/unloading facilities within the site which serve the adjacent retail/commercial premises along London Road and St Martins Street. In addition, the proposal would generate additional parking demand of 2 spaces and loading/unloading

facilities which cannot be accommodated within the site. Accordingly, the proposal would create parking and loading/unloading demand on-street within an area which is already heavily congested and suffers from the parking/loading/unloading of vehicles in dangerous locations. The proposal would exacerbate this existing problem and pose an unacceptable danger to the safety of the public highway, contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- R 3 The proposed first floor residential unit, by virtue of the fenestration layout and proximity to the existing property known as No.2 St Martins Street, would result in an unacceptably poor outlook and lack of natural daylight to the proposed Bedroom 2. In addition, the proposal would fail to provide an adequate private outdoor amenity area for occupants as it would be shared by users of the adjacent retail units. Accordingly, this would afford future occupants an unacceptable level of amenity which is contrary to Policy PP4 of the Peterborough Planning Policies DPD (2012).
- R 4 The proposed two storey extension, by virtue of the lack of adequate commercial bin storage provision and associated access thereto, would result in the loss of existing bin storage provision for the adjacent retail units along Lincoln Road (Nos.283-287) and No.2 St Martins Street. In addition, it would generate further bin storage demand owing to the proposed ground floor retail unit. This would result in bin storage taking place either along the shop frontages, or within the public highway which would result in unacceptable harm to the character, appearance and visual amenity of the surrounding area and would unacceptably reduce the width of the available public footway to the detriment of highway safety. The proposal is therefore contrary to Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012) and Chapter 5 of the RECAP Waste Management Design Guide SPD (2012).



LOCATION PLAN 15/01245/FUL
 92 - 94 Burghley Road, Peterborough, PE1 2QE

Scale NTS Date 26/8/2015 Name AA Department Planning Services



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Application Ref: 15/01245/FUL

Proposal: Ground floor extension to medical centre – resubmission

Site: 92 - 94 Burghley Road, Peterborough, PE1 2QE,
Applicant: Dr S K Pramanik

Agent: Mr N P Branston

Site visit: 10/6/2015 (during consideration of previous application)

Case officer: Ms L Lewis
Telephone No. 01733 454412
E-Mail: louise.lewis@peterborough.gov.uk

Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

The existing surgery is in No 94 Burghley Road, a small house which is part of a Victorian terrace. The plot and house are about 5m wide, there is a small front garden and a shallow front ground floor extension. The building has been extended at ground floor to the rear; the extension takes up the entire width of the plot and extends about 12m behind the rear building line of the terrace.

The current proposal is to extend sideways from this rear extension, into the garden of No 92. This plot is narrower, at 4m wide at the front, widening to 4.7m along the garden. The extension is shown at 3.7m wide, allowing a 1m wide path for occupants of the house to walk past the extended surgery to the retained garden at the end. The occupants would have about 50 sq m of garden, about 17m from their back door.

No 92 is occupied as a dwelling, although appears to be in the same ownership as the surgery. The new extension would begin about 2m from the rearmost wall of No 92.

There is no on-site parking, and on-street parking is restricted.

There is a tree subject to a Preservation Order in a neighbouring garden just at the end of the application site garden, about 15m from where the building is proposed.

2 Planning History

Reference	Proposal	Decision	Date
15/00711/FUL	Ground floor extension to Medical Centre	Refused	17/07/2015
00/01221/FUL	New front wall and railing - revised scheme	Approved	03/01/2001
00/00935/FUL	New front boundary wall	Refused	19/09/2000
99/01374/FUL	Ground floor extension and alterations	Refused	18/01/2000
99/00984/FUL	Single storey rear extension	Refused	15/10/1999
P1490/88/R	Extension to doctors surgery	Approved	23/01/1989
P0090/89/R	Application for removal of condition previously imposed on P0096/86/R limiting hours of use	Approved	15/02/1990

The applications in 1999 were both to extend the existing surgery further down the garden. They were both refused on neighbour amenity grounds, and the larger extension was refused on lack of parking as well.

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Core Strategy DPD (2011)

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

4 Consultations/Representations

PCC Tree Officer

No comments received yet in respect of the current application, however in respect of the recently refused application the Tree Officer commented:

There is no objection to the proposal as it is unlikely that the Turkey Oak subject to the Tree Preservation Order is likely to be affected.

