

PLANNING & ENVIRONMENTAL PROTECTION
COMMITTEE

TUESDAY 8 JUNE 2010 AT 1.30PM

Items Attached

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**UPDATE REPORT &
ADDITIONAL INFORMATION**

PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors to address the meeting and ask questions, if any, with Officers responding.
3. Chairman to invite Parish Council, Town Council or Neighbourhood representatives to present their case.
4. Members' questions to Parish Council, Town Council or Neighbourhood representatives.
5. Chairman to invite objector(s) to present their case.
6. Members' questions to objectors.
7. Chairman to invite applicants, agent or any supporters to present their case.
8. Members' questions to applicants, agent or any supporters.
9. Officers to comment, if necessary, on any matters raised during stages 2 to 8 above.
10. Members to debate application and seek advice from Officers where appropriate.
11. Members to reach decision.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Parish Council, Town Council or Neighbourhood representatives.
2. Objectors
3. Applicant or agent or supporters.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 8 JUNE 2010 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent /Supporters/Parish Council/Town Council/Neighbourhood Representatives
5.1	9	10/00501/NTEL – WHITTLESEY ROAD, STANGROUND, PETERBOROUGH	Councillor Irene Walsh Mr Brian Wolohan and Mr Stuart Banister	Ward Councillor Objectors (Local Residents)
5.2	19	10/00559/NTEL – HIGHWAY VERGE LAND, CORNER OF THORPE ROAD, NETHERTON, PETERBOROUGH	Dr Malcolm Vincent Mr John Drewnicky Mr Ball	Objector (Local Resident) Objector (Previously Local Resident) Objector (Local Resident)
5.4	39	10/00047/FUL – 105 OXNEY ROAD, PETERBOROUGH	Mr Ronnie Lyons	Objector (Local Resident)
5.5	55	09/01294/FUL – PETERBOROUGH CITY LAWN TENNIS CLUB, PETERBOROUGH	Councillor John Peach A member from Broadway Residents Association Mr Tony Newell Mr David Jervis Mr John Dadge (Barker Storey Matthews) and Mr Andrew Stanley	Ward Councillor Objectors Objector (Local Resident) Objector (Local Resident) Agent and Representative from the Tennis Club
5.6	67	10/00204/FUL – THE HAVEN, WOTHORPE, STAMFORD	Mrs Anne Marshall and Mr Finch Mr John Gibson (Hereward Homes)	Objectors (Local Residents) Applicant

5.7	77	10/00554/FUL – 78-80 WELLAND ROAD, PETERBOROUGH	Councillor Chris Ash Mr Salvatore Cammarata Mr John Dadge (Barker Storey Matthews)	Ward Councillor Objector (Local Resident) Agent
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BRIEFING UPDATE

P & EP Committee 8 June 2010

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1 .	10/00501/NTEL	Whittlesey Road Stanground Peterborough , Installation of a 12m high Mk3 street furniture column supporting 3 x vodafone antennas, 3 x O2 antennas, 3 x equipment cabinets and ancillary equipment

In response to a query from Cllr Walsh, regarding the safety implications of having a telecommunications mast close to a petrol filling station, the applicant has responded thus:

The RF energy at the levels used in mobile communications in itself cannot cause ignition of petrol vapour. Certainly levels that are compliant to ICNIRP cannot even theoretically cause ignition.

There are two reasons for ban on the use of mobiles at the filling pumps.

1. Operator distraction – Using a mobile phone is likely to cause distraction during the filling operation potentially resulting in petrol spills on the forecourt.
2. Battery Sparking – It is theoretically possible for a mobile phone to be dropped and as a result the battery could become detached resulting in a spark that could theoretically ignite petrol vapour.

Neither of the above things is applicable to Base Station installations.

2 .	10/00559/NTEL	Highway Verge Land Corner Of Thorpe Road Junction With Audley Gate Netherton Peterborough , Proposed siting of 12m high lamp post style mast with associated equipment cabinet CAM7165
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Additional comments and information received

Stewart Jackson MP has also expressed concern regarding the application proximity to residential properties, siting next to pedestrian route to Jack Hunt School, loss of highway visibility at the busy road junction.

