



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 14 JUNE 2016**

Members Present: Councillors Harper (Chairman), Serluca (Vice Chairman), Bull, Casey, Hiller, Hussain, Bond, and Ash

Officers Present: Simon Ireland, Principal Engineer (Highways)
Ruth Lea, Planning and Highways Lawyer
Lee Collins, Development Management Manager
Vicky Hurrell, Principal Development Management Officer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Sylvester, Martin, and Stokes.

2. Declarations of Interest

Councillor Hiller declared that he knew Michael Sly with regard to item 5.2, however he wished it to be known he had not discussed the item with him and had no prejudice.

Councillor Casey declared that he sat on the Cycling Forum as a consultant with regard to item 5.4, and had no prejudice.

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

Councillor Ash advised that, with reference to item 5.1, upon legal advice, he would be withdrawing from committee and making representation as a Ward Councillor.

4. Minutes of the Meeting Held on 12 April 2016

The minutes of the meeting held on 12 April 2016 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 16/00835/R3FUL - The John Mansfield Centre, Western Avenue, Dogsthorpe, Peterborough

Councillor Ash left the Committee at this point.

The Committee was presented with a proposal which occupied the site of the former John Mansfield School within an existing residential area and was allocated for residential development in the local plan. The application for consideration was for a two storey contemporary new medical centre comprising of six consulting rooms, minor treatment rooms, health care and a pharmacy including waiting areas and store rooms with room for further expansion.

The Principal Development Management Officer provided an overview of the application and highlighted a number of key issues within the report and update report.

Councillors Saltmarsh and Ash addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was agreed this derelict site should be developed although reservations were previously felt with regard to access around Arcacia Avenue, however this would be resolved within the plan.
- Parking spaces, entrance, and egress would hopefully ease parking on surrounding roads as on road parking was to be discouraged.
- Plans also included relocating the bus stops. It was suggested that these should be erected with shelters designed for use by both patients of the new medical facility and college students.

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

- It was emphasised that residents who had previously signed a petition regarding the development of this site were now happy for the plans to proceed having had sight of the current plan.
- It was stressed that levels of traffic had increased since the Welland Road traffic calming measures had been introduced.

The Committee expressed for the existing surgery however it was felt this application would be of benefit to the local community. A query was raised in relation to why a Tree Preservation Order had been granted on the site so recently, considering officers were now happy for it to be removed. The Principal Development Management Officer advised that a balanced view was taken on the condition of the trees and the benefits to the scheme and, as there were no objections by the Tree Officer, it had been decided to remove them.

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 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 the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- whilst the proposal would result in the loss of 0.4 hectares of land allocated for residential development, it was not considered that this would materially affect the ability to deliver the housing provision set out over the Local Plan period;
- the proposed development would not prejudice the ability to deliver housing on the remaining residential land allocation, in accordance with Policy SA3.24 of the Peterborough Site Allocations DPD (2012);
- the proposed medical centre and pharmacy would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- adequate parking and access would be provided to meet the needs of the proposal and no undue impact would result to the safety of the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in an unacceptable impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in unacceptable harm to the landscape amenity of

- the surrounding area, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012); and
- the proposed development would adequately deal with surface water run-off to ensure no increased flood risk results within or beyond the application site, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

5.2 16/00160/OUT - Land West of Sandpit Road, Sandpit Road, Thorney, Peterborough

Councillor Ash re-joined the Committee at this point.

The Committee was presented with a plan to develop a site of 4.8 hectares with 91 properties and open space with the demolition of 3 properties on the edge of Thorney village on farmland with access to the site from Wisbech Road.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report and update report.

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

- Local enquires had been made including an exhibition.
- Whilst detailed plans were not yet available local residents expressed encouragement for the scheme.

The Principal Engineer (Highways) advised the Committee that the removal of the village speed limit was being considered to re-site it further away, to encourage drivers to slow down prior to approaching the junctions.

