

PETERBOROUGH



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING**

**HELD AT 1:30PM, ON
TUESDAY, 27 NOVEMBER 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Jamil, Martin, Hiller, Rush, Stokes, Bond and Serluca

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Simon Ireland, PCC Highways

Others Present:

29. APOLOGIES FOR ABSENCE

There were apologies for absence received from Councillor Shaz Nawaz. Councillor Jamil attended as substitute.

30. DECLARATIONS OF INTEREST

Councillor Hiller declared a non-pecuniary interest in item 4.1 by virtue of having several meetings with the developers of North Westgate, but had no-predetermination with regards to the application being put forward.

Councillor Jamil declared an interest in item 4.1 by virtue of being a Ward Councillor, however he had not been pre-determined.

31. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

There were no representations to make declarations as Ward Councillor.

The Committee agreed to alter the running order of the agenda and hear item 4.4 of the agenda first.

32.1 18/01758/FUL - EYE POST OFFICE, 30 HIGH STREET, EYE, PETERBOROUGH

The Planning and Environmental Protection Committee received a report in relation to a proposal for the installation of metal security shutters, painted white. These would cover the two windows and door on the principle elevation facing the High Street.

In correlation with the dimensions for the two windows, the shutters measure 1.7m x 2.5m. The shutters for the door measure 2.5m x 1m.

The Head of Planning introduced the item and highlighted key information from the report and the update report. Members were made aware that the application was in

a Conservation area and was deemed inappropriate in this context. There had been five incidents in the past four years with regards to the property being broken into. Of these incidents only three were through the doors where the shutters were placed. In addition a letter of support had been received from Eye Parish Council.

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

- There was support for the the protection of Conservation areas, however the guidelines were too rigid and did not allow for any flexibility.
- The shutters were well designed and and would not be detrimental to the local area.
- Eye village had seen an increase in Anti-Social Behaviour of the past few years. It was the right of the business owners to protect their property. It was essential that the residents of Eye had a fully functioning Post Office service.
- The proposal to have internal shutters were not practical. They would be a nuisance and not viable to the building structure.
- The shutters in place would be hidden from 7am to 6pm Monday to Saturday and for an hour between 12pm - 1pm on a Sunday. Therefore during the day the shutters would not be visible.
- The Parish Council and local community valued the facility and understood the value of the service to the community.
- There were similar shutters in front of other premises on the High Street. These were more detrimental to the street scene than the ones in the current proposal.

Mr Patel and Chris Collier, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The owners decided that after the last break in more security was needed. Police were unable to assist with enquiries as to who the perpetrators were.
- The business had suffered as a result of this. Post Office head office were keen for the business to have shutters to secure the building.
- The applicants did not realise that planning permission was needed to put shutters up as they had been informed by the company installing the shutters that no permission was needed.
- Other buildings in the village had shutters in place which prevented incidents taking place at those premises.
- No complaints had been received by owners from local community.
- There had been no break-ins since the shutters had been installed.
- Installed shutters as these were recommendations from the Post Office. They seemed appropriate for the building and did not impact the local scene.
- They were in keeping with the local scene. Understand that should have asked for planning permission.
- This was part of the local community and don't want to see any further shops or businesses close. This was a vital service for the elderly residents of the village.
- If closes then the nearest post office would be in Thorney.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- |In terms of crime figures and the standard applied, this was about the typical crime figures the Police saw in similar high streets. It was stressed that out of the five incidents only three had been committed using the doors where the shutters were placed.
- It was important to understand that as a business five incidents in four years was still too high.
- The rules around building in the Conservation area needed to be upheld, however more flexibility needed to be shown in certain circumstances.
- The shutters were not unattractive and blended into the area well.
- The owners had been in business for 25 years, suffered crime and they were doing everything they could to prevent crime from happening.
- Parish Council are supportive of what trying to achieve in this application.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officer recommendation and to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

32.2 18/01374/OUT - NORTH WESTGATE DEVELOPMENT AREA, WESTGATE, PETERBOROUGH

The Planning and Environmental Protection Committee received a report in relation to outline planning permission sought for a mixed use scheme of up to 57,000sqm to include:-

- Restaurants and cafes (class A3)
- Retail units (Classes A1 and A2)
- A Foodhall (Classes A1, A3, A4 and A5)
- Office space (Class B1a)
- A hotel (Class C1)
- Residential (Class C3)
- Non-residential institutions (Class D1)
- Leisure (Class D2)
- Car parking, new access arrangements for vehicles, pedestrians and cyclists, public realm improvements and landscaping.