However, if the application is successful and to adequately protect the retained trees from unintentional damage I recommend that an informative states:

It is recommended that Heras fencing is situated 1m outside the crown spread of any retained tree/shrub to protect from accidental direct damage and indirect damage through soil compaction.

Building Control Manager

No comments received

PCC Transport & Engineering Services (18.08.15)

This site does not currently benefit from any on-site staff or visitor parking although there are controlled parking bays in the vicinity of the site. The proposed extension to the surgery would require 6 additional parking spaces to be provided in order to accord with the standards set out in

the current Planning Policies DPD. This would equate to 2 staff spaces and 4 visitors spaces. It is not clear as to where the additional staff would park. It is assumed that they would be issued with resident parking permits however there is already oversubscription to parking in this area. Patients would need to use the limited waiting bays in the vicinity of the site however it is not clear as to how many spaces are actually available for use during surgery hours. It is acknowledged that some trips to the surgery might be by walk mode however no evidence has been submitted to show that this is the case. Based on the current information the LHA would therefore have concerns in respect of this proposal. If however the applicants could produce evidence that there would not be a significant impact in terms of parking requirements the LHA would be willing to consider this information.

Local Residents/Interested Parties

Initial consultations: 19
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

The consultation period does not expire until the 5 September. No neighbour comments were received in respect of the recently refused application. Any comments received will be reported in the Update Report.

5 Assessment of the planning issues

Recently refused application

In July, an application for the same development was refused by Officers. Nothing has changed since then, and the applicant has not provided any additional information or justification, or addressed the reasons for refusal.

Principle of development

As a matter of principle the provision of additional primary care facilities is supported, and in cases of evidenced need should be given significant weight. There is however no evidence with this application of the need for this facility, on this site, to expand. The Design and Access Statement sets out that there is a great local demand for GP services and that this centre is under pressure to cope with it. However it is clear that the surgery is on a small site in a dense residential area, and there is no room for further expansion to be satisfactorily accommodated.

There are other GP and primary care services in central Peterborough at:
Park Medical Centre, 164 Park Road – GPs, pharmacy, associated services
A new, large medical centre and pharmacy is under construction at Lincoln Road/Craig Street which will replace a surgery on North Street and another on Lincoln Road
144-146 Mayor's Walk – GP and associated services
Millfield Medical Centre – St Martin's St/Alma Road – GP and other services
Westgate Surgery, which is in Boots Queensgate – GP and associated services
Thistle Moor Medical Centre – at the north end of Lincoln Road – GP and associated services.

In the absence of any evidence of need, and with no evidence of support from the relevant sections of the NHS, this cannot be given any weight.

The proposed extension would have a footprint of 40sq m, and would introduce another two consultation rooms at the surgery, bringing the total to 5. This would be an unacceptable intensification of the use in this location, and would constitute overdevelopment.

Access and Parking

There is no on-site parking, and nowhere to provide any. The site is close to the Lincoln Road/Burghley Road roundabout, which restricts on-street parking, and although there are marked areas along Burghley Road these are permit-only, or time limited, and over-subscribed.

The applicant has stated that the site is close to the Millfield Local Centre, has bus access, that there is on-site storage for cycles, and that on-road car parking is permitted.

The site is 240m from the nearest local centre, and 550m from the Millfield District Centre. There is a bus route passing the site, the No 1; the in-bound stop is about 200m to the east of the site, and the out-bound stop is about 100m east of the site.

The on-site storage for cycles is not immediately apparent, however there are on-street cycle parking spaces just outside.

The additional maximum parking requirement, according to adopted standards, would be 6 spaces. Normally there would be some discussion about whether provision is required in accordance with the maximum standard or whether fewer spaces would be adequate. In this case, there are already significant parking problems in the area, and the increase in GP provision would result in some, even if minimal, increase in parking demand.

The applicant has stated that “..The majority of the existing patients walk to the site from the adjacent Gladstone area...”. No evidence about the likely level of car parking demand, or the proportion or number of people who walk to the site, has been provided, and given that the proposal would not be acceptable in other respects no discussions have taken place.

Officers are of the view that the proposed extension is likely to lead to an increase in demand for car parking, in an area that already suffers from parking congestion.

