

PETERBOROUGH



MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 24 JANUARY 2017

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

Officers Present: Lee Collins, Development Management Manager
Tim Driver, Planning and Highways Lawyer
Vicky Hurrell, Principal Development Management Officer
Simon Ireland, Principal Engineer (Highways)
Jane Webb, Senior Democratic Services Officer

1. Apologies for Absence

There were no apologies for absence received.

2. Declarations of Interest

Councillor Clark, declared that in relation to agenda item 5.1 'Golden Lion, 5-7 Church Street, Stanground, Peterborough', he was Ward Councillor for the area and felt it appropriate that he did not take part in the discussions or voting thereon and therefore would leave the room for the item.

Councillor Harper, declared that in relation to agenda item 5.3 'Car Park, Hampton Court, Westwood, Peterborough', he had close relatives living nearby the site and felt it appropriate that he did not take part in the discussions or voting thereon and would therefore leave the room for the item.

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 29 November 2016

The minutes of the meeting held on 29 November 2017 were approved as a correct record.

5. Development Control and Enforcement Matters

5.1 16/01498/FUL - Golden Lion 5 - 7 Church Street, Stanground, Peterborough

The Committee was presented with an application for the demolition of an existing public house to be replaced by a ground floor retail unit and four residential flats (3 x 1-bed and 1 x 2-bed) at first floor.

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

- It was important to consider what the site could potentially be turned into without the need for planning permission as it was permitted development (the "fall-back position"). A supermarket twice the size of the current application could be opened. Officers therefore considered the application acceptable.
- Highways had objected to the new access.

- It was important to have regard to the fall-back position; the proposal represented a decrease in parking places but would be worse under the fall-back position and therefore Officers recommended approval subject to the conditions stated within the report.

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

- This application would result in a shortage of parking.
- This was the main access into the village and was not adequate for increased traffic and larger vehicles.
- Both residents and business owners had worked together to ensure the access was kept open.
- Traffic had increased to dangerous levels with 27 incidents recorded in the last 2 months.
- Residents were concerned with the air quality in the area.

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

- The site was currently unused and did not contribute to the area.
- It could be converted to retail use, larger than the proposed, without the need for planning approval. This would generate more parking, traffic and deliveries.
- The applicant was a committed local business man who wished to invest significantly into the neighbourhood.
- The site would become an attractive convenience store with flats.
- A pre-application had been submitted in September and conversations had taken place with planners which resulted in amendments being made to the application before submission.
- Highways had raised objections and therefore further amendments had been made to the delivery, access, parking and a reduction in size of the shop and dwellings. There was a fall-back position but the concerns of Highways had been addressed with amendments being made to the proposal to accommodate those concerns.

In response to questions from the Committee The Planning and Highways Lawyer advised that due regard should be given to air quality standards as these applied nationally, adding that at present and in the absence of any local planning policy on air quality these should not be considered to be a determining factor.

The Development Management Manager also clarified that:

- The Council did not have a planning policy on air quality.
- Officers considered the fall-back position and the impact this could have to be worse.
- Following changes to planning rules and guidance relating to change of use of premises as pubs to other uses the pub could be turned into a shop without planning permission and this would have a greater impact on the issues than the current application.
- The size of delivery vehicles could be controlled by a condition placed on the planning permission which would restrict the size of lorries to a 10.5m wheel base; if articulated or other larger lorries were used then the Council would be able to take enforcement action.
- The fall-back position would only allow change of use; any works to the entrances and / or exits would need planning permission.

The Committee were concerned that the PCC Transport and Engineering Services had objected to the application on the grounds of the safety and free flow of traffic on the adjoining public highway. The Highways Officer explained that they viewed the application as the demolition of a building with the construction of a new development and therefore viewed the access as being unacceptable whereas he appreciated that planning officers would view the application more holistically with regard to legislation and calculations. The Development Management Manager stated that in his opinion the correct weight had been given to the fall-back position and he assured the Committee they had not disregarded Highway's concerns but had taken them seriously. Planning Officers considered that the fall-back position should be given a lot of weight. The Highways Officer was not aware of any previous access used in the past but informed the Committee that the vehicle access proposed by the applicant was for vehicles to give way to pedestrians.

