



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 12 JANUARY 2016**

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

Officers Present: Nick Harding, Head of Development and Construction
Simon Ireland, Principal Engineer (Highways)
Hannah Edwards, Planning Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

Councillor Harrington, in relation to agenda item 5.2 '15/01624/FUL – Peakirk Cum Ginton Voluntary Aided Primary School, School Lane, Ginton, Peterborough', declared that his granddaughter attended the school. He advised that he was not, however, predetermined.

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. Minutes of the Meeting Held on 10 November 2015

The minutes of the meeting held on 10 November 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 15/00059/FUL – 30B Lincoln Road, Ginton, Peterborough, PE6 7JS

The planning application was for 8 dwellings at 30B Lincoln Road, Ginton, Peterborough.

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 highlighted a number of key issues within the report.

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

- Ginton's population was steadily increasing. It was suggested that the last development plan had allocated 50 dwellings to the area as a whole, now there would only be 20.
- It was not believed that the proposed gates were necessary, as they were not in line with the idea of Ginton being a 'cohesive village'.
- It was suggested that the boundary of the site needed to be strengthened in order to preserve neighbouring amenity.

- Concerns were raised in relation to the ability of refuse vehicles to access the site. If not, vehicles would have to park on Lincoln Road.
- Councillor Johnson advised that the field was prone to poor drainage.
- The Parish Council did not wish to have a community within a community.
- It was noted that Glington had limited space available to building houses. As such, as much development as possible needed to take place on the land that was available.

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

- The proposals were believed to be in line with Glington Village Design Statement.
- Mr Baxter had worked with officers to ensure the designed were appropriate.
- Vehicle access had been previously agreed in the outline permission. The walls and railings were included as a positive feature to improve the visual appearance of the site. Similarly, the gate had been included to break up the long access road and add character.
- The gate would only be closed during night time hours and would be control through an intercom system within each house.
- It was not considered that any views of the church would be adversely affected.
- The neighbouring residences had been approached with regard to boundary treatment. It has been agreed that fencing would be erected to protect privacy and prevent noise.
- In terms of bin collection, Mr Baxter advised that a management committee would be put in place, involving residents, to oversee such matters. It was understood that officers were happy with arrangements to pick up refuse from the end of the drive.

The Committee discussed the application and raised concerns in relation to bin collection, particularly in light of the potential for further development in the future that would utilise the same access. The Head of Development and Construction advised that the applicants were not obliged to have the drive adopted and that the inability of refuse vehicles to enter the driveway would be considered insufficient grounds on which to refuse the application.

The matter of the proposed gates at the entrance of the site was discussed and the Committee considered that, as the gates were primarily for aesthetic value, there was not resulting detriment. It was further discussed that it was not always possible for developments to deliver the maximum level of dwellings set out in the site allocations and that this was not ground for refusal.

The Committee highlighted the significance of the proposed condition 7, and requested that officers ensure that the boundary treatments proposed were accepted by the neighbouring residents.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, subject to the conditions set out in the report and update report. The motion was carried unanimously.

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

Reasons for the decision

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

- The application site formed part of a wider allocation under Policy SA6.9 of the Peterborough Site Allocations DPD (2012) and accordingly, the principle of residential development was acceptable;
- The submitted site layout afforded provision for access to the remaining allocation and as such, would not prejudice future residential development, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011) and Policy SA6 of the Peterborough Site Allocations DPD (2012);
- The demolition of No.30B would not result in any unacceptable impact upon the character and appearance along Lincoln Road in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- The site was of a sufficient size to accommodate the scale of development proposed without resulting in unacceptable harm to the character, appearance or significance of the Glinton Conservation Area and surrounding locality in accordance with the National Planning Policy Framework (2012), policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012);
- The desirable number of dwellings allocated for the site was only an indicative figure. As set out in the Site Allocations DPD – developers were encouraged to produce the most appropriate design led solutions and need not be constrained by the indicative dwellings figure. The development was in accordance with policies CS1 and CS16 of the Peterborough Core Strategy and policy CS8 of the Peterborough Site Allocations DPD
- The proposed vehicular access would provide safe access into/out of the site and would not result in any unacceptable impact upon the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- The use of a gated access to residential properties was of a feature than a barrier preventing the general public from accessing the site. The gate was to remain open for daylight hours.
- The use of the proposed vehicular access would not result in any unacceptable impact upon the amenities of the occupiers of the close by residential properties in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and policy PP3 of the Peterborough Planning Policies DPD (2012);
- The site had been surveyed by qualified wildlife specialists and it was found that the site does not contain any protected species. Bat and bird boxes were to be installed around the site in accordance with policy CS21 of the Peterborough Core Strategy and policy PP16 of the Peterborough Planning Policies DPD
- Adequate surface water and foul drainage would be provided so as to not result in any unacceptable risk of flooding in the locality, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011);
- Archaeological evaluation would be undertaken to ensure no harm resulted to unidentified buried archaeology, in accordance with the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- The development would make a contribution towards the City Council's Environmental Capital Agenda, in accordance with policy CS10 of the Peterborough Core Strategy DPD (2011); and
- The development would make a financial contribution towards the infrastructure demands that the development will generate, in accordance with policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011)

5.2 15/01624/FUL – Peakirk Cum Glinton Voluntary Aided Primary School, School Lane, Glinton, Peterborough

The planning application was for the demolition of the existing temporary mobile unit at Peakirk Cum Glinton Voluntary Aided Primary School, School Lane, Glinton, and to replace it with a new permanent nursery facility.