Impact on neighbours

The neighbour most affected would be No 92. This house is occupied as a dwelling, but appears to be in the same ownership as the surgery. The proposed extension would be put 1-2m from the rear wall of the house, which would create an unacceptable impact on residential amenity. The rear gardens are long but the retention of some amenity space at the far end would not negate the impact of the extension.

Doors are shown leading from the surgery to the area immediately outside the rear of the house, as well as a window on each end of the surgery extension. This could affect the privacy of residents; fences are shown outside the windows but these would further reduce the area immediately to the rear of the house, so that residents would have almost no circulation space here; and would reduce the amount of retained amenity space.

The applicant has described the rear garden as “unused”, however on the site visit the garden did not appear very overgrown or unmanaged. Whether or not it is currently unused is not the point; it is the amenity space for a dwelling, and should be retained as such. The loss of amenity space is not the only impact that the proposal would have on residents of this dwelling.

The extension would be close to the boundary with No 90. The gardens are long and narrow, the extension would be just over 3m to the flat roof. The side of it would be about 1m from the boundary to No 90, and would be to the north-west. There would therefore be some loss of direct afternoon sunlight. Given that the wall would not be directly on the boundary, it is considered that the impact on occupants of No 90 would be just acceptable.

Trees

The Tree Officer has confirmed that the TPO tree could be satisfactorily protected, using conditions. This would not therefore have to form a reason for refusal.

6 Conclusions

The proposal is 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.

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED**.

- R 1 The surgery is located in a central area of the city, within a terrace of Victorian houses. There is no dedicated parking on site and limited on-street parking in the area.

The intensification of the existing surgery use would result in increased parking demand in an area where on-street parking is restricted to permit holders, and is over-subscribed. This would be likely to result in additional congestion and unsafe parking.

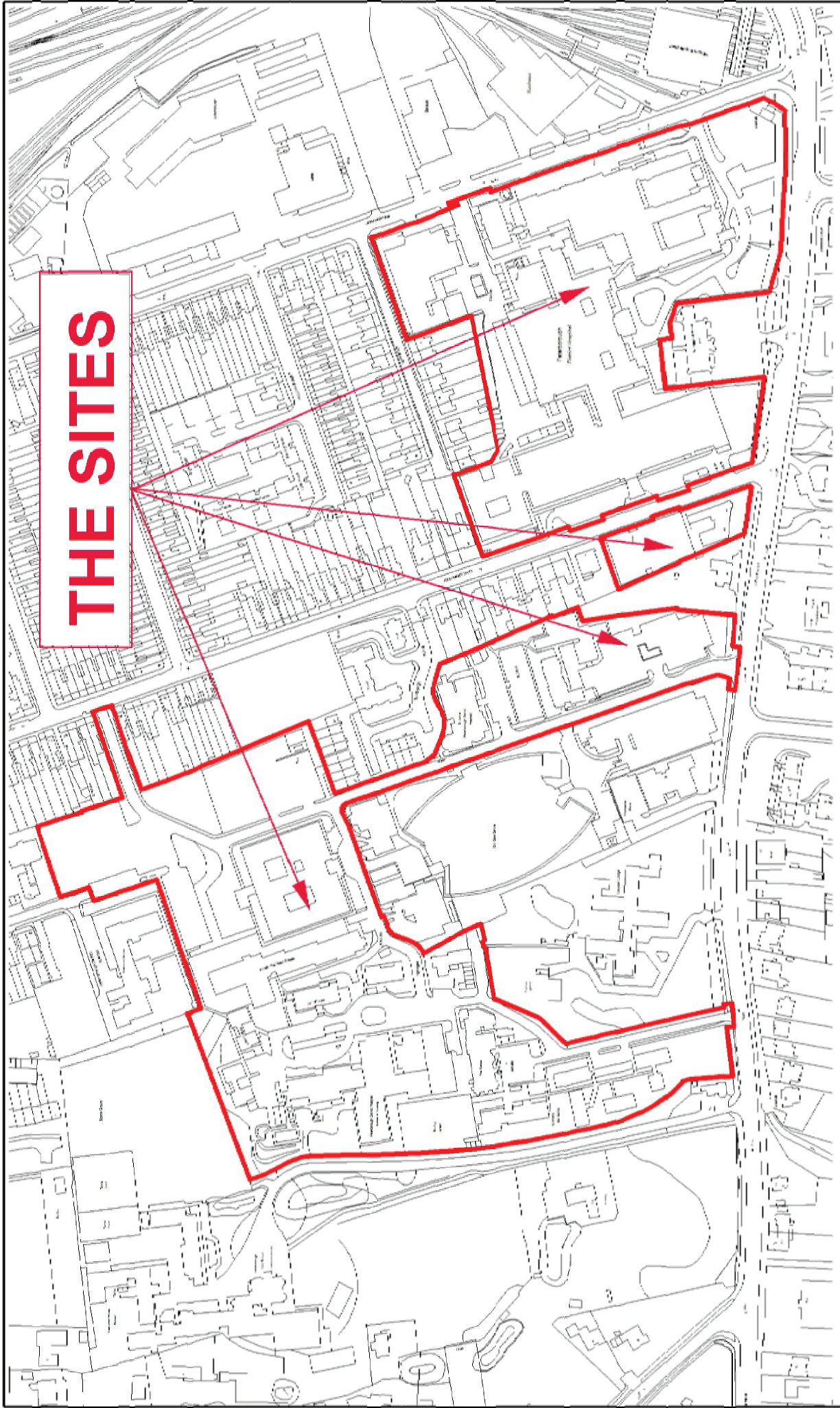
The proposal is therefore contrary to Policies PP12 and PP13 of the Peterborough Planning Policies DPD.

