

PETERBOROUGH



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 18 OCTOBER 2016**

Members Present: Councillors Harper (Chairman), Serluca (Vice Chairman), Bull, Casey, Hiller, Martin, Sylvester, Clark, Bond, Ash, and Bisby

Officers Present: Nick Harding, Head of Planning
Louise Lovegrove, Senior Development Management Officer
Theresa Nicholl, Development Manager
Hannah Edwards, Planning and Highways Lawyer
Simon Ireland, Principal Engineer (Highways)
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Stokes. Councillor Bisby was in attendance as substitute.

2. Declarations of Interest

The Chairman noted that, in relation to agenda item 5.1 'Jack Hunt School, Ledbury Road, Netherton, Peterborough', all Committee Members had been lobbied by interested parties. Members were not considered to be predetermined on this matter.

Councillor Casey declared that, in relation to item 5.1 'Jack Hunt School, Ledbury Road, Netherton, Peterborough', he was known to one of the public speakers. This would not impact on his decision.

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

No Members' declaration of intention to make representations as Ward Councillors were received.

4. Minutes of the Meeting Held on 6 September 2016

The minutes of the meeting held on 6 September 2016 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 16/00578/R3FUL – Jack Hunt School, Ledbury Road, Netherton, Peterborough

The Committee was presented with an application for a new dining block, teaching block, and science laboratory. Also included within the application was an all-weather pitch with associated external works, including car parking and landscaping.

The Head of Planning provided an overview of the application and highlighted a number of key issues within the report and update report.

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

- It was suggested that traffic, particularly along Ledbury Road, was a significant part of this application.

- It was felt that the mitigation measures to be put in place against the staged increase in pupil numbers was unclear.
- It was not believed that anything less than a regulation order would prevent people blocking driveways with their cars during busy periods.
- The Committee were advised that one objector had requested a meeting with officers, which had not been carried out.
- The residents of Audley Gate considered that the proposed pitch was too close to their dwellings and had suggested alternative options, which had not been taken up.
- It was suggested that the detrimental effect of the development needed to be carefully considered by the Committee.

David O'Neil, Planning Consultant, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- Mr O'Neil was a former Planning Advisor to Sports England and was representing 117 residents that supported the expansion of the school in principle, however took issue with the size of the expansion proposed.
- It was not considered that the proposed pitch would require community use, as there was limited use at the moment and Hockey England had identified the surface material as inappropriate.
- It was noted that Sports England had not objected to a small pitch, as proposed by local residents.
- It was considered that the resultant noise levels of the pitch would be perceptible to the surrounding residents and it was not accepted that no difference would be felt.
- The applicant acknowledges that without the acoustic barriers within the proposal, there would be noise impact.
- The hours of use proposed were considered to be excessive. A limit of up to 18:00h on a weekday and no use on weekends or bank holidays was suggested as an alternative.
- If the Committee were of a mind to accept the proposals, it was requested that this be done subject to conditions to limit the size of the pitch, restrict the hours of use, and to withhold the location of the pitch as a reserved matter.
- It was considered that the height of the acoustic fence was important, as the land on which the nearby residents were cited was higher than that of the pitch.

The Senior Development Management Officer clarified that Sports England had only been consulted on the application before the Committee and that the conditions proposed by Mr O'Neil could not be applied, as set out in the update report.

Pamela Kilbey, Head Teacher, Jack Hunt School, Brian Howard, Head of Schools Infrastructure, Peterborough City Council, and Kevin Malle, Contractor, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- It was advised that the school urgently required further accommodation and a sports pitch to meet the current need and expected expansion.
- The current dining was inadequate and the size of classrooms needed increasing.
- Other schools in the area had had rebuilds in the recent past. Jack Hunt had remained unchanged for 50 years.
- The proposals would include 11 additional classrooms and a science block.
- The outdoor pitch was required to deliver the PE facility. Jack Hunt was the only secondary school in the area that need not have an all-weather pitch, despite it being a PE college.

- An onsite pitch would maximise the use of the pitch within the curriculum.
- It was advised that the site had a number of constraints and that, while alternatives had been considered, the proposals before Committee represented the only feasible approach.
- It was noted that meetings had been held with residents, and that their views had not been ignored.
- 443 people were in support of the application.
- The concerns of residents in relation to transport were noted and the school was to work with the Council in order to improve the number of students travelling to school by car.

