

PETERBOROUGH



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE MEETING
HELD AT 1:30PM, ON
TUESDAY, 2 JULY 2019
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Officers Present: Nick Harding, Head of Planning Peterborough and Fenland
Janet McLennan, Principal Development Management Officer
Nick Greaves, Principal Engineer (Development)
Chris Gordon, Planning Solicitor
Dan Kalley, Senior Democratic Services Officer

Others Present:

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jones, Andrew Bond and Hogg. Councillor Sandra Bond was in attendance as Substitute for Councillor Hogg

7. DECLARATIONS OF INTEREST

There were none.

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

There were no representations to make declarations as Ward Councillor.

9. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 23 APRIL 2019

The minutes of the meeting held on 23 April 2019 were agreed as a true and accurate record.

10. DEVELOPMENT CONTROL AND ENFORCEMENT MATTERS

10.1 18/02017/OUT - THE PEARL CENTRE, LYNCH WOOD, PETERBOROUGH, PE2 6FZ

The Committee received a report in relation to approval for outline consent with details of access to be considered and all other matters reserved for the following:

- Car Park 5 - up to 7,440sqm (80,000sqft) of office (Class B1) floorspace with associated car parking (339 spaces). The indicative plans show that the floorspace proposed would be provided in two separate blocks each providing 3720 sq.m (40,000 sq.ft) of floorspace across four storeys. The height of the office blocks would be a maximum to roof ridge 16.45m; and

- Car Park 1 - a small commercial hub providing up to 880 sq.m / 9,472 sq.ft GIA of flexible retail floorspace (Classes A1 – A5) with associated car parking (16 spaces). The maximum height to roof ridge 6m.

The Head of Planning introduced the item and highlighted key information from the report and update report. The design and appearance of the buildings had yet to be finalised as the application was for the principle of development at this stage and images within the pack were for indicative purposes only. Height restrictions would be imposed as the Pearl Building and grounds had recently achieved National Listing Status as a Building of Architectural Importance and regard had to be given to the impact any new development could have on it and its settings. Highway and access improvements had been included in the proposals. The Council had already committed to implementing improvements to Oundle Road and was considering a further improvement scheme in the local area. If permission was granted the developer would be required to contribute approximately £270k towards further improvements to limit the impact of increased traffic. A late representation was contained in the update report which included answers to the points raised and it was confirmed that, as the National Census was only taken every 10 years, the most recent data available was from the last census in 2011. The application had been considered both by Council engineers and external consultants and this application was the result of the final version.

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

- Lynchwood was considered to be part of the community and young people had bought homes nearby. Children from these families were being driven to the local school less than a mile away as the route passed Lynchwood but was not considered safe which had led to increased congestion in Orton Wistow.
- The suggested improvements for access onto Wistow Way had been removed from the application and this had been appreciated by local residents.
- At peak times roads were very busy with cars and pedestrians which was not represented on the images contained within the pack. The movement of people and children around the area without using a car remained a priority. Residents would welcome the opportunity to be involved in formulating a plan acceptable to pedestrians and cyclists and encourage active travel.
- Recent announcements by Yorkshire Building Society (YBS) indicated that they were shortly to vacate their offices on the site and there were concerns regarding illegal encampments if the area was to become vacant.
- There was already a parking issue with employees from Lynchwood using the retail parking facilities in Napier Place, and parking in residential areas of Orton Northgate and Orton Southgate.
- Part of the Showground had been converted into parking for employees from Lynchwood in order to deal with the shortage of parking generally on the business park. Shortage in parking had resulted in residents in Orton Northgate being surrounded by car parking.
- A survey conducted by the developer, FI Real Estate Management (FI) showed that Lynchwood employees were unlikely to take up new methods of transport.

- Roads were congested at peak times and vehicles had been seen accelerating dangerously in order to join the roundabout at Wistow Way and Orton Parkway, as witnessed by members of Speedwatch.
- There were conflicting elements within the report regarding the use of retail facilities which were listed as being for the use of the employees of Lynchwood and later listed as being for the benefit of the neighbourhood. Local residents did not want more fast food outlets or shops in the area. There were many empty units in Ortongate, which should be used first. There was a serious problem with litter and this would only worsen with more takeaway shops.
- The owner of Lunch Wrapped Up, situated directly opposite the proposed development, had raised concerns which had been disregarded.
- Three years ago there was an unauthorised encampment on the site lasting several weeks adjacent to the public pathway, on land belonging to Peterborough City Council (PCC) and the YBS. During this time the area was impassable on foot and there were concerns that if the YBS building became vacant the site would not be adequately protected against this happening again.

The Chair asked the Committee if the time allowed for Objectors to address the Committee could be extended to 10 minutes (collectively) in the public interest as there were several speakers and, in the interest of fairness, to extend the time allowed to the Agent / Applicant also to 10 minutes to which the Committee agreed.