Under this outline planning application all matters, with the exception of access, are reserved for future applications and consideration. Therefore Members are being asked to consider the principle of the proposed development, the acceptability of the masterplan principles and the key parameters within the Parameter Plans e.g. maximum floorspace, building heights, block locations etc. An illustrative masterplan has also been submitted to help illustrate one possible way the site could be

redeveloped. It also shows a potential layout of how the two excluded parcels of land might also be redeveloped in future. This is to demonstrate that redevelopment of the current application could be achieved without prejudicing the comprehensive redevelopment of the wider Opportunity area. The Council's aspiration would be for the 2 excluded parcels of land to also be redeveloped in future, to give cohesive regeneration to this part of the city centre. The access and highway works have been submitted for approval under this outline application and are not reserved for consideration in future.

The proposed development will involve the demolition of all buildings on the application site, except former Westgate Church building, the Brewery Tap, 16-18 Lincoln Rd (in part), 30-36 Lincoln Rd and Lincoln Court. It will also include the stopping up and diversion of some highways within the site, along with the creation of new streets and highway works. The highway works include the stopping up of Deacon Street and Cromwell Road, and restricting the movement of cars on Westgate between Lincoln Road and Bourges Boulevard.

The applicant will seek to acquire the sites not currently within their ownership, within the submitted Phase 1 red line application site boundary, to deliver the development, but Compulsory Purchase may need to be considered should agreement not be reached with existing landowners.

The Head of Planning introduced the report and update report. The Committee were informed that a number of roads would be demolished to make way for the development. The applicants were keen to establish active frontage usage to make the area more attractive to businesses and people looking to buy residential space. The buildings at the back of the Church were to be demolished, however those occupants would get the opportunity to keep a presence in the new development. The application resulted in the loss of 310 car parking spaces, however these would be replaced with car parking schemes around the site. In terms of CIL and S106 only part to CIL was if there were any supermarkets proposed. In terms of S106 this would be in relation to affordable housing. A viability report had been produced and the conclusions were relatively weak for the scheme and it would be unreasonable on that basis to seek S106.

Reverend Lesley Mosley addressed the Committee and responded to questions from Members. In summary the key points highlighted included

- The Church site had been present in westgate since the middle of the 18th century and had taken central role in providing community services.
- While waiting for the development to happen things had diminished. The Church needed to sell the building and with the proceeds purchased various buildings to provide a community service. These were now providing a valuable community resource.
- In addition to community resource there were a number of other organisations using the premises including the Peterborough Association for the Blind and the local disability forum to name a few.
- There were close links being created with the As well as Church committee (four in total) also have peterborough association for the blind which are run from the premises as well as disability forum.

- The older population were also catered for in the premises being used. It was important to note that the facility had easy access which enabled large parts of the community to take advantage of the premises and services being offered. In addition it was noted that a number of people from the Muslim community also used the services.
- There had been discussions over the offering of alternative premises on Lincoln Road by the developers, however it was unlikely that these premises would be easily accessible.
- The Church premises themselves were not user friendly and a number of repairs would need to be completed for it to be re-used for the wider community.

Craig O'Brien and Peter Breach, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The work the Church carried out was valuable to the local community. The applicants were willing to work with the Church to try and find suitable alternative accommodation.
- The scheme was going to place the Church at the centre of the development along with a central piazza area. Surrounding this would be high grade offices near the city centre and train station. In addition there would be a number of high quality residential blocks appealing to professionals who worked in London.
- The scheme was viable and deliverable. A lot of work over the last two decades had gone into developing North Westgate.
- Savills had an excellent track record on delivering planning on sites such as this. They had full confidence in the scheme. It was important that the Council was fully supportive of the application and scheme.
- The site had been allocated for development since 1971 and remains part of the local plan and needed to be developed.
- There had been objections raised by internal or statutory bodies to the scheme.
- A number of jobs would be created during the construction phase and after when the buildings were let.
- A new public square would be created and be used by local residents and businesses.
- There were a few options that could be considered in terms of assisting the Church to relocate. Assurance was given that communication would be kept open between all parties.
- Church takes centre place of the application and creation of piazza and walkway is important and want to create an area of place to the application.
- In terms of community assets, there was planned a health centre. It was important that the types of accommodation created attracted professionals who would most likely use the station to commute to London.
- In terms of the flow between Queensgate and North Westgate this was to be decided and looked upon nearer the final stages of planning.
- Major investors would be interested in the site once it comes to the next stage of planning. Funding for this is not likely to be an issue.

