



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 7 OCTOBER 2014**

Members Present: Councillors Harper (Chair), Serluca (Vice-Chair), Casey, Hiller, North, Rush, Stokes, Sylvester, Martin and Ash.

Officers Present: Nick Harding, Head of Development and Construction
Lee Collins, Planning and Development Manager
Jez Tuttle, Senior Engineer (Development)
Alison Chambers, Assets and Schools Place Planning Officer
Emma Naylor, Senior Strategic Planning Officer
Ruth Lea, Planning and Highways Lawyer
Pippa Turvey, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Harrington.

2. Declarations of Interest

No declarations of interest were received.

3. Minutes of the Meetings held on 2 September 2014

The minutes of the meeting held on 2 September 2014 were approved as a correct record.

4. Members' Declaration of intention to make representations as Ward Councillor

Councillor Ash declared his intention to make a representation as Ward Councillor for agenda item 5.3 '14/01017/FUL - 16 Eye Road, Dogsthorpe, Peterborough, P1 4SA'.

5. Development Control and Enforcement Matters

As several of the registered speakers for agenda item 5.1 '14/01301/FUL – 70-80 Storrington Way, Werrington' were not present, a motion was proposed and seconded to defer discussion of the item until later in the agenda. Following a vote the motion fell.

5.1 14/01301/FUL – 70-80 Storrington Way, Peterborough, PE4 6QP

The planning application was for a new shop unit with two flats above at 70-80 Storrington Way, Werrington. The application outlined in the report was a resubmission, following refusal of a previous scheme in 2013.

The main considerations were:

- The Principle of Development
- Highways
- Design and Visual Amenity
- Residential Amenity

- Neighbourhood Amenity
- Landscaping
- Section 106

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

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The Committee previously refused planning permission for a previous version of this application, against officer recommendation.
- The Committee refused on the grounds of highways. The footprint of the site would extend into the visibility slope.
- The Committee's decision was upheld at appeal, however the planning inspector was critical of the lack of detail presented to Committee and costs were awarded.
- The current application before Committee proposed a revised footprint which cleared the forward visibility slope.
- The matters for Committee to consider were the forward visibility, which Highways were happy with, and the altered design.
- The condition of the flats and issues regarding fly tipping were not material planning considerations.

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

- The previous application had been refused on a single highways ground. This problem had been resolved with the redesign of the building.
- The current condition of the site was not relevant.
- It had been claimed that the grass was cut on the site by the Council, at its cost. It was the case that the Council had been required to cut the grass. This, however, had been paid for by the applicant in the past.
- Several of the leases at the site placed the responsibility for maintenance on the tenants.

The Committee discussed the amended application and considered that the problem of highway visibility had been resolved. It was raised by a Member of the Committee that the trees proposed for removal added to the site and requested that officers consider action in relation to these trees carefully.

The Senior Engineer (Development) explained that a speed survey had been conducted and, after evaluation of the plan and site survey, Highways were happy with the visibility proposed within the application.

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 reports.

Reasons for the decision

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

- The proposal was for retail development within a local centre;
- The site had extant planning consent for 7 flats therefore the principle of residential development was already established;
- The proposal would not be detrimental to the surrounding character or to neighbouring amenity;
- The proposal would provide a satisfactory level of accommodation for the future occupiers of the flats;
- The proposal would not result in any adverse highway implications; and
- The proposal would provide for replacement tree planting.

Hence the proposal accorded with policies PP2, PP3, PP4, PP12, PP9, PP11, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS15 and CS16 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

5.2 14/00857/R4OUT – Land at Guilsborough Road, Eye Green, Peterborough

The planning application was for a residential development of up to 55 dwellings on land at Guilsborough Road, Eye Green, Peterborough. The application also included means of access, open space and any associated works.

