



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION  
COMMITTEE MEETING  
HELD AT 1:30PM, ON  
TUESDAY, 21 FEBRUARY 2023  
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

**Committee Members Present:** Harper (Chairman), Iqbal (Vice Chairman), A Bond, Hiller, Hogg, Hussain, Jamil, Jones, Rush, Sharp, and Warren.

**Officers Present:** Sylvia Bland, Head of Planning  
Joanna Turnham, Legal  
Dan Kalley, Senior Democratic Services Officer  
Chris Gordon, Planning Solicitor  
Sarah Hann, Highways  
Molly Hood, Senior Development Management Officer

**35. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

**36. DECLARATIONS OF INTEREST**

There were none.

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

There were none

**38. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION  
COMMITTEE MEETING HELD ON 13 DECEMBER 2022**

The minutes of the meeting held on 13 December 2022 were agreed as a true and accurate record, subject to the following amendment:

From:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation and following a vote (9 for, 2 against) the proposal was **GRANT** subject to conditions and the signing of a legal agreement securing off-site highway mitigation.

To

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation and following a vote (9 for, 2 *abstentions*) the proposal was **GRANT** subject to conditions and the signing of a legal agreement securing off-site highway mitigation.

## **39. PLANNING AND ENFORCEMENT MATTERS**

### **39.1 22/00722/R3FUL - Clare Lodge 8 Lincoln Road Ginton Peterborough**

The Committee received a report, which sought permission for a number of extensions to the existing building, these include:

- a) A two-storey extension off the south elevation forming education facilities at ground floor and additional office space, with archive store at first floor.
- b) A single storey flat roof extension to the northern elevation. This will alter the existing entrance to the building, creating a separate staff and visitor entrance.
- c) A single storey reception to south-west wing of accommodation. The capacity of the unit would remain at a maximum of 16 residents. With the development not increasing the capacity of young persons.

For clarity, within Section 5 'assessment of the planning issues' the extensions will be referred to by the letters (a,b and c) as allocated above.

The Senior Development Management Officer introduced the item and highlighted key information from the report and the update report.

- Gerry Kirt, Parish Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:
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  - There were a number of issues with the application, this included a conflict of interest. The Council had made a lot of money out of Clare Lodge, which, at this point was not making as much money as it previously had. Peterborough City Council owned Clare Lodge and operate the premises, from this the Council received a financial benefit. If permission were granted how could residents believe that a fair and balanced decision had been made. It was the view of the Parish Council that this application should be referred to a third party to determine.
  - The application site was outside the village envelope and contradicted LP2 and GNP2. This was not a community asset as residents at Clare Lodge came from around the Country and did not, therefore, serve local residents. It was felt that this was not an exception to the rules and policies in place. The applicant was trying to re-label Clare Lodge a community asset.
  - The Parish Council had emailed Council officers to get confirmation that the principles around the village envelope would be reviewed and amended. Officers confirmed that this could be reviewed as part of the review of the local plan but only at the point it was reviewed in its entirety and not before. If the plan was re-drawn, then the Parish Council would not be objecting to the principle of the application.
  - There had been no community involvement prior to the application being submitted. Local residents would be affected by the 50-55 car park spaces that were proposed along with the location of the bin storage, which would result in the loss of amenities to those residents who bordered the application site and was contradictory to LP17.
  - In terms of car park provisions there was other suitable positions for this, including to the south of the site. Clare Lodge had incorrectly claimed that they did not own the land to the south of the site, however when looking at land registry documents this was contradictory and showed that Clare Lodge did own the land to the south where the car park provision could

be placed.