109 name petition objecting to the proposal.

Several additional letters of objection objecting on the following grounds:

impact on health of residents and children walking to school / proximity to school

Impact on animal health

unsightly appearance, especially as it is in a conservation area / near a Listed Building

Will attract vandalism

Contrary to Human Rights Act due to impact of maintenance lighting and noise from the arrest wire and impact on an already ill local resident

Loss of peaceful green area

Could be located on Sue Ryder Trust Land

Devaluation of property

Adequate phone coverage

No evidence of mast sharing being investigated

Risk to Council of litigation by a third party (may not be covered by insurance held by the Council poor consultation.

Orange has not followed its own 10 Commitments and Traffic Light scheme

Jack Hunt School - Although the mast is some distance from the school buildings the radio frequency range will cover some of the school field and could pose some health risks to students at the school. The school field is used as a teaching space all year round but in the summer months is used with greater intensity as a social space for children at breaktimes and lunchtimes. I would ask the Planning Committee to look carefully at any potential health risks to students at the school during their decision

making. I am unsure how parents of children at the school are being consulted but I suspect many of them would want assurances regarding the possible impact of the mast on their children's health.

Submission from Councillor Arculus attached and a petition attached from local residents.

The applicant has responded to the recommendation for refusal. This can be summarised as follows:

Need

The applicant wishes to reiterate the context for the planning application and draws attention to the requirement to replace the existing equipment on the roof of Peterborough District Hospital. *'The need for the installation has been clearly demonstrated by the radio coverage plots that were attached to the Planning Application and the Planning application has been set within the context of three replacement microcells intending to replace the coverage lost by the Peterborough Hospital site.'*

Siting

The application site is constrained by several factors and the applicant has sought to detail these. *'The specific location of our installation is ... dictated by the need to comply with regulations in respect of highway safety, the need to be able to provide health and safety compliant maintenance access, the need to provide physical and operational separation between street furniture and the need to avoid underground and overhead utility infrastructure.'* As a result, the applicant maintains that the most appropriate solution was the deployment of a street works installation with a dummy lamppost design to appear the most unobtrusive.

Appearance

The applicant considers that the chosen design mirrors the existing streetscene and the colour matches existing street furniture albeit this can be defined as required. Therefore the only outstanding issue to be addressed relates to the height of the monopole. *'Our required height at 12 metres is dictated by the level of the tree canopy which by necessity is relevant because this is also the backdrop and screen to the installation. The existing tree canopy has a height of 9 metres and consequently if we were to deploy a 10 metre lamppost the antennae at approximately 8.5/9.5 metres would be ineffective. Whilst at 12 metres, with the antennae being at 10.5/11.5 metres we are just clear of the tree clutter.'*

3.	10/00198/R3FUL	Land Adjacent To 1 Pudding Bag Lane Pilsgate Stamford, Construction of four-bed dwelling and detached garage
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A further letter of objection has been received and is attached for Member's information.

Amended plans have been received showing a garage measuring 10.350 m long. The Engineers have asked for an 11m garage and further amendments have been requested. Members will be updated on this matter at the meeting.

Additional conditions & informative proposed:

C4 No works or development shall take place until full details of all proposed tree and shrub planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree and shrub planting shall be carried out in accordance with those details and at those times. The details shall include provision for a semi-mature tree to replace the walnut which is proposed to be removed.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

C5 The wall to the site frontage shall be retained and the details of any new boundary treatment shall be approved in writing by the Local Planning Authority and shall include and extension of the existing wall along the western boundary at the same height and design. These shall be erected prior to the first occupation of the development, and thereafter such fencing shall be maintained to the satisfaction of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

Highway Officers has also requested that the following conditions be added, but Planning Officer's do not consider them appropriate as C6 would be impractical to enforce and C7 is dealt by other legislation which planning should not duplicate.

C6 The dwelling shall not be occupied until the garage shown on the approved plans has been constructed, in accordance with the details submitted to and approved in writing by the Local Planning Authority. The garage shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the dwelling.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policies T1, T9 and T10 of the Adopted Peterborough Local Plan (First Replacement).