The Committee discussed the application and acknowledged the fall-back position. Concerns were raised with regard to the Highways objection and existing traffic issues that needed to be addressed; if not this application could potentially exacerbate the problems but to refuse the application could mean the potential issue of the fall-back position. Currently delivery vehicles could include articulated HGVs. This could be restricted through conditions on the planning permission but the fall-back position would not have this restriction. The Committee considered the highways safety issue in some detail, some members expressing concerns about the effect of the proposed development on the safety of road users which they considered outweighed the fall-back position..

A motion was proposed and seconded to agree that planning permission be refused, contrary to officer recommendation. The motion was carried 8 voting in favour, 2 abstaining and none voting against.

Application 16/01498/FUL – RESOLVED (8 voted in favour, 2 abstained and none voted against) that planning permission is **REFUSED** for the following reason

The proposed servicing arrangements would represent a worsening beyond the 'fall-back' position by reason of inadequate vehicle-to-pedestrian and vehicle-to-vehicle visibility, and the failure to provide turning within the curtilage of the site. This would result in vehicles manoeuvring within the public highway and exiting without adequate visibility, causing an impediment to the free flow of traffic and posing an unacceptable danger to the safety of all users of the highway network. Accordingly, the proposal is contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

5.2 16/02087/HHFUL - Forge Cottage, 10 The Green, Glington, Peterborough

The Committee was presented with an application for the demolition of an existing garage and erection of an annex.

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

Mrs Krissi Greggs, applicant, addressed the Committee in support to the application. There were no questions from Members to Mrs Greggs or to officers.

The Committee agreed that:

- There was already permission for a garage in place and this in turn could be used as a change of use.

- There had been no objections from neighbours.
- The Conservation officer had given his approval

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 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 proposals will not unacceptably harm the character of the Glinton Conservation Area, the setting of the adjacent listed St Benedict's Church or the amenity of the occupiers of neighbouring dwellings

5.3 16/02184/R4FUL - Car Park, Hampton Court, Westwood, Peterborough

Councillor Harper left the room and Councillor Serluca took the Chair for the item.

The Committee was presented with an application for the construction of 16 affordable dwellings consisting of 4 x 1 bed flats and 8 x 2 bed flats for rent and 4 x 3 bed houses for shared ownership with associated external works and parking; refurbishment and alterations to Hampton Court shopping area; and proposed new parking area.

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

- Considerable weight should be given to the Principle of Development.
- 42 parking spaces would be provided which was in excess of current demand.
- There would be a loss of open space of 665sq m which was not well used and did not contain play equipment and therefore was considered to be outweighed by the benefit of regeneration.
- The proposal seeks to use permeable materials in all parking and access/driveway areas.

Councillor Murphy, Ward Councillor, addressed the Committee in objection of the application. In summary the key points highlighted included:

- Loss of parking spaces will exacerbate parking on green banks; losing a whole car park was inappropriate
- There were already significant traffic problems due to the expansion of the local school.
- Consultation to introducing resident only parking was currently being undertaken.
- The green space was very valuable and should not be turned into a car park but should be retained as it was used for picnicing and contained old people's exercise equipment.
- The development was too intense and too high.
- The Landscaping Officer had also objected

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

- Loss of parking may result in loss of shops and encourage parking issues. Mr Wood believed that residents would not use the new car park behind the shops, they would park on the road instead.
- Stafford Hall had previously applied for an extension but was declined due to the encroachment into green open space.
- The land was not considered suitable for the filtering of rain water and water butts were not suitable as there were no gardens.
- The build of two proposed houses would substantially reduce nature light to others.
- The proposed 1.8m wall would not be in keeping with the intended open plan area.

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

- The current car park had served the community well for 50 years and allowed the shops to be sustainable.
- This would affect Ravesnthorpe residents as they have no bus route and walk to Hampton Court to the buses.
- Charlie Swift had referred to the car park 50 years ago as 'the jewel in the crown' of the estate as it was well used; drop off and pick via taxis and coaches.
- The big loss of green space was unacceptable when considering the whole estate.

In response to questions from the Committee the Development Management Manager clarified that:

- Residents would learn where the new car parking spaces were located as it was a local centre used by local residents who knew the area therefore this was not a negative issue.
- The car park area was a former airfield with no record of any major archaeological finds. The Council were not aware of a network of tunnels and this had not been raised in the consultation. There would be a condition proposed to the watching of progress on the site.
- The car park would take away 665sq m of open space but the proposed concourse area would be approximately 1000sq m.
- The report stated that the site, as well as the adjacent Community Centre and Health Centre were allocated under the Peterborough Site Allocations DPD for comprehensive redevelopment. Therefore this site was already allocated within the Local Plan for comprehensive development and the scheme both complied and fitted with the Local Plan and was in accordance with current policy.

