



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 9 FEBRUARY 2016**

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

Officers Present: Lee Collins, Development Management Manager
Amanda McSherry, Principal Development Management Officer
Simon Ireland, Principal Engineer (Highways)
Hannah Edwards, Planning and Highways Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

No declarations of 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 15/01292/FUL – St Therasas House, Manor House Street, Peterborough, PE1 2TL

The Chair advised that planning application '15/01292/FUL – St Therasas House, Manor House Street, Peterborough, PE1 2TL' had been withdrawn by the applicant.

4.2 15/01568/FUL – Webbs Yamaha Centre, High Street, Eye, Peterborough

The planning application was for the change of use at Webbs Yamaha Centre, High Street, Eye from motorcycle sales to commercial units (use classes A1, A2, A3 and A5), industrial processes (use B1C), general industry (use B2) and storage/distribution with trade counter use (use B8). Also included in the application were minor external works, including part demolition and site reconfiguration.

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

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

- The present use of the building was for motorcycle sales and the current business as such was failing.
- A change of use was imperative, as any further motorcycle sale business would likely encounter, it was believed, the same problems.
- Mr Dodds suggested that the application would expand and reinforce the local commercial offering and increase employment opportunities in the area.

- Close work had been carried out with officers, which had resulted in a reduced workshop space, and reconfiguration of the vehicle access and egress.
- A number of conditions had been agreed with Environmental Health officers. It was considered that the proposals would improve the area, rather than have any detrimental impact.
- Conditions would be put in place to restrict delivery times and opening times, which were not currently applicable.
- The larger commercial unit would be a convenience store, with the small units yet to be identified. The workshop would be small scale in nature.
- No initial consultation was held with residents or the Parish Council, however all points raised in objection had been responded to.
- Conditions in relation to odour extraction were proposed.

The Committee discussed the application and considered that the proposals represented an improvement to the site and would be a benefit to the local community. Concerns were raised by a Member of the Committee in relation to traffic and parking. It was noted, however, that there were no current restrictions in place for parking on the site, as such the proposal would not worsen the existing situation.

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. The motion was carried 9 voting in favour and 1 abstaining from voting.

RESOLVED: (9 voted in favour and 1 abstained from voting) that planning permission is **GRANTED** subject to the conditions set out in the 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 site was an existing commercial use and was located within the village of Eye which was designated as a Key Service Centre. The proposed uses were considered to be acceptable in this location.
- The scale of retail floorspace was appropriate for the village and would be an enhancement to the existing retail offer.
- The proposal would provide adequate parking provision and servicing arrangements and would not adversely affect the adjoining highway.
- The proposal would preserve the character and appearance of the conservation area.
- Due to the existing characteristics of the site the proposal would not unduly impact upon the amenities of the occupiers of neighbouring properties.

Hence the proposal accorded with policies CS3, CS14, CS15, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD, policies PP1, PP2, PP3, PP9, PP12, PP13 and PP17 of the Adopted Peterborough Planning Policies DPD and the NPPF.

4.3 15/02146/FUL – Land Adjacent to 2 St Martins Street, Millfield, Peterborough, PE1 3BD

The planning application was for the construction of a two storey side extension on the land adjacent to 2 St Martins Street, Millfield, Peterborough, comprising a retail (Class A1) unit at ground floor and a one-bed residential unit at first floor. The application was a re-submission.

It was officer's recommendation that planning permission be refused, for the reasons set out in the report. The Principal Development Management Officer provided an overview of the application and highlighted a number of key issues within the report.

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

- Councillor Peach noted that the applicant had addressed the concerns raised by the Committee during prior consideration, including improving access to bin storage.
- It was believed that this application would assist in addressing a number of existing issues at the site, including drug taking, fly tipping and prostitution. The gates to the site had been locked for a number of years.
- Parking was available in the form of laybys on either side of Lincoln Road.
- All the Ward Councillors were in favour of the application and it was suggested that the proposals were supported by local residents.
- Councillor Shearman did not believe that parking was a substantial issue. The application was within Zone M (residents' parking) where residents could not expect to park their car outside their residence.
- It was further noted that ample parking was available along adjacent roads.
- It was suggested that a delivery vehicle entering and leaving the site to load and unload would be more dangerous than a vehicle parking on the road.
- It was considered that the development would enhance the local area and that to refuse the application would go against the principles of the CanDo operation, which was active in the area.
- It was not believed that one additional delivery vehicle would have any additional cumulative impact onto of the pre-existing delivery vehicles and bin collections.

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

- Mr Iqbal advised that he ran a business at 287 Lincoln Road, which backed on to the application site. He further advised that he had a civil right to park his vehicle on the site. This would not be possible if the application was allowed.
- The site was used during the loading and unloading of deliveries and been used for such for 15 years.
- Mr Iqbal had not had access to the site while it had been locked, however had discussed the matter with his solicitor. He believed he had a legal right to access the land.

The Planning and Highways Lawyer advised that any potential private access rights of individuals over land were not material planning considerations. Such matters could not be considered by the Committee as they were civil matters for the individual parties to pursue.

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

- Mr Anwar commented that a number of compromises had been made by the applicant following pre-application advice.
- The proposal had altered following previous refusal by Planning Committee. The application now consisted of a one bedroom flat, a wider bin storage access and amenity space for the residence provided.
- It was suggested that applications in the near vicinity had been permitted without objections on highways grounds. Similarly, applications had been permitted with similar appearance and design.
- The proposal was believed to be a positive use of the space, rather than the

current negative use being made.

In response to a question from the Committee, the Principal Engineer (Highways) advised that the key focus for retail developments was the provision for the loading and unloading of deliveries. St Martins Street was a residents parking zone, with a pedestrian crossing. There was an existing lack of loading and unloading facilities, which this application would exacerbate. It was further advised that double yellow lines restricted parking, but not loading or unloading.

The Committee discussed the application. It was noted that each individual application was considered on its own merits and decisions were guided by Council policy.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, subject to relevant conditions, as the proposal fit in well within the mixed street scene, there were no parking or highways issues raised by the development, and the provision for bin storage and access were acceptable. The motion was carried 7 voting in favour and 3 voting against.

RESOLVED: (7 voted in favour and 3 voted against) that planning permission is **GRANTED**, subject to relevant conditions, for the reasons set out below.

Reasons for the decision

The proposal was considered to fit in well within the mixed street scene. It was not considered that the proposal raised any parking or highways issues, and the provision for bin storage and access was believed to be acceptable.

5. Planning and Environmental Protection Committee Meeting Cycle Review

The Committee received a report which outlined proposals to change the Planning and Environmental Protection Committee meeting to a three weekly cycle prior to Full Council's consideration of the meetings schedule. The Development Management Manager provided an overview of the report and highlighted a number of key issues.

The Committee were in agreement that a three weekly meeting cycle would provide a greater level of certainty and would represent a more efficient use of Member and officer time. It was noted that careful management would be required to ensure agendas were not impractically full.

It was further discussed whether it would be appropriate to reschedule the Committee site visits to be held during the morning of the meeting, and whether procedures could be altered to oblige Councillors that had referred applications to Committee to attend the Committee meetings. The Planning and Highways Lawyer would investigate these possibilities.

RESOLVED:

The Committee endorsed the proposal to change the Planning and Environmental Protection Committee meeting to a three weekly cycle prior to its consideration at Full Council.

Chairman
1.30pm – 3:00pm