- One of the final points was around lighting and whether the planning team had the resources to enforce issues around lighting to local residents.
- In conclusion if the policy team had acted and re-drawn the envelope or committed to doing so in the future this meeting to discuss the application would not be needed. If committee approved this then it signalled that the council only viewed neighbourhood plans as advisory.
- When the original envelope was drawn no one, at that time, though it would follow the perimeter of Clare Lodge, rather than the boundary that was drawn up. The Parish Council was seeking some reassurance from planners that they would seek to extend boundary in the future, however, this was unable to be provided.
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- Verity Missin, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:
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  - There were a number of properties that backed onto Clare Lodge and was addressing the committee on behalf of those residents who were unable to attend the meeting. Beyond the boundary fence was the kitchen, bins and vehicles that were associated with Clare Lodge. There were a number of times that staff arrived late into the evening. In addition, the extractor to the kitchen was left on all night.
  - One of the major concerns was that there was a rat infestation associated with the bins being so close to the boundary fence. In addition, a skip had been left outside near the boundary fence for some time and a new one had recently been installed in the last week. A lot of noise and dust had been generated from the parking spaces and the bins.
  - With regards to the car park spaces the 50-55 mentioned would be better place across the way and away from the residents back fences. It was difficult to see how any conditions imposed could be enforced.
  - It was pleasing to see that some conditions had been imposed however they were void of real detail.
  - There were no issues with the work that Clare Lodge carried out and the importance of the facility for those who were in need.
- Steve McFadden, applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:
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  - Clare lodge worked with some of the most abused people in the country and looked to work with vulnerable people as best as possible. It was important to try and give those in the facility the most normal school day as possible.
  - There was no intention to increase the number of students or staff that the facility could manage as a maximum. Part of the proposals was to look at creating a more sustainable energy focus on the site and keep on improving the lives of the residents that used the facility.
  - In terms of rat infestations, the site was managed by an external contractor who maintained the site and this part of their responsibilities. There had been no mention of any rat infestations to management of the site.
  - There was a possibility that not granting the application could affect inspections going forward. This was a chance to update the energy systems at the site which were quite costly.
  - There was an acknowledgement that more engagement and consultation with residents could have been carried out.

- Advice had been given that the land to the South of the site was not owned by Clare Lodge, however if it was the applicant would look at feasibility of moving the car park and bins to this location.
- The facility was very much a part of the community in Glinton. This included a number of staff from the local area who worked there. There was no plan at the current time to increase the number of staff, however the plans were needed to ensure there was space when shift patterns overlapped.
- This was a national service run by Peterborough City Council and local people were employed wherever possible.
- There had been two meetings with the parish council to discuss issues. There was no proof at this stage that the rats had come from Clare Lodge. The site was inspected twice a year by Ofsted and any rat infestations would most likely have been picked up.
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- The Planning and Protection Committee debated the report and in summary, key points raised and responses to questions included:
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- The Council's statement of community involvement did not compel the applicant to carry out consultation but did strongly encourage engagement.
- In terms of the boundary and village envelope, in order to change this it needed to form part of the local plan. It was therefore not possible to give any undertaking on this as it would form part of the consultation when the local plan was being updated.
- In terms of issues around bins and moving the location of this and the car park it was not something the committee could make a decision on. The committee needed to make a determination based on what was presented to them.
- As part of the description of what a community facility was it did have a wider catchment area than just Glinton.
- Although the initial submission and discussions mentioned an increase in employee numbers there was no proposed increase in capacity in the final submission.
- It was confirmed that there was no requirement in law for the applicant to carry out a consultation, however it was good practice and strongly encouraged to do so.
- There were different types of uses that could be used in a building such as Clare Lodge, which fell under the wider description of community uses but did not have to serve just the community within where they were used.
- All vehicles used Lincoln Road to access the site, which caused a large amount of dust and disturbance.
- There had been no formal complaints around bin storage comments made during the application process.
- There was clear support for Clare Lodge and the need for the facility to provide the best possible education. The applicants were looking at expanding the site due to the need to do so following the Ofsted report. There were compelling arguments to move the bin storage and car park spaces, however this was outside of the remit of the committee.
- It was important to note that there had been 41 objections to the application along with the concerns raised by the Parish Council. There was nothing the committee could do at this stage to influence the location of the storage bins and car park it was strongly advised that officers and the applicant have another look at the location of these provisions to see

if it was possible to move them. It was debatable as to whether this was a community facility but did provide some employment for the local community. Even though there were concerns over the application this was a much-needed facility and the updates were needed to ensure the facility provided the best service to those using it.