The Planning and Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- This was not a new proposal, this had been part of the local masterplan for many years.
- The area was in desperate need of regenerating. This proposed scheme would deliver the vision of the city and help with the regeneration of the local area.
- This would play an important role in being a new gateway into the city.
- It was important that communication with the Church was kept open and that viable alternatives were looked into.

At this point Councillor Brown left the room.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (unanimous) to **GRANT** the planning permission.

REASON FOR THE DECISION:

Subject to the imposition of the attached conditions, the proposal is 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 are considered to be acceptable on this city centre site. This is in accordance with Policy CC3 of the City Centre DPD, Policy CS4 of the Core Strategy and Policies LP46 and LP6 of the emerging Local Plan.
- The masterplan principles identified, and maximum and minimum limits of deviation shown in the Parameter plans are considered to be acceptable, to form the basis of any future reserved matters applications.
- The proposed access arrangements, parking and traffic impacts are considered to be acceptable. There are no highway safety concerns with the development proposed. The development is therefore considered to be in accordance with Policy PP12 of the Planning Policies DPD and LP13 of the emerging Local Plan.
- 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 is outweighed by the economic, social and environmental benefits of the scheme. This is in accordance with Policies CS17 of the Core Strategy, Policy PP17 of the Planning Policies DPD, and LP19 of the emerging Local Plan.
- Issues of impact on trees, ecology, archaeology, contamination and flood risk have all be considered and have not been found to be such that the development is inappropriate. The limited impacts can be mitigated by the use of planning conditions. The development is therefore considered to be in accordance with Policies PP16, PP17, and PP20 of the Planning Policies DPD, Policies CS17, CS21 and CS22 of the Core Strategy and Policies LP28, LP29, LP32, and LP33 of the emerging Local Plan.

At this point Councillor Brown returned to the meeting

32.3 18/01436/HHFUL - 7 LATHAM AVENUE, ORTON LONGUEVILLE, PETERBOROUGH, PE2 7AD

The Planning and Environmental Protection Committee received a report in relation to Permission is sought for the construction of a two storey extension to the rear of the dwelling, along with alterations to the existing dwellinghouse:

i) Two storey extension - The existing rear conservatory and pitched-roof extension, together measuring 5 metres in depth, would be demolished. The proposed two storey extension would have an overall depth of 7.2 metres from the original rear elevation of the dwellinghouse. The extension would measure approximately 5.7 metres in width. The roof to this extension would be hipped, with the ridge line proposed to measure 5.9 metres from ground level and the eaves to be 4.4 metres high above ground level. Four rooflights would be installed onto this elevation, with three rooflights proposed to the north-facing roof elevation and one rooflight to the south-facing elevation.

ii) Alterations - To the existing front facing dormer, the central double-hung window would be replaced with two top-hung windows and the adjacent panel to the front door would be replaced. The internal wall separating the existing living and dining room would be removed to allow a larger living room, amongst over layout changes.

The Head of Planning introduced the report and update report. The proposal removed the lean-to conservatory and raised the roof and extended outwards. Members could grant authority to seek an amended plan to change the juliette window.

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

- Not adverse of people extending their property, but in this instance the extension being proposed was too large.
- This was the only two storey property in the street and it already stuck out compared to the other properties.
- Properties in the area had not seen any changes to the landscape for many years. This was a major change which would impact the local residents.
- The original drawings were refused planning permission. A recommendation was suggested from the planning department for the extension to be reduced by 1.5m and roof by 0.5m, neither of the plans had done this. In essence the plans had only been reduced by 1m and 0.3m.
- The development would have a detrimental impact on the local area. This was going to be the largest property in the cul de sac.
- In terms of consultations, no letters had been received in support and two were against the proposal.
- 60% of the neighbours garden would be overlooked, creating an invasion in privacy.
- Had the applicant agreed to the original recommendations then the proposal might have been more acceptable. The juliette window at the front of the property was unacceptable.