In response to questions from the Committee the Head of Planning advised that the closer the acoustic fencing was to the source of the noise, and the taller the fencing itself, the more effective it would be. As such, a 3 metre fence at the edge of the pitch was considered to be satisfactory. The ground level did change, however, it was the relationship between the fence and the noise source that was the key consideration. It was further advised that the majority of individuals supporting the proposals were staff, pupils, or parents of pupils at the school.

The Committee considered the report and surmised that the key point of contention for a number of objectors was the potential for greater traffic. It was emphasised by the Committee that the Travel Plan would need to be sufficiently robust to mitigate against the potential issues.

It was considered the proposed sports pitch would be of great benefit to the school and that a smaller sized pitch would be insufficient.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried 10 voting in favour, 1 voting against, and none abstaining from voting.

RESOLVED: (10 voted in favour, 1 voted against, none abstained from voting) that planning permission is **GRANTED** subject to:

- 1) The conditions set out in the Committee Report; and
- 2) To receipt of no new material considerations having been raised by objectors following further consultation on the revised Noise Assessment submitted by the Applicant.

Reasons for the decision:

The assessment within the report set out the detailed impacts arising from the proposed development which could be summarised as follows:

- There was an identified need for the proposed expansion of Jack Hunt School which would result in 150 additional students in attendance. The proposed extensions, building and car parking would provide improved/additional accommodation to meet these demands which should be afforded great weight, in accordance with paragraph 72 of the National Planning Policy Framework (2012);
- The proposed AWP would result in the loss of playing fields, however Sport England had advised that the benefit arising from the AWP through improved curriculum offer and community use would outweigh this loss, in accordance with Policy CS19 of the Peterborough Core Strategy DPD (2011) and paragraph 74 of the National Planning Policy Framework (2012);
- The proposed development would not result in an unacceptable level of harm to 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);
- There were notable existing highway safety and congestion issues surrounding the school at peak times which would be exacerbated through increased student and staff numbers. Mitigation could be secured to reduce the number of car borne trips to/from the site which would reduce the level of impact to the surrounding highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- Adequate on-site cycle and car parking would be provided to meet the needs of the proposed development, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012);
- The proposed AWP would result in additional noise impact to neighbouring residential properties however, subject to mitigation, the level of resultant noise would not be perceptible or result in an unacceptable level of harm 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 an undue level of overbearing impact to neighbouring residential properties albeit some harm to outlook would result;
- The proposal would not result in unacceptable harm to ecology within the site and sufficient measures can be incorporated to ensure net biodiversity gain, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012);
- Whilst the proposal would result in the loss of trees within the site, this would not result in harm to the visual amenity of the area and a resultant gain in tree cover would result from mitigation planting, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- The proposal would not result in unacceptable harm to undiscovered buried heritage assets and would preserve the special character of designated heritage assets, therefore in accordance with Sections 66(1) and 72(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 paragraphs 131, 132 and 134 of the National Planning Policy Framework (2012); and
- The proposal would not result in increased flood risk within or surrounding the site, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

Whilst it was acknowledged that the proposal would result in some level of undue impact in terms of traffic congestion and harm to the outlook from neighbouring residential properties, it was considered that on balance, the benefits arising from the expansion of the school and providing new and improved education facilities for the 1,950 students, would outweigh this harm.

5.2 15/01839/MMFUL – Pasture House Farm, The Causeway, Thorney Was, Peterborough

The Committee was presented with an application for the extraction, processing, sale, and distribution of sand and gravel. The application also included the erection and use of a concrete batching plant, the establishment of an inert waste recycling facility, and the use of inert residues for restoration together with necessary highway and access improvements.

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

Councillor Bartlett, Thorney Parish Council, and Councillor Allen, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Emphasis was made on the point that over 100 trees would be lost in order to widen the road to access the site.
- It was considered that this would represent a significant loss to amenity in the long term, was contrary to the vision statement in the Local Plan, and would impact on the character of the village.
- Concerns were raised with regard to the safety of heavy goods vehicles turning right onto the main road.
- It was considered that the batching and processing could be more discretely located.
- It was suggested that, as a gesture of good will, the applicant could release other land in their ownership.
- The proposals were considered to be unsubtle and intrusive.
- The Committee were urged to insist upon conditions to complete the cycleway near to the site.
- Councillor Allen requested that the Committee take into account the loss of amenity that would be experienced by nearby residents.
- It was believed that the application was an over industrialisation of the area.
- Conditions would be endorsed to locate the entrance near to the current access site and to restrict the use of right turns out of the site.
- It was considered that Eye and Thorney should receive the benefit of the nearby cycleway.

