

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

**HELD AT 1:30PM, ON
TUESDAY, 26 NOVEMBER 2019
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Jones, Hiller, Hussain, Rush, Hogg, Bond and Warren

Officers Present: Nick Harding, Head of Planning Peterborough and Fenland
Nick Greaves, Principal Engineer
Karen Dunleavy, Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Alan Jones, Senior Officer Minerals and Waste

Others Present:

32. APOLOGIES FOR ABSENCE

There were no apologies for absence.

33. DECLARATIONS OF INTEREST

Councillors Amjad Iqbal and Mahboob Hussian highlighted that agenda item 4.3 19/00725/FUL - St Joseph's Catholic Church, Gladstone Street, Millfield, Peterborough was within their ward and they would not be predetermined when reaching a decision.

Councillor Dennis Jones highlighted that agenda item that agenda item 4.1 18/02196/Mmful - Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough was within his ward and he would not be predetermined when reaching a decision.

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

There were no declarations of intention to make representation as Ward Councillor.

35. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

**35.1 18/02196/MMFUL - DOGSTHORPE LANDFILL SITE, WELLAND ROAD,
DOGSTHORPE, PETERBOROUGH**

The Committee received a report in relation to permission being sought for the dewatering of the lagoon at the eastern end of the landfill site, and the infill of approximately 375,000 cubic metres of construction, demolition and excavation waste, over a six year period, with restoration to an agricultural grassland area, and implementation of a modified surface water management system which served the wider landfill site.

The construction of the void was expected to generate approximately 12,000 cubic metres of material, to be stockpiled in a suitable location on the wider site before used for restoration purposes.

The infill works were proposed to take place within the previously approved operational hours for the landfill site 6:00am to 6:00pm Mondays to Saturdays and 8:00am to 12:00pm (noon) Sundays, Bank and Public Holidays and would involve an estimated 25 deliveries per day around 50 Heavy Goods Vehicle movements to and from the site.

The proposed restoration scheme had been amended to include conservation grassland to the margins of the agricultural grassland and waterbody, with a hedgerow proposed along the western edge of the proposed landform to delineate the grassland areas.

The proposal was EIA development, under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations and was accompanied by an Environmental Statement.

The Environmental Statement had been presented in such a way as to account for the proposed changes (since permitted) to the landfill, including the additional time for the completion of restoration and the amended restoration scheme for the wider site.

The Senior Officer Minerals and Waste introduced the item and highlighted key information from the report and the update report.

Mr Hoyle, the Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The benefits of the proposal were that it would provide needed land and capacity within the landfill site.
- The proposal would deliver improvements to the existing surface water management systems, rather than being pumped.
- The proposal was a more diverse restoration scheme to enable priority habitats.
- The proposal met the relevant regulations in terms of odour, and this would continue to be reviewed and controlled by the Environment Agency.
- The proposal was a sustainable development.

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

- Members were satisfied that the proposal was a positive improvement for the site and the area had not been best served in its current state.
- Members felt that the proposal was good for the City.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application.

The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to the imposition of the relevant conditions delegated to officers.

REASON FOR THE DECISION:

- The National Planning Policy Framework (NPPF) stated that there was a presumption in favour of sustainable development - in terms of decision taking this meant approving development proposals that accorded 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, and the National Planning Policy for Waste.
- The site was not allocated for inert fill but the proposal complied with policies CS14 and CS15 of the Core Strategy with regards the provision and location of waste management, and due to the limited availability of inert fill capacity coming forward at the strategic Block Fen / Langwood Fen allocated site (policy CS20) it was accepted that there may be a requirement to divert infill in the plan area to other available sites. The use of catchment restrictions ensured the proposal accorded with policy CS29.
- An Environmental Statement accompanied the application which was considered to be comprehensive and met the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2017. Detailed topic areas had been assessed and considered:- noise, dust and air quality impacts had been considered and were in accordance with policy CS34. Highway and traffic issues, including safety of all road users in the vicinity of the site, had been considered and was in compliance with policy CS32. With regards to landscape and visual impacts, the proposal was in compliance with policies CS24, CS33 and CS24. The impact on water resources and the water environment had been assessed and the proposal was in compliance with policy CS39. The impacts on ecology, site restoration and provision of biodiversity enhancements had also been considered and the proposal was in compliance with policies CS25, CS34 and CS35.
- Cumulative impacts with the ongoing restoration works at the adjacent Dogsthorpe landfill site had also been taken into account.
- Comments of consultees and representations had been taken into account and suitable conditions attached to address any issues raised and in all other respects the proposal was acceptable. As such, there was no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

