



**MINUTES OF AN EXTRAORDINARY MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 22 APRIL 2014**

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Casey, Sylvester, Todd, Harrington and Lane.

Officers Present: Vicky Hurrell, Principal Development Management Officer
Theresa Nicholl, Development Management Support Manager
Sarah Hann, Acting Senior Engineer (Development)
Jez Tuttle, Senior Engineer (Development)
Darren Sharpe, Natural and Historic Environment Manager
Jim Daley, Principal Built Environment Officer
Ruth Lea, Lawyer Growth Team
Pippa Turvey, Senior Governance Officer
Gemma George, Senior Governance Officer

1. Apologies for Absence

An apology for absence was received from Councillor Shabbir.

2. Declarations of Interest

Councillor North declared his predetermination on item 5.3. Councillor North confirmed that he would retire to the public gallery for the discussion of that item.

Councillor Todd raised a non-pecuniary interest in item 5.1 and 5.2, due to the applications being located within the Councillor's ward area.

3. Minutes of the Meetings held on 8 April 2014

The minutes of the meeting held on 8th April 2014 were approved as a correct record, subject to the following amendments:

- The removal of Councillor Todd from the list of attendees;
- The inclusion of Councillor Shabbir's apology for absence; and
- The inclusion of the reasons for the decision for minute no. 7.

4. Development Control and Enforcement Matters

4.1 14/00043/M4FUL – Dodson House, Fengate Peterborough, PE1 5FS

The planning application was for the change of use of the existing building at Dodson House, Fengate to provide a Household Waste Recycling Centre and for the retention of the Waste Electronic and Electrical Equipment (WEEE) re-use facility and the offices. In order to facilitate this development, alterations to the vehicular access were proposed as well as alterations to the building and on site infrastructure.

The key issues to be considered were the change of use to Household Waste Recycling

Centre (HWRC), traffic, transport and parking issues, visual appearance / street scene, impacts on surrounding users (e.g. noise, visual, lighting), air quality / dust, health and safety, and drainage.

It was officer's recommendation that planning permission be granted, subject to conditions.

The Development Management Support Manager provided an overview of the application and raised the following points:

- The proposed facility would replace that currently situated at Dogsthorpe.
- Proposed HGV access would be from Fourth Drove, public access would be via ramp access off Fengate.
- Alterations to the building would be minimal, including altering the door size and demolishing the single storey extension.
- Acoustic fencing would be erected to protect the small business units on Dodson Way.
- Access and car-parking space would be shared with adjacent facilities, and were considered sufficient.

Mr Martin Pollard, Agent, addressed the Committee and responded questions by Members. In summary the key points highlighted included:

- The proposals were in line with Peterborough City Council's Waste 2020 programme.
- Current facilities were not built for modern capacity and had a slow turnaround.
- The proposal would have a number of benefits, including use of an existing building in an established industrial site and co-location with other waste management facilities.
- The applicants had consulted with officers and the public to ensure the proposal was in accordance to Council policies.
- Separate containers would be provided for different types of recycling and then sorting mechanically. As such, physical handling of any waste would be minimal.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the conditions set out in the report.

Reasons for the decision

The proposed development was both acceptable in principle and in respect of the issues set out above. Where further detail was required this could be dealt with by the imposition of conditions. The development complied with the relevant policies of the development plan and there were no material considerations which weighed against the proposal. In accordance with Section 38(6) of the Town and Country Planning and Compensation Act and with advice contained in the National Planning Policy Framework, as the development accorded with an up to date Local Plan, it should be approved.

4.2 14/00069/WCMM – Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough

The previously permitted scheme, and that which had been implemented, was that

granted under 12/01409/WCMM for an Energy from Waste Facility with a maximum throughput of 85,000 tonnes per annum.

