

PLANNING & ENVIRONMENTAL PROTECTION
COMMITTEE

TUESDAY 6 SEPTEMBER 2011 AT 1.30PM

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**UPDATE REPORT &
ADDITIONAL INFORMATION**

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PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 6 SEPTEMBER 2011 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent /Supporters/Parish Council/Town Council/Neighbourhood Representatives
5.2	37	11/00910/FUL – LAND TO THE WEST OF UFFINGTON ROAD, BARNACK, STAMFORD	Councillor June Woollard (Chairman of Barnack Parish Council)	Parish Councillor
5.3	45	11/01018/R3FUL – PETERBOROUGH UNITED FOOTBALL CLUB LTD, LONDON ROAD, PETERBOROUGH, PE2 8AL	Councillor Fran Benton Mr Vincent Perna (On behalf of Scalabrini Fathers) (<i>Provisional</i>) Mr David Shaw Mr Neil Farnsworth Mr Gareth Dawkins (Capital Projects Officer) Mr Richard Hodgson (Head of Strategic Projects)	Ward Councillor Objector Agent Architect Supporter Supporter
5.4	61	11/01023/FUL – REAR OF 78 WELAND ROAD, DOGSTHORPE, PETERBOROUGH	Councillor Bella Saltmarsh Councillor Chris Ash (<i>Provisional</i>) Mr John Dudge (Barker Storey Matthews)	Ward Councillor Ward Councillor Applicant's Planning Consultant

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BRIEFING UPDATE

P & EP Committee 6 September 2011

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	11/00795/FUL	Land To The South Of Oakdale Avenue, Stanground, Peterborough. Construction of 138 dwellings and highway infrastructure - (allocated as Employment land).

There are references within the Report to 138 dwellings and 136 dwellings. To clarify, this application is for 138 dwellings – drafting of the report began prior to receipt of the amended layout plan.

Within the S106 section reference is made to an uplift payment due to the previous land owner. In fact this payment is due to the previous promotion Partner Hallam Land rather than the landowner.

Condition 9 contains a numbering error. It should read:

9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), garages within plots 517, 541, 542, 620, 621, 633, 634, 635, 645, 646, 651 shall be retained for the parking of vehicles and not used for any other purpose. The garages to plots 517, 545, 620, 621, 626-629 and 647-650 shall be fitted with vertical opening garage doors only.

Reason: In the interests of providing adequate off street parking to serve the development in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD and T10 of the Peterborough Local Plan (First Replacement).

The following additional condition is recommended:

Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a scheme for construction access including haul routes;
- a scheme for the parking for construction vehicles and staff vehicles;
- a scheme for controlling, mitigating and monitoring construction noise and vibration;
- a scheme for controlling the location, screening and timing of noisier activities;
- approval of piling methods;
- a scheme for the control of dust arising from the carrying out of the development and site works;
- a scheme of chassis and wheel cleansing for all vehicles visiting the site during the period of construction to prevent the carriage of mud and debris onto the public highway.
- a contingency plan, including if necessary the temporary cessation of construction operations, to be implemented in the event that the approved vehicle cleansing scheme fails to be effective for any reason;
- a scheme of working hours for construction and other site works
- a scheme for the maintenance and review of the haul routes and related facilities;
- a scheme for monitoring the impact of mitigation;
- the appointment of an Environmental Co-ordinator and a scheme for staff training;
- a scheme for dealing with complaints.

These should be carried out in accordance within timescales to be agreed with the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

2.	11/00910/FUL	Land To The West Of Uffington Road, Barnack, Stamford. Construction of 2.4m high post and wire stock enclosure fencing for livestock.
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Councillor Over has submitted the following comments:

I write to agree with the opinions of the Planning Dept, Barnack Parish Council and villagers.

I would oppose the application on:

1. This is not a sustainable and inclusive development in the countryside.
2. This development would not encourage high environmental standards; in particular, it would do little to enhance the existing natural landscape.
3. Planting would not hide the proposed development.

I would also note that:

1. This development would not add to the attractive character of the landscape at a time when the parish council has spent large sums of money attempting to enhance the area with regular planting of hedging, trees and plants.
2. The smell from any rabbit farm would add to the smells already coming from the Stamford sewage works which in itself is causing a nuisance.
3. Such developments has, in the past, gone from fencing, to storage buildings, to barns/stables, temporary housing and then permanent housing. For example in Helpston with two houses now built in open agricultural land and outside the village envelope.
4. There is no evidence for a need for a rabbit farm in the area and it certainly is not a usual or traditional agricultural activity.
5. Uffington Road simply can't take the traffic, especially during rush hours.

