



Minutes of a meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 18 March 2008.

MEMBERS PRESENT:

Chairman - Councillor Y Lowndes

Councillors Fitzgerald, Hiller, Kreling, Thacker, Winslade and Raines

OFFICERS PRESENT:

Vicky Hurrell, Planning Officer

Julie Smith, Senior Engineer, Highways

Carrie Denness, Principal Solicitor

Sally Crawford, Senior Regulatory Committee & Appeals Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Burton, Cereste, Ash and Hussain. Councillor Winslade attended as substitute.

2. Declarations of Interests

07/01601/FUL Councillor Thacker requested it be noted that her partner's garden backed onto the application site. However, this would not influence her decision.

3. Members Declarations of Intentions to make representations as Ward Councillor

There were no declarations from members of the committee to make representations as ward councillor on any item within the agenda.

4. Development Control & Enforcement Matters:

4.1 07/01061/FUL: Change of use of to enable residential use by Gypsy Family and Stationing of three caravans at Summerfield Riding School, Land rear of 69-131 Crowland Road, Eye

Planning permission had been granted by Committee at its meeting on 11 December for a permanent change of use of the land to residential use by a gypsy family using three caravans on site subject to two conditions.

The resolution included an amendment to condition C1 as follows:

Members were advised that due to recent case law, this amendment was unlawful and were asked to approve condition C1 as originally worded in the committee report.

Resolved: (unanimously) to approve the re-wording of condition C1 as follows:

Reason for the Decision:

Subject to the imposition of the attached conditions previously recommended in December 2007 restricting the number of caravans at any one time on the site, to the use being restricted to gypsies and travellers and the retention of parking facilities the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically: Circular 01/2006 and Policy H27 of the Local Plan.

- 4.2. 07/01683/R4FUL: Construction of a new section of Highway as an extension to Park Lane to provide a new vehicular and pedestrian access to St John Fisher and St Thomas More Schools. Alterations within school grounds to facilitate new access including alterations to pedestrian and vehicular routes, parking layout and landscaping. Erection of 13 metre high wind turbine. Construction of hard surfaces play areas including floodlit all weather pitch (amendments to previously approved scheme reference 07/00221/FUL) at St John Fisher and Thomas Moore Schools, Park Lane, Peterborough.

It was reported that planning permission was granted in May 2007 (application reference 07/00221/FUL) for extension/refurbishment works to St John Fisher School, including a new teaching block (block 3) and a new sports hall (block 4). Building works had commenced on site. Permission was also granted for revised car parking and playing pitch arrangements for both schools. As part of the revised playing pitch arrangements, permission was given for hard surfaced tennis courts and a floodlit all weather pitch on the northern side of the existing internal access road.

This permission involved some land taken from the former Hereward Community College site which lay to the north of St John Fisher and St Thomas More Schools. The former College site was the subject of redevelopment proposals (planning applications 07/01769/R4OUT and 07/01807/FUL refer) although it was presently occupied by St John Fisher School whilst the approved extension/refurbishment works were carried out to its buildings.

The previous planning permission, whilst rationalising the parking arrangements for both St John Fisher and St Thomas More Schools did not alter vehicle or pedestrian access into the site.

This application sought planning permission for alternative vehicular access arrangements to both schools in the form of an extension to Park Lane. The existing access road into the site was to be retained for use by pedestrians and cyclists.

Minor alterations to the layout of the parking area and to the location of the hard surfaced tennis courts approved under planning permission 07/00221/FUL were required to accommodate the proposed new access arrangements. There would, however, be no change to the position of the all weather pitch.

It was intended that the extension to Park Lane would also serve the new development proposed on land immediately to the north of St John Fisher/St Thomas More Schools. This planning application (07/01807/FUL) was on the southern part of the former Hereward Community College site. Access to the northern part of the former College site, which is also the subject of redevelopment proposals (planning application 07/01769/R4OUT), would continue from Reeves Way.

Members' attention was drawn to additional information detailed in the update report.

Resolved: (unanimously) to approve the application subject to:

1. the conditions numbered C1 to C16 as detailed in the committee report
2. condition C17 amended as follows:

Notwithstanding the submitted information and prior to the commencement of the development, unless otherwise agreed in writing with the Local Planning Authority, full details of levels, form of construction of the highway, including surfacing materials, **full details of the proposed crossing points**, details of piped surface water drainage, signing/lining, and street lighting systems, shall be submitted to and approved in writing by the Local Planning Authority. The road shall thereafter be constructed in accordance with the approved details prior to it being brought into use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policies T1 and T8 of the Peterborough Local Plan (First Replacement).

3. an additional condition C18 as follows:

Prior to the commencement of development and unless otherwise agreed in writing with Local Planning Authority, the proposed zebra crossing shall be relocated further north east in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policies T1 and T3 of the Adopted Peterborough Local Plan (First Replacement).

4. the informatives numbered 1 to 8 as detailed in the committee report
5. the additional informatives as follows:

9. With regards to condition 17 the applicant is advised that the material submitted in respect of the design of the crossing points should include a Stage Two Safety Audit and Designers Response.

10. With regards to condition 18 the applicant is advised that the scheme in respect of the relocation of the proposed zebra crossing to be submitted to the Local Planning Authority should include an amended Stage One Safety Audit and Designers Response.

11. The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421 or email

HighwaysDevelopmentTeam@peterborough.gov.uk.

12. The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. **It is essential that prior to the commencement of the highway works**, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.

Reasons for the Decision:

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- a) The proposal would not be contrary to any land allocations in the Peterborough Local Plan (First Replacement). It was therefore acceptable in principle.
- b) The proposed development would not have any significant adverse impact upon highway safety and convenience. The proposed parking provision was also acceptable. The development therefore accords with policies T1, T3, T5, and T7 of the Peterborough Local Plan (First Replacement).
- c) The proposal would not result in any unacceptable loss of playing pitch provision and as such is not contrary to policy LT3 of the Peterborough Local Plan (First Replacement).
- d) The proposal would not have any significant adverse impact upon the amenity of the neighbouring residents nor would there be any significant adverse impact upon the visual amenity of the surrounding area. The proposal therefore accorded with policies DA1, DA2 and DA13 of the Peterborough Local Plan (First Replacement).
- e) The impact of the proposed development on the archaeology of the area was considered to be acceptable in accordance with policies CBE 1 and CBE 2 of the Peterborough Local Plan (First Replacement).
- h) The impact of the development upon the existing landscaping and ecology was considered to be acceptable. New landscaping will also be an integral part of the development. It was therefore considered to accord with policies LNE 9 and LNE10 of the Peterborough Local Plan (First Replacement).