The planning application was for several amendments to the approved scheme, including the widening of the existing access off Fourth Drove, changes to internal roadways and vehicle routing, changes to internal pedestrian routing and car parking, relocation of the weighbridge and office, water tank, cycle and smoking shelters, a new coach drop off point, new fencing and gate arrangements and removal of on street parking currently provided on Fourth Drove. These changes were necessary in order to provide a shared HGV access and egress for both the Energy from Waste (EfW) facility and the proposed HWRC off Fourth Drove and to enable staff and visitor parking to be provided on the neighbouring site and where the proposed HWRC would be. The staff and visitor vehicular access/egress would be off Dodson Way.

The proposed design changes included the repositioning of doors, reduction in the diameter of the main chimney stack from 2.5 to 1.55 metres, increase in the height of the administration block from 13.1 to 14.5 metres, relocation of tanks, change to roof cladding from Kingspan to Tata Roofdek, internal changes to office block arrangement and introduction of additional equipment and amendment to the pipe bridge to the Air Cooling Condensers.

The main considerations were whether the changes to the proposed design and layout (including access arrangements) of the EfW facility were acceptable in comparison to the approved scheme and in accordance with the development plan and other material considerations, and any other issues and / or changes that had arisen in terms of policy and / or physical works since the last application was approved that needed to be taken account of (e.g. conditions that have been discharged).

It was officer's recommendation that planning permission be granted subject to the signing of a legal agreement and conditions.

The Development Management Support Manager provided an overview of the application and raised the following points:

- The alterations applied for were in relation to access and minor design changes.
- There would be no changes to the through put of the facility.
- The removal of the on street parking provided along Fourth Drove would be necessary and the applicants were intending to apply for a traffic order to such an effect.
- The current permission at the site was subject to a Section 106 Agreement. If permission were to be granted for this application, a new Agreement would need to be signed.

Mr Martin Pollard, Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants had carried out an addendum to the Environmental Statement and no issues had been raised.
- Concerns regarding the increase in through put on the site were unfounded.
- In relation to air quality, as through put would be unchanged, emissions from the chimney would remain the same. The proposed scheme would provide less traffic movement than the current planning permission on the site and, accordingly, car emissions would be less than currently possible.

In response to a question, the Acting Senior Engineer (Development) advised that Fourth Drove was an adopted road.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the conditions set out in the report.

Reasons for the decision

The in principle issues had been previously accepted and the proposed changes did not warrant a re-visit of these issues. The applicant had provided an addendum to accompany the previous Environmental Assessment which adequately covered any changes to the environmental assessment of the scheme as a result of the changes to layout and design. The previous Environmental Statement with the addendum adequately demonstrated that with mitigation the proposal would not have significant impacts on the environment that would warrant refusal of the proposals. The main area of change was transport due to the alteration in access arrangement. The Highway Authority raised no objection subject to conditions and the proposal accorded with policy CS32 of the Core Strategy. In all other respects the proposal complied with the adopted Development Plan policies as set out above and did not conflict with the NPPF or the advice contained in the recently published Planning Practice Guidance. The application was therefore recommended for approval subject to revised conditions and the entering into of a legal agreement in respect of hydrological monitoring.

4.3 14/00072/OUT – Land at Alwalton Hill, East of the A1 and South of Fletton Parkway, Peterborough

Councillor North retired from the discussion.

The planning application was for the development of warehousing and distribution (B8) units with ancillary office space with a maximum total floorspace of 168,958 square metres, together with access roads, parking, service areas, utility infrastructure, and landscaping

The main consideration was that the site had an extant outline planning permission for up to 172,000 square metres floorspace for B8 uses. The only substantive change to the scheme was the increase in buildings heights from 14.8 metres to 20 metres with the exception of zone 1 where building heights would remain at 15 metres.

It was officer's recommendation that Committee approved the increase in building height with the Director of Growth and Regeneration be given authority to grant planning permission subject to the signing of the S106 and necessary conditions, subject to satisfactory assessment of the Environmental Statement.

The Principal Development Management Officer provided an overview of the application and raised the following points:

- Outline planning permission for an increased height would allow for greater flexibility.
- With advances in stacking technology, greater height would be considered the norm.
- A new visual assessment had been carried out in support of the application. Whilst the taller buildings would be more visible from some view points than the consented scheme it was not considered that the visual impact would be

unacceptable, particularly when balanced against the economic benefits of the scheme.