3.	11/01018/R3FUL	Peterborough United Football Club Ltd, London Road, Peterborough, PE2 8AL. Demolition of existing stand, construction of new stand with Education Centre and Energy Centre, together with access and parking - Moys End Stand (East stand).
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Following a review of the recommended conditions in the draft committee report it is suggested that the following amendments be made.

C8. The rating level of noise emitted from fixed plant and equipment shall not exceed 42 dB LAeq, 1 hour between 07:00 and 23:00 Monday to Saturday and 35 dB LAeq, 5 minutes at any other time. The noise levels shall be determined at (the nearest noise sensitive premises.) The measurements and assessment should be made according to BS:4142:1997.

Reason: In order to protect and preserve the amenities of occupants of nearby properties in accordance with Planning Policy Guidance 24: Planning and Noise (1994) and Policy CS16 of the Peterborough Core Strategy DPD (2011).

Letter received from Natural England – No objection to application

Further comments from neighbours:

Mr Froggitt has submitted the following comments:

Peterborough City Council Planning committee will soon be considering the application for the building of a new stand at the Moy's End of London Road Stadium.

Many fans are dissatisfied with the proposal but Darragh MacAnthony, the owner of Peterborough United Football Club, who also has reservations about the adequacy of the proposed stand, has asked that individual fans and their supporters' organisations do not object to the application - on the basis that something is better than nothing.

To the best of my knowledge no objections to the application have been made by the fans or the supporters' organisations. I am contacting you now not to ask you for outright rejection of the application but to ask if you will take into consideration the following comments when reaching your decision.

When a previous application was made for the rebuilding of this stand Peterborough City Council objected to the application. One of the principal reasons for their objection was that the application was 'premature' and should only be considered in conjunction with the wider development of the area. I believe that pertains as much today as it did then (2007). The present application is for one stand as part of a stated intention to demolish and rebuild three stands at the stadium – but no plans have been compiled for the other stands and hence for the projected appearance of the whole stadium development. You are being asked to approve the building of a stand in isolation without knowing whether it is forms an integral and appropriate part of the whole (an analogy would be as if asking for approval for an extension to a house before the submission of the plans for the house itself).

The City Council's previous objection also made reference to the development of the stadium in conjunction with the adjacent 'Carbon Challenge' site. Morris have now been given planning approval for building on that site without any knowledge of the envisaged mass and height of the projected new North stand, which is a further reason why plans for the whole stadium development are needed and should be a precedent to any approval of the building of individual stands. The whole redevelopment could be put in jeopardy if a future application for a new North stand were to fail because of objections from Morris concerning proximity to their housing.

As I said above I am not asking for outright rejection of this application as I, like you, cannot tell whether it is appropriate or not without further information. I do ask whether it is possible to postpone a decision on the application and ask for a set of plans for the whole development to be submitted prior to your further consideration. This approach would seem to me to be consistent with the previous expressed concerns of the City Council on the rebuilding of this stand.

Officer Response

In 2006 an application was received for the demolition of the Moys Stand and the construction of its replacement together with an apartment block adjacent. The Council did not decide the application prior to an appeal being lodged by the applicant. At the appeal, the Council said that the proposal would prejudice the comprehensive redevelopment of the area. The Council lost this argument as there were no definite plans, policies or proposals for the comprehensive redevelopment of the area and hence the development was granted planning permission at appeal.

It would be unreasonable to delay a decision on the current application or indeed refuse it on the grounds that the Committee did not have before it plans for the improvement / redevelopment of the other stands at the ground not least because the proposal does not necessitate the improvement of redevelopment of the other stands.

Mrs Nadine Gereson has submitted the following comments:

Mrs Gereson raises the following planning issues:

- There is a suggestion that pupils / students would need to be bussed in to the Stem centre. Isn't this a contradiction of the Council's policies on reducing carbon emissions and the claim to be an Environmental City.
- I notice that there would be a hatched area on the roads giving access to the education facility in order to prevent queuing traffic backing up and blocking Oundle Road. This would be detrimental to the residents of the carbon neutral site.

Officer Response

It is accepted that the pupils/students may be bussed to the site. Notwithstanding the applicant has agreed to enter into such a Travel Plan and this may be secured by condition and legal agreement. The

aim of the travel plan would, in the first instance, be to remove the number of private cars visiting the site.