David Turnock, Objector, on behalf of Peterborough Civic Society, who also owned an office building close to the site, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposed four storey buildings were considered too high and not in keeping with buildings in close proximity.
- Existing buildings on this business park were in accordance with the original Development Corporation brief of quality buildings in a landscaped setting. The application however outlined 2 buildings surrounded by tarmac with very little planting.
- The last paragraph on the Conservation Officer report had been omitted from the agenda pack and was read to the committee as follows “At this stage there are no in principle objections to the proposals, however concerns and requirements should be noted to ensure they are adequately addressed” which suggested the Conservation Officer did have concerns.
- The retail element would improve the offer to occupiers on the business park and local residents.

Anju Tugnet, Stephen Swan and Dale Banham, Objectors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was acknowledgment of the withdrawal of the access road onto Wistow Way and the written confirmation that there would be no future consideration to such access on either a temporary or permanent basis..

- The traffic information contained in the report was considered inadequate as it contained theoretical and old data and surveys over three years old which were unlikely to reflect current traffic conditions. Thomas Cook did not occupy premises on Lynchwood until after the first survey had been conducted. It was requested that any future planning application included adequate traffic surveys and appropriate mitigation plans.
- All highways improvements should be completed and operational prior to construction work commencing.
- A Grampian Condition (*a planning condition attached to a decision notice that prevents the start of a development until off-site works have been completed on land not controlled by the applicant*) could be applied.
- The potential increase in staff numbers between 540 and 700 did not correlate with the reduction of 254 car park spaces. Documentation referred to office floor area to determine the number of parking spaces required but did not make reference to the staff already employed on the site. The numbers of cars parked and staff present on the day should be considered in future parking assessments.
- The car park was occasionally rented out to other organisations.
- The proposal should have included a design hazard risk assessment as per the Construction Design Management Regulations 2015 .
- One less floor would reduce the potential for CCTV operators to zoom into schools and adjacent properties.
- There was no landscaping or planting built into the proposal..
- A risk assessment had not been carried out on pollution and noise impacts.
- If using glass panels, consideration would need to be given on the impact of sunlight and resulting glare as there had been a case where sun radiation and refraction caused damage to adjacent vehicles and buildings in Napier Place.
- The use of large glass panels would reduce the availability onsite parking for contractors vehicles displacing them into nearby residential areas.
- During the construction period on a nearby site, vehicles had been covered in dust for months, contractor vehicles blocked access roads and traffic controls were discarded.
- All legal obligations and regulations needed to be fulfilled as identified within the objection from the Orton Wistow Action Group.
- Lunch Wrapped Up, a retail coffee shop employing eight local staff was located less than 30 metres from the proposed retail units.
- It had provided food and bespoke corporate catering services to local residents, workers and business and had become embedded in the Lynchwood community.
- The retail element was of grave concern and causing distress to staff of Lunch Wrapped Up due to the possibility that national companies would come in and impact local business.
- The Council had overlooked their obligation to protect and support local business.
- The requirement for additional retail outlets had not been explored. There were five sandwich vans currently circulating the offices and there were several large scale facilities within the seven largest employers on the business park. There were other restaurants, food outlets and hotels nearby.
- There could be an overdevelopment of retail facilities within the local area and Lynchwood alone may not be able to sustain the proposed development.

- The daily spend of £7.50 per person as quoted was questionable as the average daily spend at the Lunch Wrapped Up was £4.72 based on sales figures of the last two years.
- The Pearl Centre employed approximately 3500 people.
- The developers had created an artificial demand for financial gain. Should such a demand exist the units could be placed on the Pearl Centre using empty outlets.
- This could be perceived as an opportunity for Lunch Wrapped Up to increase turnover however the owner felt that she could not compete with the lower prices offered by high street brands.
- A large scale employer had an obligation to provide a subsidised canteen.
- It was not known whether all available car parking spaces were in use every day however on the day of the site visit there were a number of empty car spaces empty.
- An under provision of parking currently existed on this site and 18 months ago Highway Officers allowed parking on the main estate road.
- Car parking spaces were currently rented out on the proposed site which would no longer be available if the development were to proceed and pressure would be increased elsewhere.
- There were known to be at least 150 parking spaces currently rented out.
- There were issues with double parking and it was not known how many staff were at work when the car parking surveys were conducted.

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

- This was a comprehensive report which addressed the main issues.
- Applications should be determined in accordance with the Development Plan unless material considerations indicated otherwise and Officers have advised this scheme is Development Plan compliant.
- The application was for outline permission for office led development on land identified as being in employment use in both the adopted and emerging Development Plan.
- The Councils statutory technical consultees had not made any objections to the scheme subject to the mitigation that the client would provide.
- The Applicant had done everything possible to appease the concerns of the residents and Officers, including reducing the quantum of office space by 10,000ft² to 70,000ft² and the height of the office building.
- Vehicle access onto Wistow Way, which had caused concern from residents in an earlier application, had been removed in response to public reaction
- The height of the commercial hub had been reduced to by 2m to 6m.
- £270,000 funding was being proposed towards the widening of Orton Parkway on approach to the Wistow Way roundabout.
- Improvements were also proposed at Lynchwood to improve vehicular access, cycle accessibility and pedestrian safety.
- A contribution towards the costs of installing a new bus stop with real time passenger information was included.
- 500 - 600 new jobs would be created, dependent upon the end users.
- Supporting services and construction jobs would provide additional employment.

