

Minutes of a meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 22 September 2009.

MEMBERS PRESENT:

Chairman - Councillor North

Councillors C Burton, Kreling, Lowndes, Thacker, Todd, Winslade, Ash, Lane and C Day

OFFICERS PRESENT:

David Loveday, Planner (Items 5.1 – 5.4)

Dale Barker, Principal Planner (Items 5.1 – 5.4)

Julie Smith, Senior Engineer (Development) (Items 5.1 – 5.2)

Jez Tuttle, Senior Engineer, Highways (Items 5.1 – 7)

Shahin Ismail, Head of Delivery (Item 6)

Harj Kumar, Senior Strategic Planning Officer (Item 6)

Allan Simpson, Senior Strategic Planning Officer (Item 6)

Emma Latimer, Strategic Planning Officer (Item 6)

Alan Jones, Strategic Planning Officer (Item 6)

Steve Winstanley, Team Leader, (Item 7)

Susan Marsh, Principal Planning Officer – Minerals and Waste (Item 7)

Carol Tilley, Corporate Governance Manager

Carrie Denness, Principal Solicitor

Gemma George, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor M Burton.

Councillor C Day attended as substitute.

2. Declarations of Interests

09/00838/FUL Councillor Ash declared that he was a trustee of the Citizens Advice
and Bureau Board but this would not influence his decision.
09/00839/CON

08/00292/FUL Councillor Lane declared that he was a representative on the Cross
Keys Board and as such had a personal, prejudicial interest and
would leave the room for the duration of this item.

08/00292/FUL Councillor North requested for it to be noted that he was the Ward
Councillor for this item and that he had been involved in early
discussions surrounding the project, however had not prejudiced
himself to take part in the item.

09/00687/FUL Councillor North requested for it to be noted that he was the Ward
Councillor for this item but he did not have a personal or prejudicial
interest.

3. Members Declarations of Intentions to make representations as Ward Councillor

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

4. Minutes of the meeting held on 1 September 2009

The minutes of the meeting held on 1 September 2009 were approved as a true and accurate record.

5. Development Control & Enforcement Matters:

The Committee agreed to vary the speaking scheme for item 5.3, 80 Lincoln Road. There were numerous objectors in attendance who had registered to speak and in order to ensure a fair hearing the scheme was varied to allow up to 27 minutes for objectors and 27 minutes for applicants/supporters.

Councillor Lane left the meeting for the following item.

5.1 08/00292/FUL – Cross Keys Homes, Shrewsbury Avenue, Woodston, Peterborough

The proposal was for an amendment to the highway design in connection with the planning application that was considered by Members on 29 July 2008, which they resolved to approve subject to a condition requiring a no through route to Lansdowne Way and a Section 106 obligation. The idea behind the no through route to Lansdowne Way was to prevent traffic driving through the development to avoid congestion at the Lansdowne Way / Shrewsbury Avenue junction. This change would have made the development a cul-de-sac served from Shrewsbury Avenue. Had it been implemented the layout of the development would have had to be changed with the loss of some dwellings in the area where it abutted Lansdowne Way in order that a turning head could be provided. As an alternative to this, it was proposed that the development would continue to have a through link between Lansdowne Way and Shrewsbury Avenue but that it would be significantly traffic calmed using 'homezone' principles. The principle of this had been agreed by Councillor Scott (Local Ward Councillor).

Members' attention was drawn to additional information contained within the update report. The Committee was advised that minor alterations and clarification was still required to the layout, however this could be resolved by condition and through the Section 38 process of highway adoption. Additional proposed highway related conditions and a number of informatives were further highlighted to the Committee.

After brief discussion a motion was put forward and seconded to approve the application. The motion was carried unanimously.

Resolved: (unanimously) to approve the application subject to:

1. the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) for a financial contribution to meet the affordable housing, community centre needs of the area
2. the conditions numbered C1 to C7 as detailed in the committee report
3. the conditions numbered C8 to C23 as detailed in the update report
4. the informatives numbered 1 to 9 as detailed in the update report
5. if the S106 has not been completed within three months of the date of this resolution, the Head of Planning Services is authorised to refuse the application for the reason numbered R1 in the committee report.