The main considerations were:

- The Principle of Development
- Transport
- Noise
- Ecology Impacts
- Amount of Development
- Local Services
- Drainage
- Section 106

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

The Planning and Development Manager provided an overview of the application and raised the following key points:

- The application included an additional 0.74 hectares of land above the 2.44 hectares included in the site allocation. This 0.5 hectares would be lost from the surrounding Country Wildlife Site (CWS) if permission was granted.
- Objections to the application were on the grounds of overdevelopment, resulting highways problems and detrimental impact on public services. Objections had been received from the Wildlife Trust and Buglife regarding the loss of habitat.
- A transport assessment had been carried out and it was concluded that the A47 would not be affected. The impact on the nearby roundabout would be minimal.
- The Council's Wildlife Officer considered the loss of CWS to be acceptable if appropriate habitat was made available elsewhere. There would be no harmful impact on the adjacent nature reserve.
- The impact on local services had already been considered during the site allocation process. The additional numbers had been considered and none of the relevant authorities had objected. It was estimated that the additional housing would only generate one additional pupil per school year.
- This was an outline application. If the reserved matters application was unacceptable the number of dwellings approved may be less than 55.

Stewart Jackson MP addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Mr Jackson urged the Committee to reject the planning application before them for a more appropriate planning brief.
- The Wildlife Trust and Buglife had objected.
- Eye was the key service centre and a hub for new residential housing. The services would not be able to cope with additional users.
- The 35 dwellings outlined in the core strategy was appropriate.
- The proposal would impact on residential amenity and on traffic and parking in the surrounding area.
- Mr Jackson suggested that the Committee should reject the application until the provision of school places had been clarified. He referenced an email from the Council's education services which indicated that the school would be unable to accept an increase in pupil numbers.
- Development was not objected to, however the proposal before the Committee was considered to be too dense.
- Mr Jackson had received a significant number of objections from residents.

Dale McKean addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- He had been involved in the initial site allocations process and received feedback from local residents on the allocations proposal.
- The buffer zones around the site were considered to be very important. The Section 106 agreement would not be able to mitigate for the loss of wildlife, but would simply move it elsewhere.
- Mr McKean had been informed two years ago that the A47 was then reaching its capacity.
- The core strategy would not have been approved for 55 dwellings instead of 35. The applicant should stay in line with the core strategy.
- The local school would be unable to cope with the additional numbers. The cumulative impact of all the development taking place in the area would have an effect at the same time, rather than over several years.
- The school did not want a three form entry. Residents had informed him that they couldn't get their children into certain year groups.
- The local residents were aware that the land had been allocated for 35 dwellings and had accepted this. They had not accepted a development for 55 dwellings.

Pippa Cheetham, Applicant, and Gail Revill, Agent, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The scheme was 20% open space. 78% of the development would house 55 dwellings, which resulted in a ratio of 27 dwellings per hectare. This was comparable to other developments in the area.
- The applicant was aware of the constraints of the buffer. The proposal before the Committee included 55 dwellings with the retention of a buffer and the footpath as well as providing an area of open space with a connecting route to the lake.
- The dwellings that backed onto the A47 had been provided with large gardens to create a greater distance between the dwellings and the road. The gardens would be approximately 15 metres.
- Acoustic fencing would be provided to mitigate any noise.
- The CWS was designated recently and was identified as a potential site for wildlife. This type of landscape could be easily recreated elsewhere. As such the site could benefit from a better design and not leave a brownfield site at the front door of dwellings.

- Three houses would be included on the CWS site.
- The CWS was a private site at the moment. The development would be creating access to the habitat, so people would be able to enjoy it more.
- There would be a single point of access developed by the lake to help ensure that safety for children was maintained.
- The density, including open space, for a 35 dwellings development on a smaller site would be 14 dwellings per hectare. The proposed 55 development on the larger site would be 18 dwellings per hectare. This is below the 30 dwellings per hectare advised in the Council's policy.

The Committee discussed the importance of the site allocation document. A Member of the Committee suggested that as consultation had been carried out for the allocation of 35 houses on a smaller site, and that this had been approved by an inspector, a development of 35 dwellings should be maintained. The increase to 55 houses was objected to by many residents and relevant consultees. The Committee asked for clarification.

The Head of Development and Construction explained that site allocation demonstrated that the Council had sufficient provision of land set out to reach its targets. It was not restrictive and land that was not included in the site allocation could still be developed. The application site did not currently support a population of wildlife, but had the potential to. As such, the Wildlife Officer and suggested the cultivation of a site elsewhere.

In response to questions from the Committee the Assets and Schools Place Planning Officer explained that one extra pupil in each year resulted from the additional 20 houses that came with the increase from 35 to 55. The total number of spaces required from 55 houses would be 19 pupils per year. The situation in Eye was no different than the rest of the city and the relatively small amount of increase in the school numbers would not make a significant difference.