- R 2 The proposed extension would be constructed on the rear garden of No 92 Burghley Road which is occupied as a dwelling. The surgery extension would be less than 2m from the rear wall of the dwelling. Although there is no window in the rearmost wall, this relationship would have a significant detrimental impact on the amenities of occupiers of that dwelling by way of overbearing impact and by separating the house from its amenity space.

The proposal would be an overdevelopment of the site, and would be detrimental to the character of this primarily residential area.

The proposal is therefore contrary to Policy PP3 of the Peterborough Planning Policies DPD.

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THE SITES

S106 AGREEMENT 14/00536/OUT
 Former Site of Peterborough District Hospital, Thorpe Road, Peterborough
Scale NTS **Date 7/7/2014** **Name MKB** **Department Planning Services**
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PCC GIS

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Application Ref: 14/00536/OUT

Proposal: Deed of Variation in relation to planning permission for demolition of existing buildings, remediation and earthworks, removal of trees and redevelopment to provide residential development of up to 350 residential units (Use Class C3) of up to 4 storeys with a total gross external area of up to 33,820sqm, including the retention and residential use of The Gables and 60-62 Thorpe Road, means of access, formal and informal open space, a new Community Primary School including the retention and use of part of the Memorial Wing building, associated landscaping, footpaths, secondary access roads and drainage works, with access from Thorpe Road, Midland Road and Aldermans Drive

Site: Former Site Of, Peterborough District Hospital, Thorpe Road, Peterborough

Applicant: Lands Improvement Holdings Peterborough Sarl

Agent: Indigo Planning

Site visit: 30.04.2014

Case officer: Miss V Hurrell

Telephone No. 01733 453480

E-Mail: victoria.hurrell@peterborough.gov.uk

Recommendation: To approve the Deed of Variation

1 The Proposal

The application for the redevelopment of the former Peterborough Hospital site came before members of the Planning and Environmental Protection Committee in July 2014. Members resolved to approve the application subject to a S106 Agreement in respect of the following:-

- The provision of 0.84 ha of land for a new three form of entry primary school
- 15% affordable housing provision on site
- 15% off site affordable housing contribution, with a value of £23 000 per dwelling (this equates to £1 219 000 of which £517 000 was payable on the occupation of the 150th dwelling and £690 000 on the occupation of the 250th dwelling).
- £373 000 toward highway improvements including works to the Midland Road junction and associated traffic calming, signalisation of the Thorpe Lea Road junction (including a pedestrian crossing to allow access to Thorpe Meadows) and the signalisation of Alderman's Drive.
- £27 195 towards Community and Leisure provision
- £27 195 toward Environment projects

Planning permission was granted in October 2014.

The applicant, Land Improvements Holdings (LIH), is now seeking a Deed of Variation to the S106 Agreement to remove the requirement for on-site affordable housing and to reduce the off site contribution to £1 million, to be payable on the occupation of the 300th unit.

There would be no change to any other contribution. The school land has now been handed over to the Council and planning permission granted for a new school.

