



## MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE HELD AT THE TOWN HALL, PETERBOROUGH ON 27 OCTOBER 2015

**Members Present:** Councillors Serluca (Vice Chair) Hiller, North, Stokes, Martin, Sylvester, Harrington, Casey, Herdman and JR Fox

**Officers Present:** Nick Harding, Head of Development and Construction  
Jez Tuttle, Senior Engineer (Development)  
Hannah Vincent, Planning Lawyer  
Pippa Turvey, Senior Democratic Services Officer

### 1. Apologies for Absence

Apologies for absence were received from Councillor Harper, Councillor Lane and Councillor Okonkowski. Councillor Casey, Councillor JR Fox and Councillor Herdman were in attendance as substitutes.

### 2. Declarations of Interest

No declarations of interest were received.

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

Councillor Harrington declared his intention to make representation as Ward Councillor for item 4.1 '15/00971/FUL – Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough'.

### 4. Development Control and Enforcement Matters

#### 4.1 15/00971/FUL – Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough

Councillor Harrington left the Committee at this point.

The planning application was for the erection of a day room at Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough.

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 highlighted a number of key issues within the report.

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

- The applicants had lived on the site for ten years, had integrated well within the community and kept the site in good condition.
- The family circumstances of the applicant had changed, which resulted in the need to expand their living arrangements.
- Councillor Harrington had met with the applicants and planning officers to try to find a solution. It had been suggested that an annex be attached to one of the buildings already established on the site.

- Although he wished to support the applicant, Councillor Harrington felt that the proposals were on a scale that would set an unwelcomed precedent for development in open countryside.
- It was considered that the application was contrary to Council's policy.
- Councillor Harrington commented that the proposals did appear to resemble a semi-detached bungalow.

The Committee considered that the application was excessive for the requirement outlined by the applicant. The Head of Development and Construction advised that there may be a medical reason as to why the proposal was as applied for. It was noted that the agent had requested additional time be allowed to provide further medical evidence, however, officers felt that sufficient time had been granted.

A Member of the Committee suggested that officers look into the criteria for referring planning applications to Committee.

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

**RESOLVED:** (unanimous) that planning permission is **REFUSED** for the reasons set out below.

#### **Reasons for the decision**

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

#### **4.2 15/00976/FUL – Former Sewerage Works, Potters Way, Fengate, Peterborough**

Councillor Harrington re-joined the Committee at this point.

The planning application was for the construction of 31 two-bedroom flats at the Former Sewerage Works, Potters Way, Fengate, Peterborough, together with associated access, parking areas, bin stores and cycle stores.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report. The Head of Development and Construction provided an overview of the application and highlighted a number of key issues within the report.

James Griffiths, Kier Living Ltd, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr Griffiths endorsed the officer's report.
- It may have been the case that previous employees had advised purchasers that the development sites were to remain as open space, which was unfortunate.
- The scheme had originally been intended for a much higher density, however this alternative proposal was the preferred way forward.
- Areas of play were proposed within the development site.
- Mr Griffiths was surprised by statements from residents regarding parking tickets and suggested that this may be the management company.
- At the time planning consent was granted for the current development, a maximum parking policy was in place. The proposal in front of Committee today provided two spaces per dwelling.

The Planning Lawyer advised that any potential miss-selling or parking issues arising from the previous development were not matters for the Committee to consider in determination of the current application.

The Committee discussed the underpass from the proposed development to the open space on the other side of the parkway. This would be lit in the evening, however, the Head of Development and Construction advised that no CCTV was proposed.

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

**RESOLVED:** (nine voted in favour and one abstained from voting) that planning permission is **GRANTED** subject to the conditions set out in the report.

### **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 proposed 31 no. residential units would contribute towards the overall growth strategy of the City and would provide additional housing within an allocated residential site, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011) and Policy CC8.1 of the Peterborough City Centre DPD (2014);
- whilst the proposal would result in the loss of planned informal public open space, it was considered that there was sufficient provision within the wider development site and nearby. In addition, it was considered that the benefit arising from additional housing provision, on balance, outweighs the slight harm that would result;
- the design and layout of the proposal would not result in any unacceptable impact to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposed site layout made adequate provision for car parking in accordance with adopted minimum standards and would provide safe access for all highway users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposed three and four storey blocks would not result in an unacceptable level of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would provide future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- adequate provision had been made to ensure that previous contamination of the site was dealt with and that it was safe for future residential use, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to protected species or the protected Nene Washes SSSI/SPA/Ramsar site, in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21

- of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
- the proposed development would not be at unacceptable risk from and would not increase flood risk elsewhere, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the Applicant had adequately demonstrated that there were significant constraints associated with the site which prevent the delivery of policy requirements in terms of affordable housing.

