

PETERBOROUGH



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

**HELD AT 1:30PM, ON
TUESDAY, 18 DECEMBER 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Officers Present: Lee Collins, Development Management Manager
Amanda McSherry, Principal Development Team Manager
Karen Dunleavy, Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Mick Freeman, Section 106 Officer

33. APOLOGIES FOR ABSENCE

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

34. DECLARATIONS OF INTEREST

Members declared that they had received a number of letters in objection to the application, however, had not responded to the objectors and would not be predetermined when the application was being considered.

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

Councillor Serluca declared an intention to speak as Ward Councillor in relation to agenda item 5.1 18/00469/FUL - BRITISH SUGAR OUNDLE ROAD WOODSTON PETERBOROUGH.

**36. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING HELD ON DATE**

The minutes of the meeting held on 6 November were agreed as a true and accurate record subject to the inclusion of Cllr's Hiller declaration of interests appearing in the Declarations of Interests section of the minutes.

The minutes of the meeting held on 27 November were agreed as a true and accurate record.

At this point Councillor Serluca stood down from the Committee for the following item due to an interest declared to speak as Ward Councillor.

37. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

**37.1 18/00469/FUL - BRITISH SUGAR OUNDLE ROAD WOODSTON
PETERBOROUGH.**

The Planning and Environmental Protection Committee received a report in relation to a hybrid planning application which sought full planning permission for the demolition of the existing buildings on site, and redevelopment of the site to provide a new foodstore (Class A1), with associated car parking and landscaping on part of the site (Phase 1); and Outline planning permission on the remaining part of the site (approx. 1.57 hectares) for up to 74 new residential units, with all matters reserved, apart from access (Phase 2).

The Head of Planning and Principal Development Team Manager introduced the item and highlighted key information from the report and the update report. The update report included drainage objection overcome by conditions, tree officer conditions, eight letters of objections and the renumbering and corrections to some of the conditions specifically to make it clear that the store would become a Lidl and instead of an A1 open retail foodstore and an update to the demolition and construction management plan.

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

- The planning application had caused a high level of local resident concern and was an unwanted development.
- Peterborough needed high quality office space to attract new businesses. There had been no evidence to substantiate the loss of employment use.
- A food store would attract low paid jobs for the City when it is in need of higher skilled office jobs.
- Many office spaces were being demolished in the City or converted into apartments.
- There were limited places available in the City to accommodate the inward investment it needed.
- It was felt that opportunity Peterborough would not support this development scheme.
- It was expected that there should have been discussions held about freehold and leasehold prices in respect to the change of land use.
- Residents were rightly concerned about the impact of traffic, should the development be approved.
- The store would be open seven days a week and would attract a regular stream of traffic, which offered no respite for local residents.
- The local retail centre was planned as an integral part of the community for residents and a Lidl store would decimate trade for the centre and for surrounding stores.
- Suggestions had been made about whether the Lidl store would be better accommodated in the recently failing Orton Centre.
- The development scheme was about money only and had not taken into account the harm it would pose to the local area and the community.
- Ward Councillors had received many complaints about the existing vehicle use in the area.
- The road entrance to the site was a single carriageway and this had always created traffic issues especially around school times and rush hour. The single entrance to the site had originally been designed that way through planning application, in order to encourage a decrease of car use. The single

junction plan had not succeeded to reduce traffic and had seen many properties designated as houses of multiple occupation, therefore, car use had increased in size. As a result, emergency vehicles had struggled to gain access to the area.

- There would be a provision of 145 car parking spaces made at the Lidl store.
- The parking in the area available at Budgens shopping area was already at full capacity on a daily basis. The parking situation at the Anglia Ruskins Centre (ARC) was a third full, with students parking in the streets, which had caused congestion in the area. This was due to the parking fee applicable at ARC.
- There were road delays on Bourges Boulevard, Shrewsbury Road and Botolph Green traffic light areas which had also created a traffic impact in the area. The traffic issues would increase if the development was to be approved.
- The development had not allow for a second access, which the area desperately needed due to historic traffic issues.
- The consultation process had shown that there was a 95.5% opposition of the development and this should be given merit by the Committee.
- The development density was far higher than Officers had suggested, which was felt to be detrimental to the future residents of the area.
- The Arap building was an award winning heritage building. When it was shown to Members of the Committee during the site visit, it had not been repaired, this in turn had given the appearance of an old derelict building.
- The proposed replacement building would be of a standard design and it was suggested that the developer could consider converting the existing Arap building rather than demolishing it.
- Objecting Members would be in more support if the site was to be developed into all residential dwellings. The objection was to the extra retail and car parking it could attract.
- The loss of heritage buildings was very negative for Peterborough.

Jenny Miller local resident and David Turnock Peterborough Civic Society addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There would be a detrimental impact from the increase in traffic movement if the Lidl store application was approved.
- Issues would be experienced with emergency access to the area.
- Schools and houses close to the site could be at risk if emergency vehicles were not able gain access due to the single road layout near the proposed store site.
- There were only five award winning modern heritage buildings left in the City compared to Cambridge that had 50, and to lose one of Peterborough's heritage buildings would be unwise.
- It was understood that the applicant had been invited to create a design which retained the glass box appearance for the new Lidl store.
- It was felt that the introduction of CS17 to preserve historic environment which included non-heritage assets, should be encouraged with the applicant.
- The Civic Society's objection in the main was about losing the facade of the existing Arab building and not necessarily what it was to be developed into or the increase in traffic it may invite.