The Committee expressed regret that good quality houses needed to be demolished in the name of progress, however, showed support for the scheme. The Committee considered that village children should be able to afford housing in the area they grew up in.

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 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 the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The majority of the site was allocated for housing and would provide housing to support the City Council's growth agenda.
- The proposal would provide affordable homes as well as lifetime and wheelchair housing.
- The development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway can be provided.
- The development could be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties.
- The development could be accommodated without any significant adverse impact upon existing landscaping or character and appearance of the open countryside.
- The impact of the proposed development upon ecology of the site was considered to be acceptable.
- The development would allow for the provision of Public Open Space.
- The site could be adequately drained.

The proposal was therefore in accordance with Policy CS1, CS2, CS8, CS10, CS11, CS13, CS14, CS16, CS17, CS19, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies SA4 and SA5 of Peterborough Site Allocations DPD (2012), policies PP01, PP02, PP03, PP12, PP13, PP14, PP16, PP17 and PP19 of the Peterborough Planning Policies DPD (2012) and Sections 4 and 8 of the National Planning Policy Framework (2012).

5.3 16/00421/HHFUL - 276 Eastfield Road, Eastfield, Peterborough, PE1 4BE

The site comprised of two storey semi-detached property of the inter war period on the west side on Eastfield Road. The application was for a two storey side extension and a single storey extension behind.

The Principal Development Management Officer provided an overview of the application and highlighted a number of key issues within the report and update report.

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

- The property was 100 yards away from the Park Ward Conservation Policy and it was believed that consideration should be given to the impact on the area.
- It was considered that the application represented a large percentage increase in the size of the property.
- Councillor Peach cited a previous application at 270 Eastfield Road, a grade II listed Victorian villa, which was refused, and later approved only by retaining the frontage.
- Attention was also brought to other applications within the vicinity which had been refused.

Mr O'Brien addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Whilst he was the current owner and had no plans to remove the trees which form a natural boundary, it could not be assumed a future owner of the property would not remove them should he decide to sell.
- The proposed development would include additional pruning to existing trees on both plots, some of which had already been carried out.
- It was suggested that the whole of the site should be considered as a heritage site, not just the building itself.

- Mr O'Brien appealed to Members to support him in retaining his property in an appropriate setting and suggested the application could be modified.

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

- There was a significant tree screen between the application site and the neighbouring property.
- None of the proposed windows within the extension would overlook the neighbouring property.
- It was noted that permission was already in place for a ground floor extension, the foundations for which would be non-intrusive on the trees.

The Planning and Highways Lawyer advised the Committee that the whole site was listed up to the curtilage including boundary fencing and perimeter walls.

The Committee discussed potential damage to tree roots from the proposed foundations, availability of light and shadowing, and privacy although there was general agreement that all views are subjective.

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 seven voting in favour and one voting against.

RESOLVED: (seven voted for and one voted against) 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 proposed two storey and single storey extensions would not result in an unacceptable impact upon the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would preserve and not give rise to undue harm to the setting of the adjacent Grade II Listed Building, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 131 of the National Planning Policy Framework (2012);
- the proposed extensions would not result in an unacceptable impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- adequate on-site parking provision would be retained and no undue harm would result to the safety of the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012); and
- the proposal would not result in an unacceptable impact to landscape features of key amenity within the locality, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

The Committee was presented with a retrospective application for a 3.5m high gate between Pizza Hut and Barclays Bank on Cathedral Square with the gate being closed outside of business hours only.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report and update report.