Mr and Mrs Reed addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The reason for building the extension was to create a family home. The property needed renovating and therefore required development.
- The windows at the rear were 4.7metres away from the boundary of the neighbours property and wer considered sufficient by planning officers.
- There was no evidence to support that neighbouring properties would be devalued due to the extension.
- The building was already different to neighbouring properties in the street and therefore would not impact any further the street scene.
- The juliette window was orientated to the rear of the property and was positioned so that the impact to the neighbours to the rear was minimal.
- Recommendations from the planning officers had been adhered to. The plans had changed from the original set and the depth and height of the plans had been reduced significantly.
- A good rapport with the neighbours had been built up over the years and had contributed actively to the local community.
- It was stressed that the juliette windows were angled away from neighbouring properties and would not impact the neighbours dramatically.

The Planning and Environment Protection Committee debated the report and in summary, key points raised and responses to questions included:

- It was suggested that the reduction in the size of the juliette windows might make the application more acceptable.
- The Committee were informed that a dormer window in the roof line of the development would not need any planning permission and would still overlook the neighbouring properties.
- There concerns raised over the juliette window especially as this would overlook the neighbouring properties.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officer recommendation and to **REFUSE** the application. The Committee **RESOLVED** (6 For, 4 Against and 1 Abstention) to **REFUSE** the planning permission subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

The proposed development has a juliette style window on the rear elevation. This will give rise to an unacceptable level of overlooking and loss of privacy to the rear garden area of 8 Latham Ave. The proposal is therefore contrary to Local Plan Policy PP3 of the Peterborough Planning Policies DPD 2012.

The Planning and Environmental Protection Committee received a report in relation to a change the use of the building from a 6 bedroom HMO (C4) to a 7 bedroom Hotel (C1). It is proposed to access the site from the adjacent access of 241 Eastfield Road, which gives access to the parking area to the rear, which exits to Briar Way

The Head of Planning introduced the report and update report.

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

- There were objections to the proposals, especially as these were in conjunction with neighbouring properties. The guesthouse had been extended over the years and was now growing at a rapid rate.
- This property was providing accommodation to a number of homeless residents.
- This had caused a number of anti-social behaviour issues around the local area. Members of the local community had raised a number of objections to the proposals.
- Previous applications had been refused by officers, however these had then been overturned by the planning inspector.
- Even though there were businesses in the area, most of the buildings were used for residential purposes.
- The applicant was receiving large sums of money from the Council to provide provision of temporary accommodation.
- The community was close knit and this was being put in danger by the application. Although the house was currently a HMO the plans would increase the number of potential residents.
- There were concerns that a number of further applications would come forward to increase the number of units for temporary accommodation.
- People from the current property were climbing over the fence and had been verbally insulting towards local residents.
- There had been noticeably higher levels of anti-social behaviour over the past few years due this development.
- There was to be a loss of green space due to this development, including row of trees that would have to be taken down.

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

- Endorse this recommendation, this was to change the use only of the building. The application does not affect the character of the local area.
- The planning inspector in October 2018 overturned a refusal for a similar development and application. There was a high demand in Peterborough for temporary accommodation. There was no evidence to suggest that anti-social behaviour was down to the residents of the building.
- The applicant had a number of CCTV's in place which the police could access. There were strict rules on occupancy and the applicant was within his rights to remove any residents that were troublesome.
- No complaints had been made by the Council over the use of the property or on any issues relating to behaviour.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The one way system around the application would make it easier for cars to come in and out of the parking area. The parking provision allowed for vehicles to be able to turn around in the car park to leave by the exit.
- There were to be no alterations to the existing building.
- The planning inspector had already overturned a previous refusal making it more difficult to refuse the application in front of Committee.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (5 for, 4 against, 2 abstentions) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

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 will not unacceptably harm the character of the area, the amenity of the occupiers of neighbouring dwellings or highway safety; in accordance with policy CS14 and CS16 of the Peterborough Core Strategy (DPD) 2011, policies PP2, PP12 and PP13 and policy LP13 and LP16 of the Peterborough Local Plan (Submission).

Chairman
1.30pm – 4.30pm