The Committee discussed the application, in summary the key points raised were:

- The site was already allocated within the Local plan and has been agreed after general consultation, therefore the Committee would find it difficult to refuse.
- Members were aware of the objections but thought these were more a fear of change.
- There would be a loss of green space annexing the shops but there were other vast open spaces and therefore the loss was considered relatively small and would not have an impact.

- This was a worthwhile scheme that would bring much needed high quality affordable housing to the area.
- The car park in its current form was considered an eye sore, was under used and could only be improved by development but this particular green space would be a loss as it had its own specific use and once take away would be gone forever. Members had a duty to protect green areas for future generations as they were valuable no matter how small.
- There was a need for more affordable housing in Peterborough, there was a large park with other green areas and the drainage issues had been addressed.
- Concerns were raised regarding parking on the proposed site as it was felt that residents would not utilise the new arrangements and therefore should be redesigned.
- Cross Keys would improve the area as both the car park and centre was extremely tired therefore the loss of a small green space was outweighed by an increase in affordable housing that was desperately needed.
- Some Members considered that the proposal to use all the site for housing and not parking was a mistake and therefore housing should be reduced and parking increased.
- It was agreed that the loss of green space was regrettable but the whole area was in need of redevelopment, it was heavily used and a very valuable asset to the community and this would be retained.

A motion was proposed and seconded to agree that planning permission be granted, as per officer recommendation. The motion was carried 5 voting in favour, 3 voting against and 1 abstaining.

Application 16/02184/R4FUL – RESOLVED (5 voted in favour, 2 against and 1 abstained) that planning permission is **GRANTED**.

Reasons for the decision:

It was considered that the application be granted subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the proposal would represent redevelopment of the Local Centre to provide new housing, whilst retaining shopping and community facilities, in accordance with the vision for the site allocation as set out in Policy SA3.45 of the Peterborough Site Allocations DPD (2012);
- the proposal would provide much needed affordable housing to the benefit of the wider community, in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011);
- whilst the proposed replacement car park and 'bring' site would result in the loss of designated Public Open Space, within an area which is presently deficient, it is considered that this POS is not high quality and does not afford usable play space which is where the deficiency lies. Accordingly, it is considered that this limited harm is outweighed by the significant benefit from providing affordable housing and securing regeneration of the Local Centre;
- the proposal would secure the re-provision of the existing community 'bring' (recycling) point, in accordance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011);
- the proposal would not result in unacceptable 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);

- adequate parking provision would be made for the proposed housing and existing Local Centre (including community facilities) so as to not result in an undue impact to the surrounding public highway network, 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 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 make adequate provision for surface water drainage so as to not result in increased flood risk elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011);
- the proposed car park and relocated 'bring' site would not pose an unacceptable danger to users of the adjacent play area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011);
- the proposed dwellings would provide an adequate level of amenity for future occupiers, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- the proposal would not result in harm to potential undiscovered buried heritage assets, in accordance with paragraph 128 of 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).

5.4 6/02191/HHFUL - 195 Broadway, Peterborough, PE1 4DS

The Committee was presented with an application for the demolition of an attached single garage and erection of two storey side extension.

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

In response to questions from the Committee the Development Management Manager clarified that:

- The manoeuvring of cars in the rear garden had been considered, it was unusual but there were already existing arrangements in place.
- The objection received had not been from an immediate neighbour and had asked for conditions not a refusal but this was not considered because of the historical arrangements.
- Highways would be relied on for addressing the issue of mud.

The Committee discussed the application and agreed the application was an innocuous addition and manoeuvring would not be an issue as this already took place.

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 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 proposal will not unacceptably harm the character of the Park Conservation Area, setting of a locally listed building or the amenity of the occupiers of neighbouring dwellings; in accordance with policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and policies PP2, PP3, PP12 and PP17 of the Peterborough Planning Policies (DPD) 2012 and Section 73 of the Town and Country Planning Act (Conservation Areas).

Chairman
1.30pm – 4:05pm