



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 29 SEPTEMBER 2015**

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

Officers Present: Simon Machen, Corporate Director Growth and Regeneration
Nick Harding, Head of Development and Construction
Janet MacLennan, Senior Development Management Officer (Item 5.1)
Amanda McSherry, Principal Development Management Officer (Item 5.2)
Simon Ireland, Principal Engineer (Highway Control)
Ruth Lea, Senior Lawyer Growth and Regeneration
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Martin. Councillor Shabbir was in attendance as substitute.

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. Minutes of the Meetings held on 8 September 2015

The minutes of the meeting held on 8 September 2015 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 15/01013/FUL – Queensgate Shopping Centre, Westgate, Peterborough

The planning application was for the part demolition, alteration and extension of Queensgate Shopping Centre, Westgate, including change of use and the erection of a roof top extension to provide for uses within A1, A3-A5 (shops, restaurants and cafes, drinking establishments and hot food take-away), D2 (assembly and leisure) and other associated works.

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 and briefing update.

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

- Ward Councillors were disappointed that the applicants for the Queensgate Shopping Centre and the North Westgate Development Area had not worked

together to reach a compromise.

- The matter had been discussed at length and while Councillors did not wish to object to the application, they felt it was necessary to do so.
- Realistically, it was considered that if the Queensgate application were to be granted that the North Westgate application would not be able to secure the financial investment to proceed.
- Ward Councillors felt that the North Westgate development needed to be given a chance. It was considered that Queensgate would be able to thrive without this application, whereas North Westgate would not.
- It was suggested that the applicants redesign their proposals without the cinema element. It was believed that such an application would receive support of local Councillors.
- Ward Councillors discussed the potential loss of city centre residential development that may occur if the Queensgate application was approved.

Stewart Jackson, MP, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Mr Jackson advised the Committee that any decision made should be done so on policy grounds.
- The provision of cinemas within this application and the North Westgate application was considered to be salient. The viability of the North Westgate development hinged on the cinema, it was claimed.
- It was suggested that the Queensgate applicants were land banking sites within the North Westgate development area in order to protect Queensgate shopping centre.
- If this application was not approved the applicants could revisit the proposals and return with an alternative scheme.
- Mr Jackson referred to Council policy, which he believed could reasonably be used as grounds to refuse the application.
- Though, practically, two cinemas in the city were feasible, only one would be viable. There would, it was suggested, be an impact on the city's wider strategic prospects.

Hereward Phillpot QC, Francis Taylor Building, David Shaw, David Shaw Planning, and David Turnock, Peterborough Civic Society, addressed the Committee in objection to the recommendation and responded to questions from Members. In summary the key points highlighted included:

- Mr Turnock highlighted several areas of concern, including the height of the proposal. It was suggested that this would have a high level impact on the visual amenity of the city centre.
- It was believed that the Council should be seeking to protect and improve all public realm areas and that this proposal was too high and too large, impacting on views of the cathedral.
- Mr Phillpot suggested that granting planning permission for this application would result in planning harm in the form of the loss of benefits from the North Westgate development.
- It was put to the Committee that refusal to grant permission would be reasonable, as the impact of the development would not be purely commercial, but would affect public benefits and the Council's Development Plan objectives.
- It was claimed that there had been no adequate analysis of the relative merits of the proposals currently in front of the Committee.
- Mr Phillpot urged the Committee to refuse the application, or defer a decision until a further, more detailed comparison of the proposals had been submitted.

Paddy Bingham, Invesco, Guy Thomas, Lend Lease, James Fennell, NLP, and Robert Bentley, Architect, addressed the Committee in support of the recommendation and

responded to questions from Members. In summary the key points highlighted included:

- Mr Bingham, Invesco, the owner of Queensgate Shopping Centre, advised that the proposal was straight forward and it was intended that work should begin in January 2016, to complete in 2017.
- It was believed that the proposals would allow Peterborough to compete with Leicester and Cambridge.
- Improvements had already been made to the Queensgate car park and West Gate Arcade. The current proposals were the next stage in this regeneration programme.
- The proposal had been influenced by John Lewis PLC, as they were looking to redesign their Queensgate Store layout.
- Following the proposals, the Shopping Centre intended to increase hours of operation. This would encourage an increased footfall to the city centre and contribute to the overall improvement of the area.
- It was further believed that that the proposal would stimulate spending and facilitate development in the North Westgate area.
- The applicants advised that the space available to them did not lend itself to residential units.
- The Queensgate applicants had been in discussions with the North Westgate applicants, however the parties had differing views on the appropriate approach to viability assessments.

The Senior Lawyer Growth and Regeneration advised that the Committee was obliged to consider the application in front of them, not any possible alternative proposals. Emphasis was placed on Council policy CC3, which outlined mixed retail and leisure uses within the city centre. It was explained to the Committee that the planning harm and impact of the proposal on the North Westgate development was a consideration, however it was for the Committee determine how much weight was placed on this.