The change to the S106 is proposed in light of increased demolition/remediation costs and changing market conditions which are putting at risk the viability of the project. These factors are explained in more detail below.

The only consideration for members is whether the change to the S106 Agreement proposed by the Deed of Variation is acceptable.

2 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Para 205- States that 'where obligations are being sought or revised local planning authorities should take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planning development being stalled'.

Peterborough Core Strategy DPD (2011)

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

CS12 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

CS13 - Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

Peterborough City Centre DPD (Submission Version)

CC4 Railway Station Policy Area

High quality mixed used developments which create an attractive and legible gateway into the city centre will be encouraged. All development should ensure sustainability with regard to on site drainage and flood risk. Within the hospital opportunity area approximately 350 dwellings are envisaged. Proposals for this site should generally confirm with the adopted Peterborough District Hospital SPD.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

3 Assessment of the planning issues

As set out under Section 1 above, the only consideration is whether the proposed change to the S106 Agreement in respect of affordable housing is acceptable.

The redevelopment of the hospital site is a corporate priority for the Council, having been allocated for redevelopment for a number of years in various planning documents. It is a prominent site on the approach to the city centre and its redevelopment will help meet both the education and housing needs of the city in accordance with planning policy; primarily the provisions of the National Planning Policy Framework, policy CS1 of the adopted Core Strategy and policy CC4 of the City Centre DPD.

Upon receiving planning permission the applicant, Land Improvement Holdings (LIH), commenced work on site and started demolition in order to address concerns that a number of hospital buildings, as they were now unoccupied, were unattractive and detracting from the amenity of the area. In addition, there were concerns that they were attracting anti-social behaviour. Clearance of the school site has been finished, the land remediated and handed over to the Council within the agreed timeframe.

During this period of site clearance several factors have become apparent which are impacting on LIH's ability to dispose of land to third party house builders. LIH are not a house builder, their business model is to sell cleared and serviced sites onto third parties. Factors have included changing economic circumstances, increased costs and reduced land values. These factors in combination mean that LIH are now unable to achieve the value for the site which would deliver a viable scheme. It is within this context that changes are proposed to the S106 Agreement to ensure the delivery of the development.

Costs

Since commencing site clearance works last year there has been a 50% increase in demolition and site clearance costs. As these works are undertaken up front prior to receiving any receipts for the land this increase in costs has a direct and immediate impact upon LIH's cash flow for the project.

WSP working on behalf of LIH completed due diligence work in July 2013, as part of which it engaged with a number of demolition contractors in order to price the cost of demolition works. A cost of approximately £2 836 000 was identified.

Following the grant of planning permission and agreement of a contract the overall demolition cost has risen to approximately £4 257 283 which is approximately £1 421 283 more than originally anticipated.

The increase in demolition/remediation costs has been substantially due to the following, which could not have been fully anticipated which the initial costings were prepared:-

- Loss of non-ferrous items between first and final inspections
- Alterations in the design and construct market conditions
- Additional soft strip clearance and flooding following deterioration of the site
- Disturbed asbestos present on site through vandalism and deterioration
- Asbestos risk from missing or incomplete reports
- Earthworks and abnormal ground conditions risk and specification
- Additional security requirements due to the site being targeted by vandals and scavengers.

Site Value

In addition to the above, the site has also decreased in value. Bidwells, one of the leading property consultancies in the UK, were appointed by LIH in May 2014 to promote and market the site.

In December 2014 Bidwells advised LIH on a marketing strategy. It indicated that market conditions were good especially for a site in a cleared, remediated state, ready for house building with the benefit of outline planning permission. It advised that there was sufficient depth of market demand that the site could be sold as a whole or in lots, and that demolition should therefore be undertaken in a single rather than two phases, so that all of it was available for development at the outset.

Marketing commenced to the main house builders, care home operators and registered providers on the basis of the purchase of the whole site or lots (three were identified), in order to encourage interest from as many parties as possible. Technically the three lots could be built out independently and were not dependent upon one and other.

Following initial expressions of interest, on site marketing days were held. The feedback received from the developers was that they already had sufficient exposure to the Peterborough market and that there were alternative, primarily greenfield locations readily available.