Several Members of the Committee voiced concern about the increased size of the development and the affect this would have an overbearing impact, negatively impact biodiversity and infrastructure, and result in a loss of open space. Several other Members suggested that the proposal was well designed and was for up to 55 dwellings. The reserved matters application may be for a lesser number.

The Head of Development and Construction advised that that there may be a lack of evidence to refuse the application on those grounds.

A motion was proposed and seconded to agree that permission be refused, against officer recommendation, for the reasons that the development would extend beyond the site allocation boundary and that this would result in the loss of a potential wildlife habitat and biodiversity area. The motion was carried seven voting in favour, two voting against.

RESOLVED: (seven voted in favour, two voted against) that planning permission is **REFUSED** for the reasons set out below.

Reasons for the decision

The proposed development would extend beyond the site allocations boundary and would result in the loss of a potential wildlife habitat and biodiversity area.

5.3 14/01017/FUL – 16 Eye Road, Dogsthorpe, Peterborough, PE1 4SA

Councillor Ash withdrew from the Committee.

The planning application was for a residential development at 16 Eye Road, Dogsthorpe, consisting of 20 flats.

The main considerations were:

- The Principle of Development
- Siting, Scale and Design
- Impact of Neighbours
- Highways
- Noise
- Impact of Trees
- Ecology
- Section 106

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

The Planning and Development Manager provided an overview of the application and raised the following key points:

- The properties surrounding the development site were of a mix of styles, with bungalows directly opposite.
- Objections has been raised on the grounds of access, view, highways and not being in keeping with the character of the area.
- The proposed flats would front onto Eye Road and would have staggered frontage. As such, the development was not considered to be overbearing.
- 26 Eye Road, which would share a boundary with the proposal would 13 metres distance from the development and would be overlooked by one bathroom window.
- The proposal was in line with highways standards and parking capacity. The road had sufficient capacity to deal with the extra vehicles.
- Conditions would be put in place to regulate noise and landscaping. The tree belt on the site would be retained.
- The Section 106 Agreement would provide 30% affordable housing.

Councillor Ash, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposal was for two blocks of flats on a street which housed mainly single dwellings and semi-detached houses.
- There had been several accidents on the road, which was very busy. Adding to the traffic would increase the problem.
- The design of the development was not in keeping with the local area.

Jean Biggs and Jean Austin, Local Residents, addressed the Committee in objection to the application and responded to questions from Members. In summary the key points highlighted included:

- The information regarding accidents on Eye Road was questioned.
- Ms Biggs new of five accidents on the road due to the high amount of traffic.
- An extra 44 vehicles with one point of access would increase the likelihood of further accidents.
- Flats would change the character of the street, which was mainly houses.

- Ms Austin explained that her property would be directly opposite the entrance to the site.
- There were significant problems joining the road, with the traffic, as vehicles speeded around the corner.
- Ms Austin's wall had been demolished after being hit by a vehicle.
- There was a crossing on the road, however, it was further up from the development site.
- It was noted that the site's previous use as a pub would attract less traffic during the day and more at night, when the road was quieter.

The Senior Engineer (Development) clarified that the data provided in the report was police data, detailing all the accidents that had been reported. The speed of vehicles on the road was an existing problem and the applicant could not be asked to rectify it. The access to the site was up to standards and allowed for vehicles to turn around and leave the site in forward gear. 20 flats would not generate a significant amount of additional traffic and it would be considered unreasonable to object on such grounds. In response to a questions from a Committee Member, the Senior Engineer (Development) clarified that it was not thought necessary to provide gridding to keep the access to the site clear during heavy traffic.

In response to a questions the Planning and Development Manager advised that the bins were located in an underground storage area. Officers considered that, while the access to the site was directly opposite another residence, the other residence was elevated enough above the development site for glare from car headlights no the be an issue.

The issue of play area provision in the area was raised. The Planning and Development Manager explained that when considering the type of development proposed play areas were not a key concern.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation. The motion was carried seven voting in favour, one abstaining from voting.

RESOLVED: (seven voted in favour, one abstained from voting) that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the conditions set out in the reports.

