



**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 25 JULY 2017**

Members Present: Councillors Harper (Chairman), Casey (Vice Chairman), Bull, Hiller, Stokes, Serluca, Clark, Martin, Iqbal, Bond and Ash.

Officers Present: Lee Collins, Development Management Manager
Vicky Hurrell, Principal Development Management Officer
Jim Daley, Principal Built Environment Officer
Sam Falco, Senior Conservation Officer
Louise Humphreys, Planning and Highways Lawyer
Dan Kalley, Senior Democratic Services Officer

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest

Councillor Bull advised that in relation to item 5.1 she was acquainted with the objector Mr Derek Lopez, however she had not discussed the application with anyone.

Councillor Bond declared that he was a Ward Councillor for Gunthorpe, item 5.2, and would be addressing the Committee.

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

Councillor Bond advised that, with reference to item 5.2, upon legal advice, he would be withdrawing from the Committee and making representations as a Ward Councillor.

4. Minutes of the Meeting Held on 4 July 2017

The minutes of the meeting held on 4 July 2017 were approved as a correct record save for the change to Councillor Stokes declaration of interest should read that she was a Ward Councillor for Orton Waterville and not Orton Longeuvre.

At this point the Chair reminded Members that the agenda contained two reports concerned with S106 planning obligations, which were required as a consequence of the Committee's previous decisions to grant planning permissions.

Members and the public were reminded that this was not an opportunity to re-consider the Committee's previous decisions to grant planning permission, nor to discuss the planning merits generally.

5. Development Control and Enforcement Matters

5.1 09/01368/OUT – Land to the North of Norman Cross, London Road, Peterborough

The Committee was presented with an update report on the Great Haddon urban extension in respect of which they resolved to grant planning permission in January 2015, subject to a S106 agreements being completed, for the development of 5350 homes.

The Development Management Manager informed the Committee that this had only come to Committee as the S106 agreement had not yet been signed, due to disagreements between the three different land owners over how the infrastructure should be organised. The Council was fully committed to seeing this development go ahead, but it was now time to get the project off the ground.

Members were informed that the Director of Growth and Regeneration had recommended the application be refused on the 30 September if the S106 agreement had not been signed.

In addition the Committee was directed to the update report containing a number of comments from the local MP and residents, along with letters submitted by the land owners.

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

- There was concern that if the land owners could not agree terms then the Council would have to cover the costs of getting the infrastructure up and running.
- There was a lot of concern amongst local residents and the local MP over whether this site would be developed.
- The site was of great historic importance and to see the current issues was of great concern.
- If this development was to go ahead it would not enhance Peterborough's status of trying to be the environmental capital of the UK.

The Committee agreed at this point to extend the speaking times of the agents and applicants due to the high volume of registered speakers, allowing 5 minutes per land owner to address the Committee.

David Shaw and Giles Paterson on behalf of Marlborough addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- All parties had now been trying to get the Great Haddon site up and running for the past ten years and Marlborough had been frustrated that it had taken this long.
- The Yaxley loop road and Secondary School had been two of the biggest stumbling blocks between the parties.
- Over the past week all parties had come to an agreement to split the S106 agreement equitably and in principle to the delivery of the Yaxley loop road
- Marlborough had a Plan B should the S106 agreement not be signed, but this was not their preferred option.

- The development of the Yaxley loop road would be triggered by the occupation of 500 dwellings committed by Marlborough or by the end of the second quarter of 2022 whichever was the latter
- It was believed that there were now no sticking points in getting the S106 agreement signed.
- The trigger point for the Secondary School being completed was part of the terms and conditions and was currently on the completion of 1500 homes, however this would start being constructed before that point.

Pippa Cheetham and Heather Pugh, on behalf of O&H Properties, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- O&H had worked in partnership with the Council on a number of projects, including the Hampton and Hempstead development.
- O&H had now agreed in principle to develop the Yaxley loop road in its entirety, this would be completed on the occupation of 500 homes or the last quarter of 2022, whichever was later.
- The reasons for the S106 agreement taking long to complete was down to the complexity of the site and the large number of issues that needed to be resolved between all land owners.
- It was in the interest of all parties to try and get the scheme up and running, however if this was not the case then each developer would look at submitting their own individual plans.
- The Yaxley loop road did not need to be built before construction could start on the Secondary School.

Matthew King, on behalf of Barratt Homes, addressed the Committee and responded to questions from members. In summary the key points highlighted included:

- It was regretful that this application had come back to Committee due to legal requirements.
- All parties were now collaborating on the Yaxley loop road and the Secondary School.
- Progress had been sustained over the past week and all parties were now in a position to agree terms.

Alistair Brodie, on behalf of Bletsoes, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The owners of the farm land now want the development to go ahead.
- Although the owners only had 10% of the site, this still amounted to 90 hectares.
- It was important that all parties now worked together in order to get this development off the ground.

The Development Management Manager in response to questions from the Committee stated that this was an important development in terms of the 5 year housing supply and that the developers needed to work together in a comprehensible manner.

If the developers could not agree signing the S106 then each developer would have to start from scratch with their own individual planning application. The Council was not in a position to fill the gaps left by developers.

The Committee discussed the application and commented that this site now needed to be developed. They welcomed the planning officer's approach at trying to get the developers on the same page. This was now at a critical stage and needed to be resolved.

A motion was proposed and seconded to agree that planning permission be refused on 30 September if the S106 Legal Agreement has not been signed, as per officer recommendation unless an alternative period is agreed in conjunction with the Chair of Committee. The motion was carried unanimously.