- Further economic investment would be attracted to the area.
- As there were a large number of people employed on the site who would all require daily subsistence the retail hub would provide additional food and refreshment facilities rather than people travelling off site by car to get food and drinks, reducing unnecessary car travel.
- The application was to provide office space in an area allocated for office space and surrounded by such.
- The application was compliant with national and local planning policy, there were no outstanding unresolved technical matters and there were a number of material considerations which weighed in favour of the scheme.
- There was no belief that there was a requirement to have a canteen in an office block.

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

- It was not known what floor space was currently occupied within the Pearl Centre. The focus for the calculations for parking requirements was based on the gross floor space of the Pearl Centre added to the floor space of the proposal and compared with the policy for the provision of car parking.
- It would appear that there would be an overprovision post development of about 100 parking spaces.
- If the Pearl Centre and the proposed buildings were fully occupied those companies who currently rent car parking from them would no longer have that facility.
- The Pearl Centre could withdraw their current car park space rentals at any time and the Planning Department do not have jurisdiction to make the Pearl Centre rent their parking spaces to a third party.
- The height of the proposed development is below that of the Pearl Centre and the maximum height.
- The existing approved highways scheme was from the A1 Eastbound and included localised widening and increased pedestrian access.
- In 2020 the widening of the Northbound access through to the roundabout for 75m would form part of a wider study which would include Oundle Road Westbound from the Nene Parkway past the schools heading towards Lynchwood which was usually gridlocked at rush hour incorporating £270,000 from this application.
- The Highways Officer confirmed that the £270,00 contribution was towards improvements at Wistow Way roundabout with the Orton Parkway.
- The Highways Officer confirmed the survey was after Thomas Cook took residency.
- Ortongate was considered outside the 15 minutes walking time.
- The Planning Officer confirmed that a condition could be applied to insist the road improvements were completed first however the £270,000 from the developer could not be secured until the development was about to commence. Therefore it was difficult for Peterborough City Council to mobilise at short notice a junction improvement in time for the opening of the development.
- Grampian conditions were considered normal and it was standard practice that a building was not occupied until road improvements had been carried out.

- Members felt this was not unprecedented and that the money could be ring fenced and suggested legal advice should be taken to construct a legal agreement to cover the road improvements.
- Members appreciated the developers had listened to resident concerns and modified the plans accordingly.
- Parking did not appear to be an issue as there had always been plenty of parking spaces available although their status was unknown.
- The Highways Department were comfortable with the proposal.
- The proposal was an opportunity to increase business.
- The retail element would enhance the retail diversity and there would be less movement of traffic if more facilities were available on site.
- The design detail was not under discussion.
- Residents issues regarding parking and the access via Wistow Way had been removed.
- Additional jobs would be created.
- The maximum height of the building had been fixed.
- There were no material planning objections although as site evolved there were concerns regarding traffic on Oundle Road.
- The area had been designated as office space for development.
- Delegated authority could be given to Head of Planning to secure the earliest delivery of the highway improvements associated with the 270k contribution.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application with the proposed condition and delegate to the Head of Planning authority to put in place appropriate conditions/s106 provisions to secure the earliest possible delivery of the Wistow parkway junction improvements. The Committee **RESOLVED** (Unanimous) 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 office development would be located on land designated for employment use under policy SA11 of the Site Allocations DPD and policy LP4 of the emerging Local Plan (draft version); and the retail uses could be considered as ancillary to the employment site;
- The indicative plans demonstrated that the development would lead to less than substantial harm to the heritage assets within the Pearl Centre site, the benefits of the proposal outweigh the harm, in accordance with policy CS16 and CS17 of the Adopted Peterborough Core Strategy, policy PP17 of the Adopted Peterborough Planning Policies DPD, policies LP16 and LP17 of the emerging Local Plan (draft version) and section 16 of the NPPF;
- Subject to the proposed mitigation measures, the development would not result in any unacceptable impact to the safety of users of the public highway

and would provide satisfactory space for the provision of parking, as well as safe pedestrian access to the site, in accordance with Policy PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and policy LP13 of the emerging Local Plan (draft version);

- the development could be accommodated without impact on the amenity of neighbouring occupiers in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD. Policy PP3 of the Adopted Peterborough Planning Policies DPD and policy LP17 of the emerging Local Plan (draft version); and
- the proposal would not result in the loss of important landscape features to the visual amenity of the locality and would preserve the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012) and policy LP28 and LP29 of the emerging Local Plan (draft version).

Chairman
1:30 - 3.00pm