Reasons for the Decision:

Subject to the imposition of the conditions, 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 proposed 'Home Zone' design was considered acceptable because all cars and other vehicles such as emergency and refuse vehicles could easily come and leave from the proposed development and the sign post allowing a maximum speed of 10 mph would assist in preventing the creation of a rat run from the street to other nearby roads. Given the traffic speed that was in place, it would assist to safeguard pedestrian movement and other road users. This was acceptable and in accordance with policies T1, T8 and T10 of the Adopted Peterborough Local Plan (First Replacement) 2005. The proposed scheme was acceptable subject to the completion of a Section 106 Agreement to secure all the identified and agreed local infrastructures in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement) 2005.

Councillor Lane re-joined the meeting.

5.2. 09/00687/FUL - 5 Dragonfly Close, Hampton Hargate, Peterborough, PE7 8DD – Rear Conservatory

The application sought planning permission for a conservatory at the rear of the dwelling measuring some 5.7 metres in depth by 4.2 metres in width. It would be some 2.4 metres at the eaves with a maximum height of 3.35 metres (at the centre of the apex).

Members' attention was drawn to additional information within the update report submitted by Councillor Scott in objection to the application.

Mrs Davy, an objector and local resident, addressed the Committee and responded to questions from Members. In summary, the concerns highlighted to the Committee included:

- The size of the proposed conservatory was not in-keeping with the surrounding area
- The conservatory would stand beyond the existing line of the rear building and would extend further than the garage at number 3 Dragonfly Close, therefore would not respect the size and scale of the buildings around the property
- The visibility of the proposed conservatory, from both the front and back gardens of surrounding properties
- The plan which did not show a substantial shed on a permanent concrete base already in the garden
- Issues surrounding the drainage of rainwater from the proposed conservatory once soak away soil had been removed
- The possible risk of damage to foundations, due to rainwater logging, over a extended period of time
- The high levels of noise that may be produced from large numbers of people gathering within the proposed conservatory and the lack of roof soundproofing, meaning that rain noise would be extremely audible

After questioning of the objector and brief debate, a motion was put forward and seconded to approve the application. The motion was carried by 8 votes with 1 not voting.

Resolved: (8 for, 1 not voting) to approve the application subject to:

1. condition C1 as detailed within the committee report

2. an additional condition requesting that the windows on the conservatory be deleted or made non opening
3. an additional condition requesting that details surrounding drainage were to be agreed upon

Reasons for the Decision:

Subject to the imposition of the conditions, 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 proposed conservatory was considered to be in keeping with the character of the area and the existing building. There would be no unacceptable adverse impact upon the amenities of the occupiers of the neighbouring dwellings. The proposal therefore accorded with policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

**5.3 09/00838/FUL – Construction of 8 dwellings, 32 apartments, NHS Recognition Centre (A2 or B1 (a) use together with access, car parking and landscaping and;
09/00839/CON – Demolition of all buildings on the site including offices and garages**

Full planning permission was sought under planning reference 09/00838/FUL for 8 dwellings, 32 apartments and a NHS Recognition Centre (A2 or B1(a) use), together with access, car parking and landscaping. Conservation Area consent was sought under reference 09/00839/CON for demolition of all the existing buildings on site, including the main Thurston/Gayhurst Victorian villa.

The Planning Officer addressed the Committee and advised them that following continued discussions with the applicant, amended plans had been received which moved the residential units back into the site, further away from the site frontage. This would allow trees to be retained on the frontage and to put the recognition centre into context. Also on the northern boundary between the flats and the church there had originally been provision for a bike store which had subsequently been removed leaving a clean boundary with the church. This would also enable any trees to be retained.

Re-consultation with the public and consultees had been undertaken and numerous comments had been received and were highlighted within the update report. The update report also contained comments which had been submitted from Councillor Swift, Councillor Peach, Councillor Khan and Stewart Jackson MP. There had, at the time, been approximately 90 letters of objection received and a petition of objection from local residents.

Members were advised of two further recommended conditions contained within the update report.

The Planning Officer further advised the Committee that the phasing of the NHS recognition centre and the residential development was now known. This meant that alterations were required to the conditions to reflect phase 1, the Recognition Centre, and phase 2, the residential development. If approval for the application was granted then the Committee would be required to delegate their authority to officers to amend the conditions accordingly. Furthermore, if approval was given, the applications would have to be referred to the Government Office for their agreement of the decision, or confirmation of whether they would require the applications to be called in for their decision making.

Councillor Khan, Ward Councillor, addressed the Committee and stated that he would like the item to be deferred due to the lack of consultation that he felt had been undertaken.