RESOLVED: (unanimously)

1. That planning permission is **REFUSED** if the s106 agreement has not been signed by 30 September 2017 (unless an alternative later deadline date is agreed with the Chairman of the Planning & Environmental Protection Committee)

Reasons for the decision:

Members resolved to approve this application in 2013 and again in January 2015 following the receipt of further information in respect of the Yaxley loop road, subject to the completion of a S106 Agreement. Since this date no S106 Agreement has been signed. In the absence of a S106 Agreement the development will not be able to meet its infrastructure requirements notably in respect of the provision of schools, community facilities, affordable housing, ecology and transport. As such the proposal is considered to be contrary to policy CS13 of the adopted Local Plan.

That delegated authority be given to officers to finalise the matters which are to be covered by the s106 obligation and / or by condition and to make amendments to the wording of the conditions to facilitate any partitioned approach to the development in the event that progress is made on completing the s106 obligation in advance of the 30 September 2017 deadline

5.2. 15/01771/WCPP – Paston Reserve, Newborough Road, Paston, Peterborough

The Committee was presented with an update on an application seeking outline planning permission for a new urban extension at Paston Reserve which was originally granted in 2006. The development comprised 1050 houses and was subject to a S106 agreement.

The Development Management Officer provided an overview of the current situation and highlighted a number of key issues within the report, including that all parties had drawn up the S106 agreement and that it was anticipated that planning permission would be granted before 11 August 2017.

Councillor Bond, as Ward Councillor, addressed the Committee and stated that the site needed to be progressed and was happy with recommendation put forward.

Nolan Tucker, on behalf of WYG Planning and Environment addressed the Committee and responded to questions. In summary the key points highlighted included:

- Lots of progress had now been made towards completing the S106 agreement.
- Officers had been helpful in re-focusing all parties on the need to get the development started.

- The reason it had taken so long was the complex nature of discussions and trying to get all parties on the same page.

The Committee discussed the application and welcomed the work carried out by the officers to get the developers moving in the right direction.

A motion was proposed and seconded to agree that the application be refused if the S106 agreement had not been signed by 11 August, unless a later date is agreed with Chairman of the Committee.

RESOLVED: (unanimously) that planning permission is **REFUSED** if the S106 agreement has not been signed by 11 August 2017 (unless an alternative later deadline date is agreed with the Chairman of the Planning & Environmental Protection Committee)

Reasons for the decision:

R1 – The proposed development will give rise to the following infrastructure impacts that require mitigation in order for the development to be acceptable:

- Affordable housing provision
- Education place provision
- Cemetery contribution
- Primary care contribution
- Waste management contribution
- Public Transport contribution
- Community centre contribution
- Play facilities
- Adult social care contribution
- Rights of way

Whilst a draft Section 106 agreement has been prepared which provides the necessary mitigation and which the interested parties have no disagreement with, the document has not been signed. The proposal is therefore contrary to Policy CS13 of the Peterborough City Council Core Strategy DPD (2011).

6. The Peterborough City Centre Conservation Area Appraisal Report

The Principal Built Environment Officer introduced the report and highlighted to members that a review of the City Centre Conservation Area was carried out in 2011 as part of the Councils ongoing review into the 29 designated conservation areas in Peterborough.

Members were informed that the City Centre had five unique and distinctive areas with the conservation area. This updated plan was to try and protect some of these distinguishing features as well as allow for growth and development of the City centre.

The Committee were informed that there was a proposal to amend the boundary of the conservation area to include no 5-27 Cowgate and King Street and the full extent of Long Causeway and Long Causeway, east of Queensgate to help contribute to the character and integrity of the conservation area.

In response to questions from Members the Principal Built Environment Officer stated that in order to change the boundaries it needed to fit in and enhance the character of the conservation area.

RESOLVED: (unanimously)

That the Committee:

1. Notes the outcome of the public consultation on the City Centre Conservation Area Appraisal
2. Recommends that the Cabinet Member for Growth, Planning, Housing and Economic Development considers and approves the proposed boundary change.
3. Supports the adoption of the City Centre Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the City Centre Conservation Area.

7. The Southorpe Conservation Area Appraisal

The Principal Built Environment Officer introduced the report and informed the Committee that the settlement was linear in character. The purpose behind the conservation appraisal was to maintain the character of the village. The Article 4 directive ensured that planning permission had to be obtained before works could be carried out, in order to keep the character of the area.

RESOLVED: (unanimously)

That the Committee:

1. Notes the outcome of the public consultation on the Southorpe Conservation Area Appraisal.
2. Supports the adoption of the Southorpe Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Southorpe Area.

8. The Pilsgate Conservation Area Appraisal

The Senior Conservation Officer introduced the report and informed the Committee that the settlement was linear in character. The purpose behind the conservation appraisal was to maintain the character of the village. The Article 4 directive ensured that planning permission had to be obtained before works could be carried out, in order to keep the character of the area.

RESOLVED: (unanimously)

That the Committee:

1. Notes the outcome of the public consultation on the Pilsgate Conservation Area Appraisal.
2. Supports the adoption of the Pilsgate Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Pilsgate Area.

Before the close of the meeting the Chair and Members of the Committee thanked Jim Daley the Principal Built Environment Officer for his hard work for the Council

over the past 35 years and wished him well in his impending retirement. In addition Sam Falco had now been appointed to the position of Principal Built Environment Officer.

Chairman
1.30pm – 3.20pm

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