C7 Development shall not commence until details of a proposed street naming/numbering and nameplate/signing scheme in respect of the new dwelling(s)/building(s)/premises/properties have been approved in writing by the local planning authority; and the dwelling(s)/building(s)/premises/ properties shall not be occupied until [that/those] street nameplate(s)/sign(s) have been installed in accordance with the approved plans."

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy DA1 of the Adopted Peterborough Local Plan (First Replacement).

Informative

The Applicant is advised to use a solid bound material for driveways and parking spaces for highways safety reasons. The introduction of loose material on to the highway, for example through vehicles leaving the driveway or through materials being washed onto the highway/footpath in wet weather can cause danger to users of the highway. This may result in the owners of the dwelling being liable to prosecution under section 151 of the Highways Act 1980. The use of a solid bound material would avoid these problems.

4 .	10/00047/FUL	105 Oxney Road Peterborough PE1 5YL , Proposed development of 4 two-bed and 4 one-bed flats in two blocks
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The Highways Section have requested that the following additional conditions be included in the event that the planning application is approved.

C24 - The dwellings shall not be occupied until space has been laid out for cycles to park in accordance with details to be submitted to and approved in writing by the LPA. Those areas shall not thereafter be used for any purpose other than the parking of cycles. (PCC Cycle Parking Standards attached).

Reason: In the interest of encouraging the use of sustainable modes of transport to and from the site in accordance with Policy T9 of the Peterborough Local Plan (First Replacement).

C25 - Prior to commencement of development details of a wheel wash system to clean the wheels and chassis of construction vehicles entering and exiting the site shall be submitted to and approved in writing by the LPA and implemented in accordance with those details.

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

5 .	09/01294/FUL	Peterborough City Lawn Tennis Club Park Crescent Peterborough PE1 4DX , Construction of 2 x two storey 4 bed detached dwellings and 1 x two storey 3 bed detached dwelling
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The Local Highway Authority requests the following additional conditions:-

- The dwellings shall not be occupied until the areas shown as parking on the approved plan have been laid out on-site, and those areas shall not thereafter be used for any purpose other than the

parking of vehicles, in connection with the use of the dwellings. Notwithstanding the details shown on the approved plan, the parking spaces must be a minimum of 2.4m x 5m with 6m clear manoeuvring.

Reason: In the interest of Highway safety, in accordance with Policies T9, T10 and T11 of the Adopted Peterborough Local Plan (First Replacement).

- No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for vehicles to turn so that they may enter and leave the site in forward gear, and that area shall not thereafter be used for any purpose other than the turning of vehicles.

Reason: In the interest of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- Notwithstanding the submitted plan, an enclosed space for refuse bins shall be provided close to but not on the public highway (within 10m of the public highway) prior to first occupation of the dwellings in accordance with details to be agreed with the Local Planning Authority before development commences.

Reason: In order to protect the amenity of the area, in accordance with Policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

The Broadway Residents Association has submitted an updated letter of objection, see copy attached.

Stewart Jackson MP has submitted an email of objection, see copy attached.

6 .	10/00204/FUL	The Haven Second Drift Wothorpe Stamford , Construction of five-bed dwelling with detached garage
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Additional comments have been received from 6 local residents raising the following issues:

- Disregard for the VDS with regard to density and nature of the area.
- Devaluation
- Damage to wildlife
- This is phase 1 of a larger scheme
- Loss of amenity
- Inadequate road, electricity, water, sewers, telecommunication systems etc.
- Overlooking
- Overdevelopment
- Inappropriate design
- Damage and danger from construction traffic
- Inadequate landscape planting
- Contrary to policy DA1
- Increased risk of flooding
- This application should not be considered separately from the recent application for two houses at the front of the site.

Parish Council reiterates its original comments.