The Legal Officer clarified that the Committee could agree to a deferral and after brief debate the Committee agreed not to defer the item due to insufficient planning and legal reasons for the deferral.

Councillor Khan further addressed the Committee and responded to questions from Members, concerns which were raised included:

- The future financial implications surrounding the site, who would be responsible and what would happen in the future if funding was pulled?
- The effect on the neighbours of Craig Street and the fact that Beeches School playing field would be in plain view of some of the flat windows. Would this be healthy for the children?
- The application contradicted the Open Space Policy
- The lack of open space already in Central Ward
- The lack of parking space that would be available
- The fact that the roads around the area would be even more congested
- Objectors had not been given enough time to fully get across their objections to the proposed development
- The effect on the local street scene and the fact that the development would not fit in
- The loss of a number of trees

Councillor Fazal, Ward Councillor, addressed the Committee and responded to questions from Members, concerns which were raised included:

- The use of external materials on the building and the impact on conservation
- The fencing and the boundary walls
- Construction noise, dust pollution and construction access of site
- Parking for the NHS facility and the impact it would have on local streets
- What would happen if significant archaeological artefacts were found on site?
- The lack of a water drainage scheme for the site
- The demolition of a Victorian building
- The overbearing impact on an 18th century church
- Where all of the representations received during consultation really taken account of?

Steward Jackson MP addressed the Committee and responded to questions from Members. In summary, concerns raised related to the lack of consultation and involvement of the local community. The sheer size of the development was also highlighted. This would have a negative effect on the local residents and on the conservation area itself.

Councillor Peach addressed the Committee and responded to questions from Members. He declared that he had a personal interest as he owned a lock up warehouse in Craig Street, however he was attending on behalf of the residents of Park Ward regarding the Park Ward Conservation Area and therefore was not attending as a local landowner. In summary concerns raised related to the Park Ward Conservation Area boundary and its enhancement. Also environmental issues, a campaign had recently been advertised in the Evening Telegraph to protect historic buildings in Peterborough. He further highlighted the North Westgate development, which in future could mean a need for redevelopment of this area.

Six other objectors addressed the Committee, and responded to questions from Members. In summary, concerns which were raised included:

- The scale of the proposed development
- The character of the proposed development
- The lack of appropriate parking
- The height of the recognition centre
- The blight on the conservation area

- The impact on the local residents

Mr John Walton, from Accent Nene, Mr David Shaw, the agent, Mr Julian Base from the NHS, Mr John Blair the architect and Ms Sue Mitchell the Assistant Director of Public Health addressed the Committee in support of the application and responded to questions from Members. The Committee was informed that:

- The housing provision contained within the development accorded with policy CC8 of the local plan
- The proposed car parking met with all car parking policies
- The Recognition Centre was a flagship project for the city's Economic Participation Programme and for the East of England Development Agency
- The project would send positive signals to the public
- The services which would be provided by the centre
- The background to the project including backing from portfolio holders
- That the project was supported by the Greater Peterborough Partnership
- That a community audit would go ahead if planning permission was granted
- The development would contain a community café and exhibition space
- The positive impact on health provisions
- The low life expectancy of males and females in central ward
- Infant mortality rates in central ward
- The unemployment figures in the city
- That the project would aim to improve outcomes for individuals and communities
- The project would provide a new and innovative dynamic service at the heart of the city
- Numerous sites had been looked at and this site was the only suitable and viable one
- The current building was not a listed building and there was very little use for the building
- The open space was not public open space
- The current building was in poor condition
- A tree survey had been undertaken and most of the best trees would be kept
- The proposal had a green roof and green rating
- The project would be a major benefit to Peterborough as environment capital
- It would help in the need to provide for over 3000 new dwellings in the city centre
- It would help to provide facilities for Peterborough residents
- The police were satisfied that the scheme was well designed and within its own boundaries
- It would provide much needed investment and regeneration to city centre
- The facility would be fully funded by the NHS for 20 years

The Planning Officer clarified that the car parking provision for the site was within city centre policy CC15 and people's dependence on cars was being actively suppressed. There was a hammerhead present that could be adopted with regards to refuse collections and bin stores had been proposed within the site.

The Highways Officer stated that the number of cars could be controlled by travel planning, there would however be more cars generated as there was a residential development proposed. Therefore, parking may occur on access roads.

After a lengthy debate, a motion was put forward and seconded to refuse the application. The motion was carried by 7 votes with 1 against and 2 not voting.

