

**RECORD OF OUTCOMES OF THE PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE
HELD AT 1:30PM, ON
TUESDAY, 19 JULY 2022
ENGINE SHED, SAND MARTIN HOUSE, BITTERN WAY, PETERBOROUGH**

4.1 21/01898/OUT – THE SOLSTICE, NORTHMINSTER, PETERBOROUGH PE1 1YN

RESOLVED:

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, 1 against) to **GRANT** the planning permission subject to the conditions set out within the main Committee report and the securing of a S106 legal agreement to secure off-site public open space contributions and a post-completion viability appraisal in respect of affordable housing contribution.

REASONS 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 application site is situated within the City Core, would provide a mix of residential, retail and restaurant uses. As such the proposed development would introduce a mix of residential development into the City Core, and go towards enhancing the vitality and viability of the City Centre. The principle of residential development would accord with Policies LP2, LP3, LP4, LP6, LP8, LP15 and LP47 of the Peterborough Local Plan (2019) and Paragraph 86 of the NPPF (2021);
- The proposed scale and layout of development would not harm the significance of the Grade I listed Cathedral building or the City or Park Conservation Areas above and beyond development which has previously been granted permission on the site, it would not have a harmful impact on buried archaeology and would not harm the character or appearance of the immediate area. As such, the proposal would accord with Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraph 199 and 202 of the NPPF (2021);
- The proposed scale and layout of development would not have an unacceptable harmful impact to neighbouring amenity, and would provide satisfactory amenity for future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and Paragraph 119 of the NPPF (2021);
- There are no Highway safety concerns and cycle parking can be accommodated on site, in accordance with Policy LP13 of the Peterborough Local Plan (2021);
- The development would make provision for surface water drainage and uncovering unsuspected contamination, and would accord with Policies LP32 and LP33 of the Peterborough Local Plan, and Paragraphs 167 and 183 of the NPPF (2021); and
- The development would be subject to a viability review requirement which has the potential to secure a financial contribution towards offsite affordable housing, and off-site public open space enhancements towards Stanley Park and Burton Street Allotments, and would therefore accord with Policies LP8 and LP21 of the

Peterborough Local Plan (2019) and Paragraph 34 of the NPPF (2021).

4.2 22/00431/FUL – 16 RUSSELL HILL, THORNHAUGH, PE8 6HL

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against the officer's recommendations and **GRANT** the application. The Committee **RESOLVED** (Unanimous) to **GRANT** the planning permission subject to conditions delegated to officers securing a personal permission also tied to the residence of 16 Russell Hill (the application site), a temporary time period of 10 years and the removal of permitted development rights

REASON FOR THE DECISION:

APPROVED contrary to Officer recommendation and with the following conditions:

1. The use of the land as residential garden hereby permitted shall endure only for the benefit of Mr and Mrs Sharpley and shall only be used as residential garden associated with and whilst Mr and Mrs Sharpley reside in the dwelling known as 16 Russell Hill.

Reason: The departure from the Local Plan is only acceptable owing to the specific personal circumstances of the Applicant and therefore any other reason for encroachment into the open countryside would be contrary to Policy LP2 of the Peterborough Local Plan (2019).

2. The change of use hereby permitted shall cease and the land restored to agricultural use in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority no later than by 1st March 2031.

Reason: The departure from the Local Plan is only acceptable owing to the specific personal circumstances of the Applicant and therefore any other reason for encroachment into the open countryside would be contrary to Policy LP2 of the Peterborough Local Plan (2019).

3. Notwithstanding the provisions of Part 1 Classes E and F, and Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no building, swimming or other pool, structure, container used for domestic heating purposes for the storage of oil or liquid petroleum gas, hard surface, gate, fence, wall or other means of enclosure shall be constructed or erected on the land subject to the change of use hereby permitted unless authorised by this or any future planning permission.

Reason: In order to preserve the character and appearance of the countryside, in accordance with Policies LP16 and LP27 of the Peterborough Local Plan.

4.3 22/00506/FUL – CROFT FARM, MEADOW LANE, THORNHAUGH

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application for the reasons set out in the Committee report.

REASON FOR THE DECISION:

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

R 1 The proposed change of use from agricultural land to garden land would represent encroachment and extension of the domestic curtilage of the applicant site, associated with Croft Farm Holiday Park, into the open countryside for garden land. The proposal would result in the unacceptable erosion of the open countryside for residential purposes that have not been adequately demonstrated as being essential. Accordingly, the development is wholly contrary to the vision, objectives, development strategy and policies of the adopted Peterborough Local Plan (2019), specifically Policy LP2.

R 2 The proposed change of use from agricultural land to garden land would represent encroachment and extension of the domestic curtilage of the applicant site into the open countryside. The proposal would expand the curtilage of Croft Farm beyond the historical confines of its Listed Building curtilage. In addition, the proposal would blur the separation between residential curtilage of the village and open countryside and be at odds with the character and appearance of the locality. The development would harm the visual amenity and character of the area, and the setting of the village, including the Thornhaugh Conservation Area. The development is therefore contrary to LP16, LP19 and LP27 of the Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021).

R 3 The proposed change of use would represent a negative amenity influence on neighbours' health and quality of life. The proposal would introduce garden land to the rear of residential dwellings that currently experience a very quiet level of amenity. Such garden land would likely result in incidents of noise and general disturbance generated by use by occupiers and would be to a degree which is more intensive given that it would serve holiday accommodation. The proposal would therefore unacceptably harm the amenities of neighbouring occupants and is contrary to Policy LP17 of the Peterborough Local Plan (2019).

4.4 22/00631/FUL – SAGES TOWER, FREDERICK DRIVE, WALTON

RESOLVED:

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 subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

The application is identical to a previous permission which recently lapsed. Furthermore, the site benefits from an extant permission to convert and extend the tower for residential use. Circumstances have not changed significantly since the previous permission was granted. This “fallback position” is a key material consideration which carries significant weight.

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 dwellings to be created are situated within the urban area of the city, and the extension and associated external works would not unacceptably harm the significance of the locally listed building, or the character or appearance of the host building or immediate area. As such the proposal would accord with Policies LP16 and LP19 of the adopted Peterborough Local Plan 2019;
- The proposed conversion and extension would not unacceptably harm the amenity of adjoining neighbours, and satisfactory amenity would be provided for future occupiers, in accordance with Policy LP17 of the adopted Peterborough Local Plan 2019;
- The proposal would not result in a net loss to the biodiversity value of the site, and the proposal would therefore accord with Policy LP28 of the adopted Peterborough Local Plan 2019; and
- The proposed development would not constitute in a highway safety hazard and sufficient car parking could be accommodated, thereby according with Policy LP13 of the adopted Peterborough Local Plan 2019.