Reasons for the decision

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

- a safe access into the site can be provided from Eye Road and sufficient on site car parking was proposed;
- the development could be accommodated within the site without any unacceptable adverse impact upon the amenities of the neighbouring properties;
- the siting, scale and design was considered to be acceptable with no adverse visual impact on the character or appearance of the surrounding area;
- the development could be accommodated without any significant adverse impact upon the adjacent tree belt; and
- appropriate noise mitigation could be provided for the flats to ensure acceptable noise levels were achieved.

The proposal was therefore in accordance with Policies CS2, CS8, CS10, CS13, CS14, CS16, and CS21 of the Peterborough Core Strategy DPD (2011), and Policies PP01, PP02, PP03, PP04, PP12, PP13, and PP16 of the Peterborough Planning Policies DPD (2012).

5.4 14/01103/FUL – 101 Garton End Road, Peterborough, PE1 4EZ

Councillor Ash re-joined the Committee.

The planning application was for proposed additions to an existing 'play hide' at 101 Garton End Road, Peterborough. The main consideration was the impact upon the amenities of neighbouring occupants.

It was officer's recommendation that planning permission be refused for the reasons set out in the report.

The Head of Development and Construction provided an overview of the application and raised the following key points:

- The 'play hide' had been built with a slide and steps up to an elevated platform, which allowed children to see in to the neighbouring property.
- This was not considered acceptable and an enforcement notice was made. Subsequently a retrospective application was made, which was refused by Committee.
- A further application was approved for a 'play hide' with use of the upper levels restricted.
- The current application before the Committee sought to reinstate the upper level of the 'play hide'.

Councillor Shearman, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The nursery owner had adapted the 'play hide' and added a panel so that it was no longer possible to see into the neighbouring gardens.
- The height of the panel was 120cm. The tallest child using the structure was 107cm.
- The neighbour who objected to the original application is satisfied with this proposal and no longer objects.
- The nursery needed to provide sufficient play opportunities for children.
- The opening hours of the nursery were Monday to Friday for three hours in the morning and three hours in the afternoon.

Mohammed Younis, Applicant, and Catrina Story, Early Years, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- The screen which was now on site meant that no privacy was lost.
- The screen was approximately two metres away from the boundary and had mitigated any objections from the neighbours.
- The children using the 'play hide' would be under five years old.
- The structure provided a learning opportunity for the children.
- The 'play hide' allowed for sensible risk and challenge opportunities as well as imaginative play.
- The structure would only be used in term time and for the youngest children.

A Member of the Committee suggested that as the 'play hide' would not be in use constantly in the day or throughout the year, privacy would not be a problem. It was

countered that children could be inquisitive and many people may not be happy with such a situation. It was suggested that the screen reference by the Ward Councillor and speakers would resolved the problems within the application.

The Committee discussed whether the screen was, in fact, included in the application. The Head of Development and Construction clarified that it was not included in the submission, but a condition could be added to ensure this panel be retained.

A motion was proposed and seconded to agree that permission be granted, against officer recommendation, subject to a condition to retain the screen in perpetuity. The motion was carried eight voting in favour, one voting against.

RESOLVED: (eight voted in favour, one voted against) that planning permission is **GRANTED** subject to:

- The submission of an amended plan to show the screening, and
- A condition requiring the retention of the screening in perpetuity.

Reasons for the decision

The proposal no longer presented an unacceptable level of overlooking.

5.5 14/01187/FUL – 9A Norfolk Road, Millfield, Peterborough, PE1 2NP

The Chair advised that agenda item 5.5 '14/01187/FUL – 9A Norfolk Road, Millfield, Peterborough, PE1 2NP' had been withdrawn.

6. Application to Designation a Neighbourhood Area (Ailsworth Parish Council)

The Committee received a report which outlined the application to designate a neighbourhood area from Ailsworth Parish Council, in accordance with the procedures contained in the adopted Peterborough City Council Statement of Community Involvement.

The Senior Strategic Planning Officer provided an overview of the report and raised the following key points:

- The Committee could either approve, approve with minor amendments, or amend the application significantly, which would result in another round of consultation. They did not have the power to refuse the application outright.
- It was not considered appropriate for the area to be designated as a business area.
- It was not considered that any amendments would result in a more appropriate area. As such Option A, approval, was recommended.

RESOLVED that:

1. The Ailsworth Parish Council's application to designate a neighbourhood area is approved without amendment, and
2. That the neighbourhood area is not designated as a business area.

Chairman
9.00am – 12:15pm

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