Offers for the site were invited in March 2015 on an informal tender basis. A small number were received for parts of the site not necessarily in accordance with the lots which had been marketed. These combined offers were in the region of £3 million below the value which Bidwell's had identified through its appraisal work, as a result of which a review of the project viability was undertaken. The project review included consideration of alternative uses on site including care and commercial, increasing density, slowing/stopping infrastructure works and reviewing the S106 provisions and triggers.

As a result of the review Bidwells identified that the only option to improve the viability of the scheme was to slow the demolition and site clearance process and seek to renegotiate the S106, hence the submission of this Deed of Variation.

Bidwells has indicated that this situation is not exclusive to the Peterborough area or this site in particular. It has had experience of other large sites also generating a lack of interest due to a cooling in the market. It has summarised the reasons for the disappointing level of offers as follows:-

- Increased build costs. House builders have advised that costs are increasing and trades harder to secure;
- The brownfield nature of the site;
- The margin sought due to the high levels of supply in the locality and also the perceived higher risk in sales price and rates than other geographic areas within the operating patch of the house building region (i.e. Cambridge) and;
- The exposure national house builders already have within an area has restricted the market of potential purchasers.

Bidwells concludes that it is highly unlikely that LIH will be able to achieve its anticipated revenues without changes to the S106 Agreement as the situation is unlikely to change in the foreseeable future with other developments such as Stanground South, Paston Reserve and Great Haddon coming forward.

In order to make the development viable and allow more favourable sales scenarios, LIH, are seeking a Deed of Variation to the S106 to remove the on-site affordable housing provision (approximately 53 units) and to reduce the off site contribution to £1 million (so approximately £219 000 less than originally approved) to be payable on the occupation of the 300th unit.

Assessment

In considering this proposal Officers are aware of the strategic importance of the site and the need to regenerate it. If no action is taken there is the very real risk that due to viability and the up-front costs that demolition will stall and work will stop. It would not be desirable for the city to have half demolished buildings on one of the main approaches to it, or for the new West Town School to open with a partially demolished building adjacent it. In addition, the housing is also required as part of the Council's 5 year land supply and therefore needs to be delivered.

The proposal to change the affordable housing provision also has to be considered in the context of current government policy. Government policy is very clear that the delivery of brownfield sites should be supported and is reflected in a succession of Government Announcements going back as far as 2011. It has also been clear there were viability is an issue the provision of affordable housing should be reviewed. Most recently the Government sought to introduce 'Vacant Building Credits' whereby the requirement to provide affordable housing was removed on sites which had previously been occupied. Although now defunct (following legal challenge) the approach of the Government is clear. Most recently, it has set out plans to introduce a 'Brownfield Land Register', announced as part of its Productivity Plan published as part of the summer budget which will seek to remove obstacles to development.

The National Planning Policy Framework sets out that Local Planning Authorities should be flexible in revisiting S106 Agreements to take account of changing market conditions to prevent development being stalled. Government policy on this matter is therefore clear.

In light of the Government's clear policy position on aiding the delivery and regeneration of brownfield sites, the requirements for Local Planning Authorities to be flexible and the need to ensure that work on this key city site does not stall, Officers are of the view that the proposed Deed of Variation can be supported and should be agreed.

4 Recommendation

The case officer recommends that the Deed of Variation be agreed.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 6
8 SEPTEMBER 2015	PUBLIC REPORT

Cabinet Members responsible:	Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer:	Nick Harding (Head of Development & Construction)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE APRIL TO JUNE 2015

RECOMMENDATIONS	
FROM : Corporate Director of Growth and Regeneration	Deadline date : September 2015
That Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	n/a
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3. QUARTERLY REPORT

- 3.1 In the first quarter of 2015/16 we received a total of 142 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (141 cases) as at 30 June 2015 we had 154 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 100% of new service requests within 3 working days this quarter, well above the target of 80%. 94% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 4 enforcement notices were issued in the quarter. 7 enforcement notices issued in the previous quarter have been complied with. 5 enforcement notices issued in the previous quarter have not been complied with on time. Please refer to the Comments section of the 'Enforcement Notices Due to be Complied With' table in the Appendix to this report which outlines the actions that we will be taking.

Court Action has been agreed to be taken for the failure to comply with an enforcement notice at 221-221B Lincoln Road (14/00314/ENFOTH).