Councillor C Burton did not take part in the vote for this application as he had left the room during discussions.

09/00838/FUL - Resolved: (7 for, 1 against, 2 not voting) to refuse the application:

Reason for the Decision:

- The proposal was contrary to policy DA2 of the Peterborough Local Plan (First Replacement), in relation to the effect of development on the amenities and character of an area
- The proposal was contrary to policy CBE4 of the Peterborough Local Plan (First Replacement), in relation to the demolition of buildings in conservation areas
- The proposal was contrary to policy PPG15, material planning consideration, in relation to the planning and historic environment seeking to protect historic buildings, conservation areas and the historic environment
- The proposal was contrary to policy LNE9 of the Peterborough Local Plan (First Replacement), in relation to the landscaping implications of development proposals

Further brief discussion followed regarding the second part of the application, and a motion was put forward and seconded to refuse the application. The motion was carried by votes with 1 not voting.

09/00839/CON - Resolved: (9 for, 1 not voting) to refuse the application.

Reason for the Decision:

The building had local interest and a new building would be of no benefit to the area.

The Committee was adjourned for fifteen minutes.

Councillor C Burton left the meeting.

5.4 09/00836/WCPP – VARIATION OF CONDITION 5 OF PLANNING PERMISSION 07/00011/OUT (RESTRICTION ON UNIT SIZES) IN CONNECTION WITH CONSTRUCTION OF GARDEN CENTRE COMPRISING PLANT AREA (8915SQM), GARDEN CENTRE BUILDING WITH RESTAURANT (8000SQM), CAFE/KIOSK (250SQM), CAR PARKING, LANDSCAPING, SERVICE AREA AND RECYCLING COLLECTION TOGETHER WITH IMPROVEMENTS TO ACCESS ROAD AND ACCESS TO EYE ROAD, NEW BUS STOPS AND ASSOCIATED FOOTWAY/CYCLEWAY ACCESS AT PARKWAY SPORTS AND SOCIAL CLUB PETERBOROUGH ROAD, EYE, PETERBOROUGH, PE1 3TD

The application sought permission to vary condition 5 of planning consent (07/00011/OUT), over and above the variation already granted consent by planning reference 09/00062/WCPP.

The Planning Officer addressed the Committee and advised Members that the application to vary condition 5 would allow an amalgamation of some of the units. Objections had been received from Queensgate shopping centre with regards to the retail impact of the development.

There had in the past couple of days, been a minor revision to the application, meaning that only two units would be amalgamated instead of three. The overall limited scale of this amalgamation would therefore mean limited retail impact.

Members' were further advised of additional detail contained within the update report. A retail impact report had been received and the findings of the report were considered to be acceptable.

After a brief debate, a motion was put forward and seconded to approve the application. The motion was carried unanimously.

Resolved: (unanimously) that the Head of Planning Services be authorised to approve the application subject to:

1. the receipt of an acceptable retail assessment
2. condition number C1 as detailed in the committee report
3. the informative number 1 as detailed in the committee report

Reason for the Decision:

Subject to the imposition of the conditions, 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 proposed development could be considered to be acceptable and in accordance with Policy R4 of the Local Plan, subject to the receipt of a satisfactory retail assessment, to justify that the proposed alteration to the unit size, would not unacceptably impact on the vitality and viability of any centre, and that the proposed development would not prevent or put at risk any future development which would be in accordance with the Retail Strategy and City Centre Strategy in the Local Plan.

Members expressed their gratitude to Barry Fagg, the Interim Head of Planning Services, who was to leave Peterborough City Council in a weeks' time, and wished it to be noted in the minutes.

6. Peterborough Local Development Framework – Peterborough Core Strategy (Proposed Version)

The Planning and Compulsory Purchase Act 2004 introduced a new system of plan-making, which was known as the Local Development Framework (LDF). One of the first requirements under this new system was for all local planning authorities to submit to Government a Local Development Scheme (LDS). This was a document that set out a schedule and programme for the preparation of all the other documents that would make up the Local Development Framework for the authority's area; initially for the first 3 years, and then to be rolled forward to cover subsequent 3 year periods.

Peterborough's most recent LDS was approved by Cabinet Member Decision Notice and subsequently accepted by the Secretary of State in April 2007. It demonstrated the Council's intentions to progress a number of documents at the same time, including those specifically for minerals and waste, jointly with Cambridgeshire County Council. Already the Council had adopted its Statement of Community Involvement and one Supplementary Planning Document, and had produced successive Annual Monitoring Reports. One of the next documents that the Council had to produce was the Core Strategy.