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

- Ms Brent advised that Committee that her son suffered from respiratory problems. She was therefore concerned as to what impact the dust from the site would have.
- Concern was also raised in relation to the devaluation of her property.
- It was suggested that the quality of life for nearby residents would be impacted as a result of the application.

David Marsh, agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The application would allow for the release of a substantial amount of resource and provided a site for inert waste recycling.
- Benefits were expected in the forms of highway improvement and employment.
- A full Environmental Impact Assessment had been carried out.
- The applicants acknowledged residents' concerns and it was believed that sufficient mitigation had been provided for within the application.
- It was noted that the Council were bound by a presumption in favour of sustainable development.
- It was not considered that any material considerations had been raised that would call for the application to be refused.
- In relation to the loss of trees, the applicant suggested that many were not of a high quality and were already suffering from disease or dying. The removal of the trees was required in order to facilitate the widening of the carriageway, to ensure that vehicle travel was safe.
- Standard industry practice would be utilised in order to limit the distribution of dust.

In response to questions from the Committee the Development Manager confirmed that devaluation of property was not a material consideration for the Committee to take into account.

The Principal Engineer (Highways) advised that the cycle route that joined the Green Wheel from Thorney did not join up with Eye. It was further advised that Highways England would not be happy with an entirely new access to the site. To restrict the egress to left turns only would require the erection of an obstruction in the road. It was considered that this would present a higher risk than vehicles turning right.

The Committee considered the report. The Committee were happy with the reasoning behind the proposals and considered that the conditions put forward would be sufficient to mitigate any potential impact.

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 that meant approving development proposals that accord with the development plan without delay. The application had been considered in light of the Cambridgeshire and Peterborough Minerals and Waste Development Plan, the NPPF and accompanying Planning Practice Guidance.

The principle of development was generally in accordance with policy SSP M2 of the SSP which allocated the site for sand and gravel extraction; the proposed extraction area lying beyond the allocation satisfied policies CS14, CS25 and CS26 of the Core Strategy. The proposal also included the restoration of the site through the importation of inert waste. The site was not allocated for inert fill but the proposal complied with policies CS18 and CS25 of the Core Strategy with regards to managing waste outside allocated areas due to the requirements to restore high grade agricultural land. The proposed concrete batching plant and inert recycling facilities were considered to be co-located complimentary to the quarrying and landfill activities and accorded with policies CS18 and CS41 of the Core Strategy.

An Environmental Statement, including the additional information requested and provided, 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 and considered;- With regard to soils and agriculture, the proposal was in compliance with policies CS 25 and CS38. The water environment had been assessed and the proposal was in compliance with policy CS39. The landscape character and visual impacts of the proposal were in compliance with policies CS25, CS33 and CS34. Ecology and geodiversity, including impacts on protected species and habitats, including those of both national and local designations, such as the Nene Washes SSSI, SPA SAC and Ramsar site, and the nearby Cat's Water Drain County Wildlife Site had been carefully considered and were in compliance with policies CS25, CS34 and CS5. Cultural heritage, including archaeology, the historic environment and Scheduled Monuments such as the nearby Bar Pasture Farm SM, had been assessed and were in compliance with policy CS36 and paragraph 134 of the NPPF. Issues of noise and dust had been considered and were in accordance with policy CS34. Transport, including access, highway safety

and enhancement of the Green Wheel path network, had been carefully considered and were in accordance with policies CS32 and CS37. Other specific matters, such as contaminated land, climate change and quarry design had also been considered and were in compliance with development plan policy.

Cumulative impacts with the neighbouring quarries and landfill sites at Eyebury, Willow Hall Farm and Pode Hole had also been taken into account.

Comments of consultees had been taken into account and suitable conditions attached to address any issues raised. The comments of the neighbours and other respondents, both for and against the proposals, had also been taken into account, and the positive and negative aspects of the proposal weighed in the balance. Further, given that the majority of the site was allocated for sand and gravel extraction and in all other respects the proposal as acceptable, there was no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

Chairman
1.30pm – 3.55pm