- Whilst there were shortcomings with the application and if further discussions had taken place, then it was likely the application would not have come to committee. There was support for asking the developer to consider moving the location of the storage bins and car park.
- It was concerning that the Council's own best practice on consulting stakeholders had not been adhered to and that it was important to ensure developers followed this in the future. There were some concerns over the encroachment of the village envelope, there was no recourse for the Parish Council who had put in place their own neighbourhood plan.
- All applications were dealt with on their own merits. In the applicants address it was confirmed that there would be no increase in numbers.
- Following the site visits the locations of the bins was still close to the boundaries of neighbouring properties, if the application was refused there was nothing compelling the applicant to move those and therefore the same issues would arise.
- Some of the issues come from the Council marking its own homework and the applicant had not followed through with the process as they should have done. However, there was no merits to refuse the application.
- There was an opportunity to make some improvements if the developers had taken note of the comments raised by the public and members. The simplest solution was to take away the location of the bins and car park.
- Officers were encouraged to work with the developer to look at the location of the storage bins and car park.

#### **RESOLVED:**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation and following a vote (Unanimous) the proposal was **GRANT** subject to conditions.

#### **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 policies LP2, LP13, LP16, LP17, LP28, LP29 and LP30. The proposal has also been assessed in light of the Ginton Neighbourhood Plan Policies GNP2, GNP3, GNP5 and GNP6.

### **39.2 22/00463/FUL - Open Space Fernie Close Newborough Peterborough**

The Committee received a report, which sought permission for the construction of a skate ramp on the existing area of open space. The proposal is formed from one unit which is split into two ramps with a central reservation. The ramps will reach a maximum height of 1.5m, with the addition of 1m steel railings at each ramp end. The total length of the ramp is 16.5m, with then 1.4m of banked earth at each end.

The Senior Development Management Officer introduced the item and highlighted key information from the report and the update report,

- Bryan Cole, Parish Councillor and Nigel Simons, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:
- The Ward Councillor confirmed they fully supported the idea of a skate ramp, although there were concerns over the location of the proposal. It was ideal that the skate ramp was 50m to 80m away from the nearest property. The application in question was no more than 30m from the nearest property and would not be mitigated by sound proofing. In addition, there was no lighting provision which was not ideal in terms of protecting children's safety.
- There were better locations in the village that could be used for the skate ramp.
- The Parish Council was pleased to support the application, the history of the playing field went back to the 1960's, the parish council leased the land from the church and this was done on an ongoing renewal, currently up to 2032. The Parish Council were happy that the application fitted in with of the lease and could continue to be used by the local community.
- Members were informed that the Parish Council made significant investment in the playing field and the children were really happy to have this in the village, this was a skate ramp and not a skate park and it was not envisaged that anyone from outside the village would use the ramp.
- Discussions around the use of the site started a few years ago, the Parish Council were happy to support this application. An open morning was held at the Parish Council a number of years ago which allowed residents a say on what they wanted to see the land being used for.
- The application Followed guidance from Sport England guidance and was over 30m from the nearest house.
- The children of the village raised money to support the installation of the ramp and raised over £1,300 which was donated to the Parish Council to help with the installation of the skate ramp.
- A number of different assessments had been completed to ensure the ramp was viable and had been approved by all parties. This was something that the children of the village were looking forward to.
- In terms of support for the application there had been a number of letters of support. The local school had been visited and they were supportive of the proposal.
- At meetings of the Parish Council there was general overall support for the application. Most of the objections had come from nearby residents who were impacted the most by the installation of the ramp.
- Other locations were looked at but there was no other viable site that the Parish Council could put forward for the skate ramp. Although there might be some other locations the Parish Council did not own these pieces of land.
- It was suggested that other sites could be used, for example the Longhurst development, however the Parish Council were not looking at investing in privately owned land.
- There was an ongoing problem with the length of the grass on the field and no organised football matches had taken place there. There were also issues with anti-social behaviour and this would only increase with the introduction of a skate ramp.
- No feedback had been given by the Police, however there had been some reports of anti-social behaviour in the area and this was before a skate ramp was introduced.
- Although there had been a lot of support for the application this was mainly duplicate letters of support. Although there was support for a skate

ramp this was not the right site.