35.2 19/01212/WCPP - THE BLUE BELL, 10 HIGH STREET, GLINTON, PETERBOROUGH

The Committee received a report in relation to permission sought to vary condition six of planning permission reference 17/01167/FUL. This permission granted was for an outdoor dining area comprising of Jumbrella with seating, with an extension of the hard surface serving the existing patio area. Timber posts, 'square arches', lighting, screens partially enclosed a dining area and finally acoustic fencing were also approved, with the removal of the willow tree along with additional landscaping also accepted. The proposed variation sought to allow the extended hours granted

temporary consent 9:00am to 11:00pm to be made permanent. For the avoidance of doubt, the approved condition was as follows: For a temporary period up to the 30 November 2018, the development hereby permitted should not be open for use by patrons of the Bluebell Public House or members of the public outside the hours of 9:00am and 11:00pm on any day. Thereafter, the development hereby permitted should not be open for use by patrons of the Bluebell Public House or members of the public outside the hours of 9:00am and 9:00pm on any day. Reason: To allow the extended hours to be tested to see whether issues that arise from the development hereby permitted would unacceptably harm the amenity of surrounding neighbours, in accordance with Policy PP3 of the Peterborough Planning Policies DPD (2012).

The Head of Planning introduced the item and highlighted key information from the report. Members were advised that there had been a further representation from Ginton Parish Council against the application. In addition, there had been no complaints of noise received since the operation of the development approved under the 2017 application.

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

- Members were advised that the no smoking policy adopted in the outdoor area was the choice of the landlord and was not an activity that Planning Committee could condition.
- Members felt that the proposal was difficult to refuse as most of the other parts of the garden were in use to 11:00pm. In addition, there had been no formal complaints received by the Authority during the trial period.
- Members felt that the pub trade was hard to get right and that neighbours would be aware that they had purchased a property next to a pub
- Members commented that if customers were to stand a foot outside of the Jumberrella area there would be no breach of the existing 9:00pm curfew.

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

REASON 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. Specifically, the proposal variation of condition would not unacceptably impact upon the amenity of surrounding residents, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

35.3 19/00725/FUL - ST JOSEPH'S CATHOLIC CHURCH, GLADSTONE STREET, MILLFIELD, PETERBOROUGH

The Committee received a report in relation to amended plans, for an application which sought planning permission to demolish the Church and Hall and erect a three storey building to create 14 one bed apartments. In addition, 14 off-street car parking

spaces and a small amenity space/drying area would be situated on site to serve the proposed apartments, and eight parking spaces for nursery staff would be created to the north-east of the site, access to which would be gained from Taverners Road to the north. The proposed building would have an overall footprint of 15 metres by 17.2 metres and proposed to stand at 9.3 metres in height, utilising a flat roof. Each unit would be provided with a bedroom, kitchen/living room area and bathroom. Proposed materials would include walling -white render and grey cladding roofing, flat roof with aluminium edging windows - white UPVC doors, aluminium fencing at 1 metre in height with bow top railings to Gladstone Street and Bamber Street. The scheme had also been amended to include a revised site location plan to include the satellite car parking area, to provide staff parking for eight vehicles and access from Taverners Road; and -amended car parking and bin store arrangement for the proposed residential units. The amended plans were subject to public consultation, and no new comments had been received.

The Head of Planning introduced the item and highlighted key information from the report and the update report. Members were advised that there were a number of revised conditions. In addition, there had been no feedback received from the water drainage team regarding surface water drainage, however if approved, any requirements they recommend would be implemented. The proposed use of the car parking off Taverners Road was undergoing consultation and if the application was approved, the plans would be implemented, subject to any negative comments received.

Members were also advised about the viability exercise undertaken, and that the applicant was asked to provide figures for a conversion opposed to redevelopment of the proposed site. In conclusion, the viability exercise demonstrated that the proposal would result in negative profit value if the existing church building was to be converted.

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

- The Ward Councillor was against the proposal due to the overbearing size and location of the development.
- The viability figures provided were from 2008, and that the suggested negative profit should be questioned as the number of units in the revised proposal had doubled since the original application.
- The three-storey proposal was out of character for the area as most buildings were two storeys in height, therefore the proposal was not in accordance with LP16.
- The St Joseph's Catholic Church building was historical to the area and the proposal would be more acceptable if it was more in keeping with the area.
- LP 19 stated that a development should enhance a local area.
- The vehicle turning onto Taverners Road was not efficient at the best of times and the car park access was very restricted. Furthermore, this could present a risk to pedestrians.

- There were two doors located either side of the car park access which had not always been there. In addition, the use of the doors could present a danger to residents of both properties.
- There would be an increase in traffic within an already busy business related area, which would increase pollution and was in breach of LP13 a and b.
- The proposed entrance to the St Joseph's Catholic Church was prone to surface water flooding and if approved the scheme would exacerbate the issue.
- The scheme agreed in 2008 was for the development of family homes, which would be more acceptable.
- It was accepted that there had been no road traffic incidents reported as a result of the use of the car park on Taverners Road.
- The car park on Taverners Road had limited visibility at the exit/entrance, which could cause traffic related incidents.
- There were taller buildings located within half a mile of the area, however, they were serviced by adequate car parking arrangements.
- Although the Church building was not located within a conservation area and in a bad state of repair, the proposed development was felt to be out of character for the area.