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 highlighted a number of key issues within the report.

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

- The previous application on this site had been refused on the grounds of poor design.
- Discussions had been had with the school, who did not have sufficient funding to place the development in an alternative location, as preferred by Ward Councillors and the Parish Council.
- The views from the neighbouring residences were not considered acceptable.
- Councillor Holdich suggested that the Committee defer the application in order for discussions to be had with the project officer in terms of budget, materials and location. It was believed that this would allow for a proposals that could be supported.
- Councillor Johnson suggested that the new proposal was larger and closer to neighbouring residences than the previously refused scheme.
- It was noted that the Parish Council would support a design that fit in to the character of the area. It was believed that this design went against the village design statement, and granting permission would set a dangerous precedent.

Leigh Titman, 3 School Lane, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Titman claimed that the proposed development would sit 6 metres away from his house, and 1 metre away from his boundary.
- It was believed that the height differences between the development site Mr Titman's land, which was 0.5 metres lower, would affect the acceptable distances.
- No approach had been made by the applicant to discuss the proposals.
- It was believed that the design was inappropriate and that permission should not be granted purely because the applicant was a school.
- It was suggested that a lack of funding did not mean that inappropriate materials should be used.

John Rowlatt and Rob Diamond, Agents, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- In response to previous comments, it was advised that Mr Titman had not been approached in relation to the new designs because of the sensitive nature of the application.
- The development was of a single storey design. As such, the footprint of the proposal had increased in comparison to the previous application.
- The lowest possible roof pitch had been used. The materials used, in order to keep in character with the area, meant that there was a limit on how low the pitch of the roof could go.
- Mr Diamond advised that the facility was necessary for the school, which had to

work within their limitations.

- For efficiency and operational reasons, the location of the development as proposed was considered the most appropriate, rather than the location of the current facility.

The Committee questioned the restrictions in place on materials used for roofs a particular pitches. The Head of Development and Construction explained that there were restrictions on certain materials, however could not advise on specific restrictions. It was further clarified that the proposed roof pitch was considered to be low and the materials appropriate for a conservation area.

In response to a question from the Committee the Head of Development and Construction advised that he had not been able to verify the artistic representations of the proposal submitted by the objection.

The Committee discussed the design of the buildings and the proposed materials. It was suggested that the citing of the proposal was not ideal. The Committee considered that consultation carried out with the Parish Council and neighbouring residents was poor.

Discussion arose in relation to whether the application could be deferred in order to agree appropriate materials for the development. However, the Committee determined that, as the location was also considered unsuitable, this would be inappropriate.

A motion was proposed and seconded to agree that permission be refused, contrary to officer recommendation for the reasons of the inappropriate materials proposed and the detrimental impact on neighbour amenity. The motion was carried six voting in favour, three voting against and one abstained from voting.

RESOLVED: (six voted in favour, three voted against and one abstained from voting) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

The development in terms of the proposed materials (timber cladding and hung tiles) would not be in keeping with the tones set by the general character of the buildings within the Conservation Area and therefore the building would not contribute positively towards it and would be harmful (and be harmful to the) including in the context of views of the Parish Church. The proposal was therefore considered to be contrary to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF paras 58, 61 and 131), Peterborough City Council Core Strategy DPD 2011 Policies CS16 and CS17, Peterborough City Council Planning Policies DPD 2012 Policy PP2 and PP17 of the Peterborough Design and Development in Selected Villages SPD 2011 Policies BM1 and Glin 1 and Glin 2.

The proposal would have a detrimental impact on the amenity of the occupier at 3 School Lane as a consequence of the proximity of the development to the shared boundary and its scale and form. The development would have an overbearing relationship with the adjacent property and its enjoyment. The proposal was therefore contrary to Policy PP3 of Peterborough City Council Planning Policies DPD 2012 and Peterborough City Council Core Strategy DPD 2011 Policy CS16.

5.3 15/01688/WCPP – 38 Peterborough Road, Eye, Peterborough, PE6 7YB

Councillor Lane left the Committee at this point.

The planning application was for the removal of condition C1 (Permitted Use) of Planning Permission 14/02238/WCPP and the change of use to a dog grooming business.

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

Councillor Thacker and John Dadge, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Councillor Thacker advised the Committee that there was sufficient parking at the site and room available for vehicles to turn.
- The applicant ensured that dogs were dropped off and that there was a fifteen minute break between each appointment.
- No complaints had been made since the introduction of the temporary permission.
- Mr Dadge advised the Committee that the applicant's business was operated meticulously and professionally.
- CCTV footage was available and animals were logged in and out. Notification was provided to clients in relation to the business procedure and expectations.
- It was considered that the applicants wished to secure the business as soon as possible, as such were applying for a permanent permission with considerable time left on their previous temporary permission.

The Committee discussed whether the proposed permission was personal to the applicant was in relation to the site. The Head of Development and Construction advised that the current proposal was site related.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, with the amendment of condition 1 to make the permission personal to the applicant. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report and update report, and the amendment of condition 1 to make the permission personal to the applicant.

Reasons for the decision

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

- The granting of a permanent planning permission subject to all other restrictive conditions would not result in an unacceptable level of harm to the amenities of neighbouring occupants and as such, the proposal was in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012); and
- Adequate parking provision was provided for the use and a permanent planning permission would not result in an unacceptable risk to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

Chairman
1.30pm – 3:35pm