#### **4.3 15/01209/FUL – ArcHaus, Peterborough Road, Wansford, Peterborough**

The planning application was for the change of use of Ground Floor, ArcHaus, Peterborough Road, Wansford from B1(a) to a mixed use of B1(a) (Office) and Sui Generis (Motorcycle showroom) and construction of a new workshop (B2) adjacent to the existing building.

It was officer's recommendation that planning permission be granted, subject to the conditions set out in the report. The Head of Development and Construction provided an overview of the application and highlighted a number of key issues within the report.

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

- Wansford Parish Council raised concerns in relation to the noise that would result from the proposed motorbike workshop.
- It was suggested that the workshop would create additional noise with the running of engines running and concern was raised that vehicles would be taken for test runs on the village roads.
- The access onto the A1 was poor and considered dangerous.
- It was thought the proposal was inappropriate for a village setting and would result in an industrialisation of the area.
- The Parish Council were in favour of the rejuvenation of the building, however believed that a motorcycle showroom would be inappropriate, and specifically the noise resulting from the proposed workshop.

William McCormack, Harris McCormack Architects, addressed the Committee in support of the application and responded to questions from Members. In summary the key points highlighted included:

- Mr McCormack explained that his firm had relocated to the site and would not wish to introduce a nuisance use to the area.
- The applicants were committed to the restoration of the building and wished to keep the use in line with the history of the site.
- The proposals would be limited via condition to the Ducati dealership.
- No objections had been received from the Highways Authority, the Police or any of the neighbouring residents.
- It was highlighted that, within its previous use as a restaurant, there would have been no restriction on whether motorcyclists could visit the site.
- It was not believed that the sound of the A1 would be made any worse by the provision of a motorcycle showroom and workshop.
- The Ducati franchise had a set of specifications that this particular showroom would have to adhere to. This included no more than two bikes being worked on at any one time.
- It was expected that the showroom and workshop would be open during normal business hours, and the showroom would be open for the weekend.

- Ducati was a premier brand with a target demographic of 28 to 45 year old professionals.

The Committee discussed the application and were pleased to see a heritage asset proposed for regeneration. Taking into consideration the specific brand proposed, the proximity to the A1 and the limited number of motorcycles to be serviced, the proposals were thought to be generally acceptable.

In light of the Parish Council's concerns, the Committee discussed the inclusion of a condition limiting the hours in which motorcycles could be services. It was believed that this would be sufficient to address the concerns raised.

A motion was proposed and seconded to agree that permission be granted, as per officer recommendation, with the addition of a condition restricting the workshop servicing hours to 0900 – 1800, Monday to Friday, 0900 – 1300, Saturday, and not at all on Sundays or Bank Holidays. This motion was carried unanimously.

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

- A planning condition that restricted the hours for the work, repairs and servicing of motorcycles to 0900 – 1800, Monday to Friday and 0900 – 1300, Saturday, with none permitted on Sundays or Bank Holidays.

#### **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 site had an existing commercial character located on the edge of the village and the use of the ground floor of the building by a motorcycle dealership would not be uncharacteristic for the site and would support the rural economy and create jobs;
- The occupation of the building wold bring the Locally Listed building back into beneficial use and ensure its longevity as well as providing a positive contribution to the local area and the scale and design of the workshop were acceptable;
- There was adequate parking within the site and the access and egress would be improved hence there would be no impact on the highway;
- The use of the ground floor of the building by a motorcycle dealership would not unduly impact upon the amenity of neighbouring occupiers; and
- With the noise mitigation measures applied to the workshop the intended use would not result in a significant rise in noise levels.

Hence the proposal accorded with policies PP2, PP3, PP12, PP13 and PP 17 of the Adopted Peterborough Planning Policies DPD, polices CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD and section 3 and 12 of the National Planning Policy Framework.

#### **5. Planning Compliance Quarterly Report**

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 learned from the actions taken. The aim was for the Committee to be kept informed of

future decisions and potential to reduce costs.

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

- 150 cases had been received in the last quarter, with 143 cases resolved.
- Nine enforcement notices had been served, four of these had not been complied with.
- Included within these four was Padholme Road, two cases at 9 Bridges and one at Paradise Lane.

In response to a question for a Member of the Committee, the Head of Development and Construction would provide a briefing note on the situation at Paradise Lane.

**RESOLVED:**

The Committee noted past performance and outcomes.

Chairman  
1.30pm – 2:47pm