There were no prosecution cases to report this quarter. However there was one notable outcome to report:-

- Land at 161 Northfield Road, Millfield (12/00409/ENFEXT) - Whilst the appeal against the refusal of permission was allowed, compliance action secured a big reduction in the depth of the extension from 8.44 metres to 6.5 metres.

Please see the attached Appendix for further details of the Planning Compliance Team Quarterly Report on Activity and Performance.

4. IMPLICATIONS

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

Financial Implications – This report itself does not have any financial implications

Human Rights Act – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

Human Resources – This report itself has no human resources implications.

ICT – This report itself has no ICT implications.

Property – This report itself has no Property implications.

Contract Services – This report itself has no Contract Services implications.

Equality & Diversity – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.

APPENDIX

INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – Qtr 1 (Apr –June 2015)

Description	No.	Comments
Complaints Received	142	The number has risen by 4 from the last quarter
Complaints Resolved (cases closed as % of cases received)	141	The number has fallen by 6 from the last quarter
Complaints on Hand/Pending	154/116	Cases on hand has fallen by 5 since the last quarter and the number of cases pending has risen by 3
Enforcement Notices Served		
Type of Notice	No.	Comments
Stop Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe Peterborough PE1 4SA
Operational Development Notice	1	13/00011/ENFACC 20 Grange Road West Town Peterborough PE3 9DR
Change of Use Notice	1	15/00066/ENFCOU 8 Elm Street Woodston Peterborough PE2 9BL
Breach of Condition Enforcement Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe Peterborough PE1 4SA
Total Notices Served	4	

Enforcement Notices Complied With		
Type of Notice	No.	Comments
Breach of Condition Notice	1	13/00340/ENFACC Southorpe Quarry Main Street Southorpe Stamford
Stop Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe Peterborough PE1 4SA
Operational Development Notice	1	14/00480/ENFEXT 40 Farleigh Fields Orton Wistow Peterborough PE2 6
Change of Use Notice	2	14/00239/ENFCOU 2 Cavendish Street Eastfield Peterborough PE1 5EG 14/00240/ENFCOU 4 Cavendish Street Eastfield Peterborough PE1 5EG
Breach of Condition Enforcement Notice	1	15/00114/ENFACC 16 Eye Road Dogsthorpe Peterborough PE1 4SA
Advert Removal Notice (22 days)	1	15/00038/ENFAD New Priestgate House 57 Priestgate Peterborough
Total Notices Complied with	7	

Enforcement Notices Due to be Complied With in the Quarter		
Site	Date Due	Comments
09/00153/ENFACC Picnic Area Adjacent A47 Wansford Peterborough	19.06.2015	Agent to provide revised plan but may seek to prosecute. Discuss with legal to see if it would be in the public interest to prosecute
12/00297/ENFCOU Stables Paradise Lane Northborough Peterborough	04.04.2015	Discuss with legal to see if it would be in the public interest to prosecute.
13/00164/ENFOTH Stables Paradise Lane Northborough Peterborough	17.05.2015	Discuss with legal to see if it would be in the public interest to prosecute at this stage.
14/00274/ENFACC Land To The Rear Of 71 Parliament Street Millfield Peterborough	10.04.2015	Information passed to legal to prosecute – court date awaited. New details of bin store submitted
14/00548/ENFGAR 124 - 126 Gladstone Street Millfield Peterborough PE1	06.0.5.2015	Appeal in Progress
Total	5	

Other Notable Outcomes		
12/00409/ENFEXT 161 Northfield Road Millfield Peterborough PE1 3QF		Whilst the appeal re refusal of permission was allowed, compliance action secured a big reduction in the depth of the extension from 8.44m to 6.5m.
Court Action Agreed		
14/00314/ENFOTH 221 and 221B Lincoln Road Peterborough PE1 2PL	1	Failure to comply with enforcement notice
Prosecutions		
Type of Notice	No.	Comments, including cost awards
None		

Performance Measures			
	Description	% / Time	Comments
	% of cases closed within 8 weeks if No Breach found.	77%	Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	14 weeks	
LPI	% of complaints acknowledged within 3 working days.	100%	Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	94 %	Target of 80%

Cumulative Compliance Performance			
Description	Target	This quarter	Yearly average
Enforcement cases closed within 8 weeks if no breach found.	80% within 8 weeks	77%	76.%
Acknowledgement of enforcement complaints.	80% within 3 working days	100%	98%
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	94%	95%

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