The initial comments received from the Highways Officer highlight concern regarding the proximity of the access to the development from the junction on the Cripple Sidings Access onto the Oundle Road junction. Following discussion with the agent, a scheme has been agreed which would involve the installation of a yellow 'Keep Clear' box to the junction, allowing any traffic to the Stem Centre to take priority and making traffic from the Carbon Challenge Site give way. This would ensure that any queuing that would occur will take place within the development and not onto the junction

Mr Carrino has submitted the following comments:

Sorry I can be there to speak to you in person this is due to an unforeseen appointment.

A number of councillors came to my property last week on a site survey, concerning the construction of a new stand with education centre and energy centre; I would like to put to you my concerns.

I have no problems with the Moys End Stand (east stand) being demolished and re-built but my concerns are for what is being proposed, an energy centre containing wood pellet boiler, a natural gas engine package and two natural gas condensing boilers and plus a generator producing electric working 24/7, I feel this, the noise and the lorries bring fuels to centre along with the visual sight of a 19/20 metre chimney only metre away from my back garden/property will be very over powering not to mention the dispersion of pollutants from the flues falling on properties and gardens of the residents living in close proximity to the energy centre, for this reason I object to the proposed plans of the energy centre, and as for the education centre with so many school/academies being built around Peterborough why not this be built into one of the new school boundaries. Peterborough united is a football stadium and with all this building work north, east and west of the ground I feel the ground will not be able to increase its capacity in future years if successful.

As I said I reject this proposal.

4.	11/01023/FUL	Rear Of 78 Welland Road, Dogsthorpe, Peterborough. Construction of bungalow (part retrospective - part amendment).
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Cllr Ash has submitted the following comments:

The main reason I am asking for this to go before you is your previous involvement. Each occasion an application for this site has come to committee it has been refused against officer recommendation. Your view has been upheld without question and fully supported by the planning inspectorate. I am

confident that Cllr Saltmarsh will provide you with a detailed verbal view on behalf of residents and answer any questions you may have. Equally the agent will address the issues on the applicant's behalf. Therefore I thought it best to confine my comments to highlighting what I believe to be the key issues via a written submission.

This has been a complicated case and without doubt has caused a great deal of unnecessary stress and anxiety to all concerned. Had the build been according to the original application (which in my view was very borderline from the start) this series of events would never have occurred.

I do not envy the task you have in reaching a decision and ensure that all sides believe they have had a fair hearing. I feel you have to be assured that all the issues raised by each of the inspectors who have looked at the appeals have been fully addressed and can or can not be met through this application.

The Inspector states that the agent has itemised a number of proposals that may have the making of a potential planning application. There is no doubt that the agent has made great strides in to mitigate the impact on neighbouring properties but it is worth noting the inspector wrote may have potential - not will have.

The officer's report seems somewhat selective does not in my view go far enough in detailing the inspector's thoughts. There does not appear to be any clue why the inspector may think there is potential. Neither is there, in my view, detail why the inspector refused the application. Even if the full report is appended to the update sheets for you to study, you may feel that there is not enough time is available prior to the start of the hearing.

A lot is at stake and I ask that if you do feel that you have not had time to consider all the facts you ask for a deferment to enable you to consider all the details. I also wonder what the officer actually means by the phrase understood that the previous appeal dismissal commented on the overbearing impact of a wall. (Mentioned halfway along the 4th line of the 4th para of the section headed 46-50 Fig tree Walk) Clearly a wall will have a major impact but will an alternative be an improvement or just as harmful to the neighbours amenity?

In a summary I believe in coming to a decision committee needs to be sure that this application meets or does not meet, or made to meet by condition, to ensure that there is no harm to the amenity of neighbouring properties. Can the impact of the close proximity of the bungalow to adjacent properties (especially in Figtree Walk) be resolved by:

- Appropriate planting or fencing along the boundary
- Reduction in roof height
- Design of doors and window

Thanks for your time. Cllr Chris Ash

Cllr Miners has submitted the following comments:

This has been going on far too long and requires a final solution ASAP. I therefore wish to draw Councillor's attention to the statement from the Inspector's report concerning potential changes capable of satisfying, as far as possible, the concerns of the various parties involved. If the present application does this then it is best to resolve this matter before you tonight.

5.	11/01058/FUL	93 Eastfield Road, Peterborough, PE1 4AS. Extension and installation of new shop window and roller shutter and change of use of shop from A1 to A5 hot food take away.
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No Further Comments.