Mr Lambshead, Agent, and Mr Martin, Barclays Bank, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The problems caused with bank staff regularly having to arrange clean-up of the area which is inconvenient and potentially dangerous to staff, pedestrians and cyclists.
- Measures had already been taken by Barclays to discourage anti-social behaviour including the installation of infra-red lights at the rear of the building to discourage drug users, a canopy at the rear of the building, additional lighting in the alleyway.
- The walls had been repainted the several times.
- It was felt that the last eighteen months had been horrendous for staff and public using this walkway and the parking area being subject to threatening behaviour, abusive language, food waste and rubbish from nearby food outlets which in turn leads to rat infestation, the establishment of a cardboard sleeping area, needles, knives and smashed alcohol bottles.
- The worst aspect for bank staff and members of the public was arriving at work in the morning to find the area has been used as a public toilet and the sights and smells this brings. This misuse has also been observed during the day as pedestrians pass by.
- Specialised cleaners were called upon regularly to keep the area clean including the removal of needles and faeces. The bank felt the installation of the gate was a last resort and were looking for a compromise.

The Committee discussed a number of points including the time taken to walk the alternative route and flexibility of gate opening times. It was also suggested that the bank could better manage the walkway. Concern was expressed that the path would be closed on a Sunday and it was suggested that a third party could be involved when the bank is closed.

It was considered by the Committee that the design of frontal appearance was requested to be in keeping with the Conservation Area and that the gate should be repositioning of further back, in line with the site boundary.

Discussion took place around the opinion that public presence would discourage rough sleepers and members were advised that there are often rough sleepers in the town centre in the mornings as people walk past and this does not act as a deterrent.

A number of Members questioned whether it would be more appropriate to refuse planning permission and allow Barclays to resubmit the application at a later date, or to grant the application, with delegation provided to officers to agree the conditions.

A motion was proposed and seconded to agree that permission be granted, contrary to officer recommendation, subject to:

- Hours for the gate to be open: 8:00am to 6:00pm, Monday to Saturday, and 9:00am to 5:00pm on Sunday;
- Delegated authority to the Corporate Director of Growth and Regeneration to agree relevant conditions, including:
 - The fencing off of the alleyway recess;

- The design of the gate to be brought in line with the conservation area; and
- The repositioning of the fence to sit further into the alleyway.

The motion was carried six voting in favour, two voting against.

RESOLVED: (six voted for and two voted against) that planning permission is **GRANTED** subject to:

- Hours for the gate to be open: 8:00am to 6:00pm, Monday to Saturday, and 9:00am to 5:00pm on Sunday;
- Delegated authority to the Corporate Director of Growth and Regeneration to agree relevant conditions, including:
 - The fencing off of the alleyway recess;
 - The design of the gate to be brought in line with the conservation area; and
 - The repositioning of the fence to sit further into the alleyway.

Reasons for the decision:

It was considered that the application would assist in addressing the problems faced within the alley overnight and would discourage anti-social behaviour. The application would ensure that residents utilise a safer route overnight.

In light of the alternative routes available throughout the city, it was not considered that closing off the alleyway would cause any significant inconvenience. It was considered that the closure would have no impact on cycle ways as the route was not suitable for cyclists due to the narrow width.

6. Planning Compliance Quarterly Report on Activity and Performance January to March 2016

The Committee received a report which outlined the Planning Service's planning compliance performance and activity which identified if there were any lessons to be learned from the actions taken. The aim was for the Committee to be kept informed of future decisions and potential to reduce costs. The Development Management Manager provided an overview of the report and highlighted a number of key issues.

Two specific cases of particular note were:

1. Court action for failure to comply with enforcement notice at a food store in Padholme Road which has subsequently been complied with.
2. Prosecution case on the land to the south east of Nine Bridges, Glinton where the owner was found guilty and fined.

The Committee discussed the level of fines awarded and were advised that although most cases were successful the fines were considered to be generally quite low and did therefore not act as a deterrent.

The Planning and Highways Lawyer advised that there were strident sentencing guidelines which are binding and also fines are means assessed so other ways to promote the message need to be found.

The Committee considered that the guidelines need to be updated and the brackets' of fines need moving to community penalties and this idea should be pursued particularly if we have supporting evidence and the officer was asked to investigate this further. Praise was given for the standard of performance.

RESOLVED:

The Committee noted past performance and outcomes.

Chairman
1.30pm – 3.45pm