The Committee discussed the application. It was raised that the application was considered to be policy compliant and would have significant, positive social and economic benefits for the area. A number of Committee Members expressed concerns regarding the implications of granting this application on the development of the North Westgate area.

In response to a question, the Head of Development and Construction clarified that there was no specific policy restricting development elsewhere to protect North Westgate. Committee would need to consider if the benefits of the North Westgate development outweighed the Council's City Centre Policy.

The Committee debated and noted that the Queensgate Shopping Centre was in need of updating and regeneration and a positive benefit would be to the increased activity and development of the night time economy from this proposal. It was further noted that the North Westgate application was an outline application, whereas the Queensgate application was full.

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

RESOLVED: (seven voted for, two voted against, one 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 principle of a city centre cinema and restaurant provision with additional retail provision for the city centre was acceptable. This was in accordance with the vision for the City Centre, Policy CC3 of the City Centre DPD and Policy CS4 of the Core Strategy;
- The scale, proportions, design and use of materials would harmonise with the existing centre. This was in accordance with Policy CS16 of the Core Strategy and Policy PP2 of the Planning Policies DPD;
- It was accepted that the resultant bulk and mass of the extension would have a negligible adverse effect on the setting of some listed buildings and the City Centre conservation area. However this was outweighed by the benefits of the scheme to the vitality and viability of the city centre through the likely increase in visitor numbers through cinema and restaurant offer, improved night time economy, employment, and improved pedestrian connectivity. This was in accordance with the NPPF and Policy CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD; and
- The site was accessible by a choice of means of transport and the proposal was supported by a transport statement and travel plan and would not result in any adverse highway implications. This was in accordance with Policies CS14 of the Core Strategy and Policy PP12 of the Planning Policies DPD.

5.2 15/01041/OUT – North Westgate Development Area, Westgate, Peterborough

The outline planning application was for a mixed use scheme at North Westgate Development Area, Westgate, to include a cinema (D2), restaurants and cafes (A3), retail units (A1, A2), a food hall (A1, A3, A4, A5), office space (B1a), a hotel (C1), community and health care facilities (D1), residential (C3), together with associated parking, vehicular access, servicing arrangements, public realm works and landscaping. The demolition of all buildings, excluding Westgate Church, the Brewery Tap, 16-18 (in part), 30-36 Lincoln Road and Lincoln Court.

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 and briefing update.

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

- Councillor Jamil endorsed the officer recommendation.
- It was believed that the proposals outlined represented a magnificent, mixed use development scheme.
- The additional pedestrian areas proposed and cycle routes around the site would be an excellent addition to the Peterborough area.

Richard Astle, Athene Communications, David Shaw, David Shaw Planning, and David Turnock, Peterborough Civic Society, addressed the Committee in support of the recommendation and responded to questions from Members. In summary the key points highlighted included:

- The proposal would regenerate a difficult area of the city and introduce new areas of public realm.
- Aspects of the development would include a food hall, house community groups, environmental features, offices and apartments.
- The development would create jobs and income for the Council.
- The proposals were policy compliant and deliverable.
- There was already commercial interest in the site and a cinema provider was

involved.

- It was noted that without the inclusion of the cinema, the proposal would not proceed any further and development would have to wait.
- David Turnock advised that the proposed conditions were sufficient to address any previous concerns the Civic Society had.

The Committee discussed the application and were impressed with the proposals presented to them. It was considered that the applicant should focus their attention on the parts of the proposal site that were not within their ownership. The Committee believed there were a number of aspects to the proposals which would ensure the site was viable, and advised that the Council would work with the applicant to help the development come to fruition.

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 attached conditions, 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 the mixed used retail, housing, office, leisure etc. uses were considered to be acceptable on this city centre site. This was in accordance with Policy CC3 of the City Centre DPD and Policy CS4 of the Core Strategy;
- the masterplan principles identified, and maximum and minimum limits of deviation shown in the Parameter plans were considered to be acceptable, to form the basis of any future reserved matters applications;
- The proposed access arrangements, parking and traffic impacts were considered to be acceptable. There were no highway safety concerns with the development proposed. The development was therefore considered to be in accordance with Policy PP12 of the Planning Policies DPD;
- The proposed development would not result in substantial harm to the character and appearance or setting of any listed or locally listed buildings and would preserve the character and appearance of this adjacent City Centre Conservation Area. The limited harm arising was outweighed by the economic, social and environmental benefits of the scheme. This was in accordance with Policies CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD; and
- Issues of impact on trees, ecology, archaeology, contamination and flood risk had all been considered and had not been found to be such that the development was inappropriate. The limited impacts could be mitigated by the use of planning conditions. The development was therefore considered to be in accordance with Policies PP16, PP17, and PP20 of the Planning Policies DPD and Policies CS17, CS21 and CS22 of the Core Strategy.

Chairman
1.30pm – 4:00pm