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- Kevin and Patricia Richards addressed the Committee and responded to questions from Members. In summary the key points highlighted included:
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- Residents had not been formally consulted on the skate ramp, the proposed site was unsuitable due to noise and anti-social behaviour. The ideal distance for the skate ramp from neighbouring properties was 80m to 100m. There were residents living directly next to the playing area, some residents had lived at the location for nearly 40 years and there was now a real possibility that their enjoyment of a peaceful cul-de-sac would be disturbed.
- There were three skate ramps in a three-mile radius two of these had graffiti and reported with Anti-Social Behaviour.
- The play park had recently been upgraded, however there had been issues with groups of young people play loud music and leaving bottles and cans thrown across the ground.
- Families were using the play park on weekends and would be put off going if there were anti-social behaviour problems. In addition, there was the potential for additional cars to block the end of the road causing an issue for residents trying to access their properties.
- There had already been an increase in the number of cars coming into the park, mainly for letting dogs out to run around the green space. More vehicles would only add to the issues, especially as there were no designated car park spaces by the open space.
- The idea of a skate ramp was a good one, however this was the wrong location. All the residents down Fernly Close objected to the application, those in support lived.
- If the application was successful then there was a strong chance the noise levels would increase as more people would be in the vicinity.
- The skate ramp itself generated noise and this would be constant throughout the day.
- There would be a negative impact on the play park which was used by families of younger children, they would be less likely to use the park if there was a skate ramp and the possibility of more anti-social behaviour.

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

- The ramp itself was 1.5m in height the railings then added another 1m. There are no significant concerns over loss of amenity.
- The introduction in the skate ramp would increase the noise level. The acoustics had been looked at and the report showed it was below the level of 55 dB and this was below the minimum level.
- It was not considered that the additional footfall was confined to the construction of a skate ramp. This was based on two people using the ramp for eight hours a day.
- Following reports of the acoustic levels of the potential skate ramp, Council officers did not have concerns over compliance of noise pollution levels. Although the police had commented on the possibility of late gatherings there were no time restrictions imposed.
- The effect of children playing had been considered in the acoustic report and was not deemed to have negative impact.
- The 30m minimum distance had been advocated by Get Skating UK. It was confirmed that the acoustic report had looked at the 30m distance

and confirmed it was acceptable.

- A skate park in the ward had experienced ASB, however this had stopped once the shelter had been removed. It was clear that the actual users of the skate park had re-claimed back use of the park for its intended purpose. The Parish Council was commended for taking into account the views of young people in the village. It was part and parcel of open space such as this that some noise would be created.
- Issues seem to be around the location of areas where people sit rather than the installation of a skate ramp. Have to applaud the parish council and going ahead with this application.
- Minded on balance to approve the decision, it was understandable the ward councillors' issues that they supported the skate ramp but not in the proposed location. The comments on Anti-Social Behaviour were unknown and there was no evidence to suggest that there would be ASB.
- Children of the village wanted the application to go ahead if it did not there was nothing for the children to do.
- The Parish Council had done a good thing and listened to the wants of the children. Although it was also important to listen to the elderly residents of the village who had understandable concerns around noise and more cars parking close to the property.
- The Children went out their way to help fund the ramp, this showed how much the children in the village wanted the application to come to fruition.
- It was hoped the site would be self-policed as the children would want to protect the site as that is what they wanted.
- The noise pollution experts had investigated and deemed that the application was acceptable under noise pollution levels.

#### **RESOLVED:**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation and following a vote (Unanimous) the proposal was **GRANT** subject to conditions.

#### **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 would not result in a loss of public open space in accordance with Policy LP23 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of impact on the design and character of the site and surrounding area in accordance with Policy LP16 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of impact on neighbour amenity in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of the safety of the adjacent public highway in accordance with Policy LP13 of the Peterborough Local Plan (2019);



Chairman  
1.30pm - 4.04pm