Mr David Shaw, Agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The scheme was proceeding, with £10 million of investment going into the site already.
- Not all the buildings would be 20 metres in height. The height of each building would depend on the purchasers and would be subject to a reserved matters planning application.
- Any paint treatment of the buildings would depend on the height each building was.

A motion was proposed and seconded to agree that the permission be granted, as per officer recommendation. The motion was carried unanimously.

RESOLVED: (unanimous) that:

1. The increase in building height be approved; and
2. Authority to grant planning permission subject to the signing of the S106 and necessary conditions, subject to satisfactory assessment of the Environmental Statement be given to the Director of Growth and Regeneration.

Reasons for the decision

Subject to the imposition of conditions and the signing of a S106 Agreement, 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:

- The build out of the consented scheme for this site (under outline permission 09/00346/OUT) would result in a complete change to the character of the existing site and a development which, in view of the ground levels, can be seen from outside of the site. It is acknowledged that 20 metre high buildings on the site would be more visible from some viewpoints than the consented 15 metre high buildings, however the additional impact is not considered significant. In addition, this is an allocated employment site and the National Planning Policy Guidance places strong emphasis upon supporting economic growth. There are no areas of best landscape adjoining the site and it would not result in any unacceptable harm to the Schedule Ancient Monument to the south west or surrounding Conservation Areas. The visual impact of the buildings is therefore considered to be acceptable in accordance policies CS16 and CS17 of the Adopted Core Strategy.
- The taller buildings would not result in any unacceptable impact upon Orton Pit SSSI/SAC in terms of shading. Neither is it considered that the proposal would have any unacceptable adverse impact upon any other species. It would result in some additional shading of Awalton Woodland but this is not considered to be significant and new landscaping forms part of the scheme. The development is, therefore, considered to be acceptable in accordance with policy CS21 of the Adopted Core Strategy, Section 11 of the National Planning Policy Framework' and policy PP16 of the adopted Planning Policies DPD.

4.4 14/00197/R3FUL – St Peters Arcade, St Peters Road, Peterborough

Councillor North returned to the discussion.

The planning application sought permission for the erection of clear glazed screens at either end of the St Peters Arcade to afford the Arcade some protection in inclement weather for the public and the businesses therein. The screens would, in effect, narrow down the width of the entrances at either end of the Arcade to 2 metres and the height of the entrances to 2.8 metres. The proposed glazing screens would have the City Armorial on them.

The main considerations included the impact of the proposal upon the character and appearance of the Arcade and the streetscene and the impact of the proposal upon the passage of people through the Arcade.

It was officer's recommendation that planning permission be granted subject to conditions.

The Principal Development Management Officer provided an overview of the application and raised the following points:

- The application site was part of a building of local importance and within the City Centre Conservation Area.
- The proposal would improve the environment of the Arcade and its attractiveness thereby helping to maximize the use of this heritage asset.
- It was considered that the proposal would result in less than substantial harm to the Conservation Area and that the limited harm which would be caused would be outweighed by the benefits which would result.
- The 2 metre wide access which would be retained was considered sufficient.
- There was an established right of way through the Arcade. The alternations to the width of this right of way as a result of the scheme would need to be dealt with under separate legislation.

Members debated the planning application and raised the following points regarding the proposals:

- Concern was expressed as to whether the screens would be subject to vandalism.
- The proposal would be aesthetically pleasing and positive steps should be taken to improve the City.
- The proposal had no practical merit, would restrict access and would cause damage to an historic building.
- Concern that the proposal may make the arcade more attractive to the homeless.

The Growth Team Lawyer advised the Committee that an informative could be added on to any permission granted, explaining the Committee's desire for shatter proof glass. However, it was clarified that the scheme would need to meet Building Control standards and this was not a matter which was therefore within the remit of the Committee. The Committee needed to consider the application that was in front of them. It was further clarified, in response to questions raised, that responsibility for insurance was not a planning consideration.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried five to three.