Richard Hutson, the Applicant addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The hybrid planning application would demolish the existing Arup building and replace it with a supermarket, parking and up to 74 dwellings.
- The full application had related to the western sector of the site to build a Lidl's food store.
- The proposed Lidl food store would be an extension to the Valley Park retail centre in the area, which was adjacent to the site.
- The current Arup building was not fit for refurbishment to accommodate the Lidl store, associated parking and landscaping.
- The British Sugar building was constructed in the 1950s and staff had relocated to Signet Park.
- The store proposals had been in line with Lidl's current specification to provide customers with a local supermarket, which would provide a benefit to the local area. The development was intended to enhance the existing Valley Park Centre, and in addition provide much need parking, boost the economy and increase residential dwellings, which was inline with Peterborough's planning policy.
- The mixed use scheme was felt to be a more appropriate use of land for the local community and would complement other services in the area.
- The development could be included in the Authority's windfall housing allowance and would contribute to the five year housing supply.
- The development would help to contribute to the Authority's much needed 30% affordable housing supply.
- The Section 106 provision would amount to £103k.
- There had been no statutory consultation objection made against the proposed development scheme.
- The existing Arup building was not listed nor had it been located within a conservation area.
- The Arup building was a non designated heritage asset.
- There were no other end users that could use the building in its current state, as it would be too costly to convert into modern offices.
- It would be costly to convert the Arup building into a Lidl store.
- The harm caused by the Arup building loss would be outweighed by the proposed development for dwellings, a supermarket and parking.
- The proposal would not present any pressure on existing services.
- There had been no CIL contribution on offer as this had been offset by the viability costs of the scheme. The viability appraisal had demonstrated that there would be significant costs involved to make improvements to the site, which included demolition of the Arup building and other mitigation costs.

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

- Where there was an existing building on a development site, the demolition costs would be offset against a CIL contribution, which was why CIL had not been applicable for this application.
- Members understood that the affordable housing allocation offered by the applicant was 15% and that a further 15% would be provided through a

Combined Authority contribution. Members requested to be provided with the financial viability appraisal which had concluded the amount of affordable housing allocation applicable for the applicant.

EXCLUSION OF PRESS AND PUBLIC

2:25pm At this point the Planning and Environment Protection Committee **AGREED** to move into closed session and exclude the press and public. This was because the information to be considered was not for public disclosure and was **EXEMPT** in accordance with paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972, in that it contained information relating to commercially sensitive issues, namely the section 106 viability appraisal costs.

The public interest test had been applied to the information contained within the exempt information and it was considered that the need to retain the information as exempt outweighed the public interest in disclosing it.

3:00pm At this point the Committee returned to open session and took a 10 minute break.

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

- Officers advised that the road entrance to the site was of a standard size compared to other areas in the City where the roads were narrower. There had been no major concerns in relation emergency vehicle access to the development site, however, there had been an issue with Warff Road near to the site and this could be assessed in the future if it was considered to be an issue.
- The viability report in relation to other retail stores near to the site and the impact on the existing Budgens had not included stores such as Tescos and the Cooperative stores as these were out of centre sites.
- The latest retail assessment report had been produced in 2016, which was used to evaluate the cumulative impact on Budgens. There would be an element of link trips from the proposed Lidl and other nearby stores that would balance out any adverse retail impact to the Budgens store and for that reason, officers had concluded that there would be no serious adverse loss of trade impact.
- Officers had concluded that the outline application considered for the development site had demonstrated that some of the properties proposed were too close to the boundary of the north of the site. This could present an overshadow impact on neighbouring properties, however, the layout of the site would be considered at a later date.
- As CIL contributions were not applicable to the site, the impact on schools would not be considered. If the development was significantly larger, then school impact would be considered.
- The the parking space numbers had accommodated the standard number permissible for a development of this size. The parking spaces for the proposed Lidl store were of a larger size compared to the minimum requirements.

- The signalised junction into the site had been found to be satisfactory by Officers.
- The proposed development would attract less traffic than office use.
- If an increase in housing allocation was made for the proposed site this would generate increased traffic and would conflict with school traffic.
- Members felt that the level of affordable houses offered had not seemed acceptable and there should be no reason why the applicant could not meet the Authority's minimum level of 30%.
- Members had no concerns about the development of a Lidl's store and housing for the site.
- It had seemed unacceptable to Members that there would be no CIL contribution applied to the applicant.
- Some Members felt that an alternative store option in the area within walking distance could benefit the area.
- The award winning Arup building was in a state of disrepair and a refurbishment proposal to convert it to modern standards would be difficult to justify.
- Some Members felt that there may be an adverse retail impact on the local Valley Park retail centre and Budgens. There had also been concerns raised in the Officer report, however, it had met all planning policy criteria and retail competition was not a planning matter.
- There were no improvements to the bus stop proposed however, s106 would be used on site improvements.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officers recommendation and **REFUSE** the application. The Committee **RESOLVED** (9 For and 1 Abstention) to **REFUSE** the planning permission.

REASONS

The proposed on site provision of 15% of affordable housing was not considered to be sufficient and fell unacceptably below the 30% policy requirement for a development of this size. The proposal was therefore contrary to Policy CS8 of the Core Strategy and LP08 of the emerging Peterborough Local Plan (Submission).

Chairman
1:30pm - 3:46pm