The Core Strategy would become part of the Statutory Development Plan when it was completed, and, as such, would be part of the Council's major policy framework. It would be one of the documents that would gradually replace the existing Peterborough Local Plan; but under the new arrangements there would not be a single 'Plan' for Peterborough, but a suite of documents that together comprised the LDF.

The Core Strategy would set out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that were core to achieving or delivering that strategy. It was required to conform generally with the Regional Spatial Strategy (RSS) for the East of England (sometimes known as the East of England Plan). It had to reflect the Sustainable Community Strategy for Peterborough,

with consistency of vision and priorities, and demonstrate how the spatial elements of that Strategy would be delivered. It had to also take into account national planning advice and other key regional and local strategies and plans.

Key features of the recommended proposed submission version were summarised in the report, along with consultation details.

Members were advised that any comments they had on the report would be submitted to Cabinet.

Members discussed the report, issues and observations were highlighted, including:

- The number of proposed dwellings within the city centre and the quality of those dwellings
- The situation of the proposed dwellings. Members expressed concern that many of the dwellings would be built in underprivileged, under educated areas
- The apparent lack of balance between building dwellings in the city centre and in the villages. Surely we needed more dwellings in the villages?
- Inclusion of all the infrastructure and transport in order to service all of the housing and industry was needed. It was important for the policy to be forward thinking
- The parking policy did not meet the needs of local residents
- The number of people still wishing to travel by car. Would it be possible to bring in a company that could provide a car share scheme as part of the travel plan?
- The fact that Peterborough was at the heart of a rural area and so many people were still heavily reliant on their cars
- The current lack of transport options
- Shoppers with cars should not be deterred from coming into the city centre
- The intended density and height of the proposed dwellings within the city centre
- The levels of affordable housing proposed, was it enough and did it really satisfy the need of Peterborough residents?

Members were advised that their comments would be summarised and presented to Cabinet

RESOLVED: to note and comment on the draft Peterborough Core Strategy (Proposed Submission Version) before its presentation to Cabinet for approval to Council for the purposes of public consultation and submission to the Secretary of State.

Councillor Lowndes left the meeting.

7. Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents – Submission Plan

Peterborough City Council and Cambridgeshire County Council had jointly prepared the Minerals and Waste Plan which, when adopted, would replace the existing Cambridgeshire Aggregates Local Plan and the Cambridgeshire and Peterborough Waste Local Plan.

The preparation of the new plan had involved significant public consultation at the following stages:

- Issues and Options (June 2005 and January 2006)
- Preferred Options (November 2006 and October 2008)
- Additional proposed sites (early 2009)

Representations received through the public consultation had been taken into account as the plan had progressed. The plan had subsequently reached the submission stage and

after it had been subject to a further round of consultation, it would be submitted to the Secretary of State for approval. Arrangements for a hearing into the Plan would then be triggered.

Once the Plan had been submitted the opportunity for the Councils to make changes was limited to minor changes which could be proposed prior to the examination. The Council was, therefore, effectively endorsing the Submission Plan as the one which it sought to adopt and implement. Following the hearing only the Inspector would be able to make changes to the Plan, which would be done through changes proposed in the report he published, having tested the Plan for soundness through the examination process. The Plan would then be adopted by the Councils.

The Minerals and Waste Plan was comprised of the following:

- Core Strategy
- Site Specific Proposals
- Three draft supplementary planning documents (SPDs)
 - Location and design of waste management facilities
 - RECAP waste management design guide
 - Block fen/langwood fen, mepal master plan

Further key features of the Plan were summarised within the report, including an overview of minerals and further details of waste management. Consultation details were also highlighted.

Members were advised that any comments they had on the report would be submitted to Cabinet.

After brief discussion, Members highlighted concerns around Peterborough Renewable Energy Limited (PREL) and its inclusion in the Plan. Members were advised that the proposed facility was so significant, it had been necessary to take it into account.

RESOLVED:

1. to recommend to Cabinet that the Core Strategy and Site Specific Proposals Development Plan Documents be endorsed for pre-submission consultation in February / March 2010 and submission to the Secretary of State in July 2010.
2. to recommend to Cabinet that the Supplementary Planning Documents be endorsed for public consultation in February / March 2010.

Chairman
13.30 – 19.20