RESOLVED: (five voted in favour, three voted against) planning permission be **GRANTED** subject to the conditions set out in the report.

Reasons for the decision:

Subject to the imposition of conditions and the signing of a S106 Agreement, 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:

- the proposal would provide increased protection for the tenants and the patrons of the Arcade from inclement weather, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011);
- the design, appearance and location of the screens was considered appropriate for their purpose and would not result in unacceptable harm to the appearance of the Arcade, in accordance with paragraphs 131 and 134 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy CC3 of the Peterborough City Centre DPD (Submission Version) (2014); and
- whilst the screens would result in the narrowing of a rights of way at either end of the Arcade, the proposed width of 2 metres would not significantly compromise the accessibility to users, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

Consideration of the planning application does not grant permission for any change to the highway rights through the Arcade which will have to be subject to a separate legal process, which will include public consultation.

4.5 TPO 2013_08 – Woodland to the North of 1 Linden Close, Barnack

Officers had served a provisional Tree Preservation Order (TPO) 8_2013 Woodland to the north of 1 Linden Close, Barnack, following a request from a local resident who was concerned about the potential loss of the woodland. Following the public consultation period, objections had been raised.

The main considerations included whether the woodland was worthy of inclusion into a TPO in terms of public visual amenity value, condition and health, and whether the proposals were reasonable and justified having regard to any representations received.

It was officer's recommendation that the recommends that the TPO be confirmed.

The Natural and Historic Environment Manager provided an overview of the application and raised the following points:

- 46 letters of support had been received, along with three letters of objection, including the Parish Council.
- The site was originally allocated for development, but this allocation had been removed.
- Although the woodland in question was considered immature, the relevant legislation provided for the preservation of amenity in the long term.
- The TPO was served pro-actively, in response to a legitimate request.
- The presence of a TPO would not prevent management of the site.

Mrs Joy Lee, Site Owner, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The confirmation of the TPO would be grossly unfair and an infringement of her rights.
- The adjoining land to the site was compulsorily purchased and the gap was left to provide access.
- Mrs Lee was told that the site would be purchased, but no further action was taken.
- The land was not managed because Mrs Lee believed that it was to be developed.
- In 2005 a TPO was served on one Walnut tree. No further notification was made of any further TPO's being served.
- All a TPO would do would be to prevent development.
- The majority of the woodland consisted of Sycamore trees, which were universally removed.
- The woodland was home to mainly compost heaps and litter.

Mrs Mary Vincent, a local resident, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The TPO would apply to the woodland as a whole, not specific trees.
- The site was of historic value, as part of the original Grange estate.
- Hedgehogs, deers and owls had all been sighted in the woodland.
- The site was not a nuisance, but an asset.
- The site was not maintained and this was more of an issue than any compost heaps that were present.
- The majority of local residents would look to protect the woodland, however the option of purchasing the site had never been considered.
- There was no fear of anti-social behavior on the site.

The Natural and Historic Environment Manager clarified that a planning application for the site could be submitted and would be considered on its merits. Certain trees could be selected for removal however policies were in place to retain trees of value.

Members debated the planning applications and raised the following points regarding the proposals:

- It would be regrettable to lose the woodland site.
- The presence of wildlife was impressive and should be enjoyed.
- The proposal clearly had significant local support.
- The owner was in an unfortunate situation where obligations would be placed on them because of what local residents desired.

A motion was proposed and seconded to agree that the TPO be confirmed, as per officer recommendation. The motion was carried six to one, with one abstention.

RESOLVED: (six voted in favour, one voted against, one abstained from voting) that the Tree Preservation Order be confirmed.

Reasons for the decision:

- The woodland offered public visual amenity value and it was considered that the loss would be of detriment to the greater public and the landscape in this location.

- The City Council should seek to protect any trees that are considered to be under threat and worthy of retention in line with the formally adopted Trees and Woodlands Strategy.
- The woodland could provide 50 yrs + visual amenity value based on its current condition.