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

- Members were advised that the St Joseph's Catholic Church site was all built cover, and the new scheme would not increase this and proposed a more SUDS based managed approach for surface water. The proposed drainage scheme would reduce the amount that needed to direct into the current pipes network.
- Members were advised that the doors located in the Taverners Road car parking entrance were either present at that time or have since been introduced and become lawful, but it was not conclusive as to which was correct.
- Members were also advised that the entrance to the Taverners Road car park was not presented to the Committee when it was considered in the 2007 application and it was assumed that there was a highways officer present at the meeting.
- Members were advised that the installation of convex mirrors on either side of the exit and entrance to Taverners Road car park could only be implemented if the buildings either side were within the control of the applicant. In addition, if the proposal was approved, the Authority could make the convex mirror request.
- It had not appeared that the Taverners Road car park was currently in use, however the use had previously been approved to serve a development.
- Some Members felt that if the car park was not in use currently, it would be difficult for road traffic incidents to be highlighted.
- Members were advised that there had been no suggestion made to the applicant to reduce the number of flats proposed for the development.
- Members were advised that the parking on the proposed building development site, was only enough to serve the occupiers of the flats. A car

park survey was undertaken, which also highlighted that adequate visitor spaces were available in the Taverners Road public car park.

- Members were advised that it would be ideal to provide car parking on the development site rather than the Taverners Road option, however, that option would reduce the number of flats.
- The translocation of nursery parking was acceptable as staff would be able to gain access through the car park to the site as opposed walk round.
- Members were advised that the proposed height of the building was no bigger than that of the existing Church building. The existing building had a narrow slopping roofscape which would meet the roofline height of the proposed development. The proposed roofline of the development would be viewed from Bamber Street; however, it was not too overbearing or dominant to the remaining Church building.
- Some Members felt that the development had not appeared to be in keeping with the area and that they would prefer the original Church building to be converted.
- Some Members felt that the entrance and exit to the Taverners Road car park had not appeared to be safe and that the installation of convex mirrors would not alleviate the safety issue that was apparent.
- Some Members felt that the proposal was an over development and that they would prefer housing to be considered instead.
- Some Members commented that planning permission for the use of the car park on Taverners Road had been given, therefore it would be difficult to refuse the proposal based on the car parking issues highlighted.
- Some Members felt that the installation of convex mirrors would aid drivers to see any approaching traffic or pedestrians going past the exit on the Taverners Road car park.
- Some Members felt that pedestrians would approach the entrance to the Taverners Road car park with caution.
- Some Members felt that a permeable road service would be beneficial to the Taverners Road car park to help aid water drainage.
- Some Members felt that there was a need in the City for housing and it was good use of a brownfield site.
- Some Members felt that the current building was dilapidated.
- Some Members felt that what was approved in 2008, was not necessarily appropriate for 2019.
- Some Members commented that although property investment in the area was welcome, they would like to see a smaller development proposal with a better parking provision for the nursery staff.
- Some Members commented that there was a premise that the Taverners Road land had not been used as a car park and that assumptions should not be considered.
- Members were advised that the Taverners Road car park had been tarmacked, however had become overgrown since.
- Members were advised that if the proposal was overbearing in relation to the part of the Church building that was to remain, there could be a different recommendation from officers.
- Members wanted a condition to be considered regarding permeable surface installation on both the Taverners Road and the St Joseph's Church car parks.

Members were advised that there were options, such as the installation of extra crating to improve drainage on the proposed site; however, there would never be a 100 percent solution for an area of poor drainage.

- Members were advised that it would be unreasonable to request the applicant to resurface the Taverners Road car park as it was already hard surfaced, however, officers could stipulate that the applicant would be required to install a more permeable surface if they intended to replace it.
- Some Members requested that officers work with the applicant over the best possible drainage solutions for both car park surfaces, if the proposal was approved.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (8 For, 3 Against) to **GRANT** the planning permission subject to the imposition of relevant conditions as per the Committee report as amended by the update report, with an additional condition (if appropriate in regards to the permeable surfacing proposed for Taverners Road Car Park).

REASON 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 development would be situated within the urban area of the city; therefore, the principle of development was in accordance with Policies LP2 and LP3 of the Peterborough Local Plan (2019);
- The proposed development would result in the loss of two non-designated heritage assets, however their loss had been justified and the proposed development would not harm the character or appearance of the immediate area, therefore the proposal would accord with Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraph 197 of the NPPF (2019);
- The proposed development would not unacceptably harm the amenity of adjoining neighbours, and satisfactory amenity would be provided for future occupiers, in accordance with Policies LP17 and LP32 of the Peterborough Local Plan (2019);
- The proposed development would not adversely affect the biodiversity value of the site, and would accord with LP28 of the Peterborough Local Plan (2019);
- The proposal would make provision for surface water drainage and uncovering unsuspected contamination, in accordance with Policies LP32 and 33 of the Peterborough Local Plan (2019), and Paragraphs 178-180 of the NPPF (2019); and
- The proposed development would not constitute a highway safety hazard and sufficient car parking could be accommodated onsite, in accordance with Policy LP13 of the Peterborough Local Plan (2019)

Chairman
15.05pm