The meeting was adjourned for ten minutes.

5. The Orton Longueville Conservation Area Appraisal

The Committee received a report which provided an update on the outcome of the public consultation on the Draft Orton Longueville Conservation Area Appraisal and Management Plan and sought the approval of the Orton Longueville Conservation Area Appraisal and Management Plan.

It was officer's recommendation that the Committee noted the outcome of the public consultation on the Orton Longueville Conservation Area Appraisal and supported the adoption of the Orton Longueville Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Orton Longueville Conservation Area.

The Principal Built Environment Officer provided an overview of the application and raised the following points:

- It was not proposed to extend the Conservation Area boundary.
- The village possessed an historic core and a special character, including woodland, grounds and avenues.
- Seven comments were received from the public consultation and the Appraisal was amended where necessary.
- A management plan would be put in place to preserve and enhance the area, working alongside the Woodland Trust.
- Information leaflets would be circulated to local residents.

Comments and responses to questions raised by the Committee were as follows:

- Ward Councillors believed the report captured the character of the village.
- 'Visit Peterborough' would be made aware of the points of interest Orton Longueville had to offer.
- Councillors and residents appreciate the work put into the Appraisal.

It was noted that the Parish Council was thankful to the Principal Built Environment Officer for all the work he had undertaken.

RESOLVED that:

1. The outcome of the public consultation on the Longthorpe Conservation Area Appraisal be noted; and
2. The adoption of the the Orton Longueville Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Orton Longueville Conservation Area, be supported.

Reasons for the decision:

Adoption of the Orton Longueville Conservation Area Appraisal as the Council's planning guidance and strategy for the Area would:

- fulfill the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which would be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment was both appropriate to its context and of demonstrable quality.

6. Three Month Appeal Performance

The Committee received a report which outlined Planning Service's performance at appeals and identified if there had been any lessons to be learnt in terms of the appeal outcomes. The aim was intended to help inform Committee when undertaking future decisions in order to potentially reduce costs.

The Principal Development Management Officer provided an overview of the application and raised the following points:

- 48 Hall Lane, Werrington – The Committee overturned an officer recommendation and the appeal was allowed.
- 237 Lincoln Road – An appeal against a delegated officer decision was allowed.
- 70 – 80 Storrington Way, Werrington – The Committee overturned an officer recommendation and the appeal was dismissed. Costs were awarded in this instance, as the Inspector determined that officers had not provided the Committee with sufficient information.
- 37 Lavington Grange, Parnwell – An appeal against a delegated officer decision was allowed.
- 26 Apsley Way, Longthorpe – The Committee overturned an officer recommendation and the appeal was dismissed.

Members debated the report and commented on the Storrington Way application, highlighting the importance of investigating the instance and ensuring that it was not repeated.

In response to a question raised the Principal Development Management Officer clarified that, under the new rules, the Planning Inspector could award costs, even if they were not applied for. As such, the reference within the report to 'No' related to instances where costs were neither applied for nor awarded and 'Refused' related to instances where costs were applied for but not awarded.

RESOLVED: that the Committee noted past performance and outcomes.

7. Planning Compliance Quarterly Report on Activity and Performance

The Committee received a report which outlined the Planning Service's planning compliance performance and activity which identified if there were any lessons to be learnt from the actions taken. The aim was for Committee to be kept informed of future

decisions and potential to reduce costs.

The Principal Development Management Officer provided an overview of the application and raised the following points:

- 198 live cases, 11 enforcement notices served, eight enforcement notices complied with and one prosecution for breach of a TPO.
- 99% of service requests were acknowledged within three working days, above the target.

In response to a question raised the Principal Development Management Officer explained that, although enforcement officers had warrant cards, sometimes access could not be gained. In these situations officers can approach the Magistrates Court for a warrant and, if necessary, police support.

RESOLVED:

The Committee noted past performance and outcomes.

As it was her last Planning and Environmental Protection Committee meeting, the Chairman thanked Councillor Todd for her nine years' service to the Committee.

Chairman
1.30pm – 4.05pm

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