7 .	10/00554/FUL	Land Rear Of 78-80 Welland Road Dogsthorpe Peterborough PE1 3SG , Retention of dwelling including alterations to rear boundary wall and window glazing
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No Further Comments

Ref :- 10/00501/NTEL Proposed Vodafone / 2 Base Station Installation at Whittlesey Road, Peterborough, PE2 8RR

**Prepared Statement by Local Residents:
Stuart Banister and Brian Wolohan.**

Stuart.

I have lived in my house in Allan Avenue for over 30 years and have always been proud of the view and general appearance of the surrounding area. This opinion is shared by my neighbours, many of whom have been here even longer.

The proposed mast will be an absolute eyesore. Not only will it affect the view but also the use of an important local amenity – the safe play area, much used by children.

Let me just show you a snap shot of how the mast will change everything, if the Committee decides to approve the application.

This is the view that we will get every morning when we open our curtains. The view will be even worse in winter when the leaves have disappeared. The trees are bare for at least 6 months of the year.



Picture 1: 50m away.



Picture 2: 75m away

This is the equivalent of stacking 9 cars on top of one another and placing them less than 50 metres in front of my house.

To put it another way, it will be over 1.5 times the size of my house. This is vastly higher than any street furniture in the area.



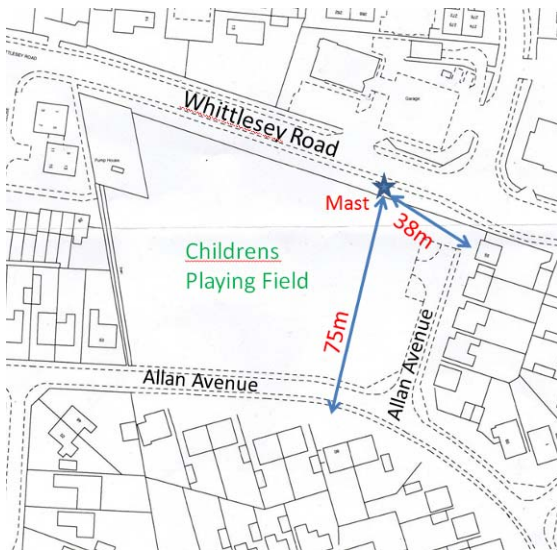
Picture 3: Stacked Cars



Picture 4: Height v House

In Mono Consultants letter dated 25th March 2010, it stated that “the proposed site is away from the outlook of residential properties”.

The plan view shows just how close it is to the front of some of the houses. ----- Approximately 38m in one case



Picture 5:

Land Registry Plan View
of Allan Avenue and
Whittlesey Road

One may ask just how close you have to be, before you are judged to be away from the outlook of residential properties.
Between 38 and 75 metres seems pretty close to me

Now lets turn to the Consultation Process

344 local residents (over 99%) willingly signed a petition against the mast.
25 letters of notification were sent out by the council and 18 local households returned letters of objection. Again this is a very high percentage considering that a number of properties are unoccupied.

I am also advised that the local ward councillors are strongly opposed to it.

The mast is not wanted by the local residents.

Mast Sightings

In late 2006, the council rejected a plan to site a mast, half a mile from this proposed site. At the time, this was to be placed on farmland, only visible from the rear of houses, on an estate on the opposite side of the road.

May I respectfully ask the Planning Committee to be consistent and reject a proposal for a mast in a much more populated residential area, near a children’s playing field, which will destroy the view and vista of 12 houses.

=====

Brian:-

- It is unlikely that parents will allow their children to play on the field. This is evidenced by the usage of Playground near Oakdale School which is similarly blighted by a mast
- This is the only other playing field in the area which it could mean that children (being children) will end up playing in unsafe places risking serious injury and death. That has the potential for a knock on effect on Key Performance Indicators. Please do not allow the potential for this to happen
- Mast sharing. The majority masts in the area are single operator used. As far as we can see no work has been done to see if operators using this mast can be accommodated elsewhere making the need for this application irrelevant
- The Mobile Age. Mobile phone masts are a requirement of the mobile age as we all use mobiles .The Application appears to be saying that the requirement for the mast is for car users. In that case a better location is on the new bypass as the level of through traffic on the Whittlesey Rd is reducing.



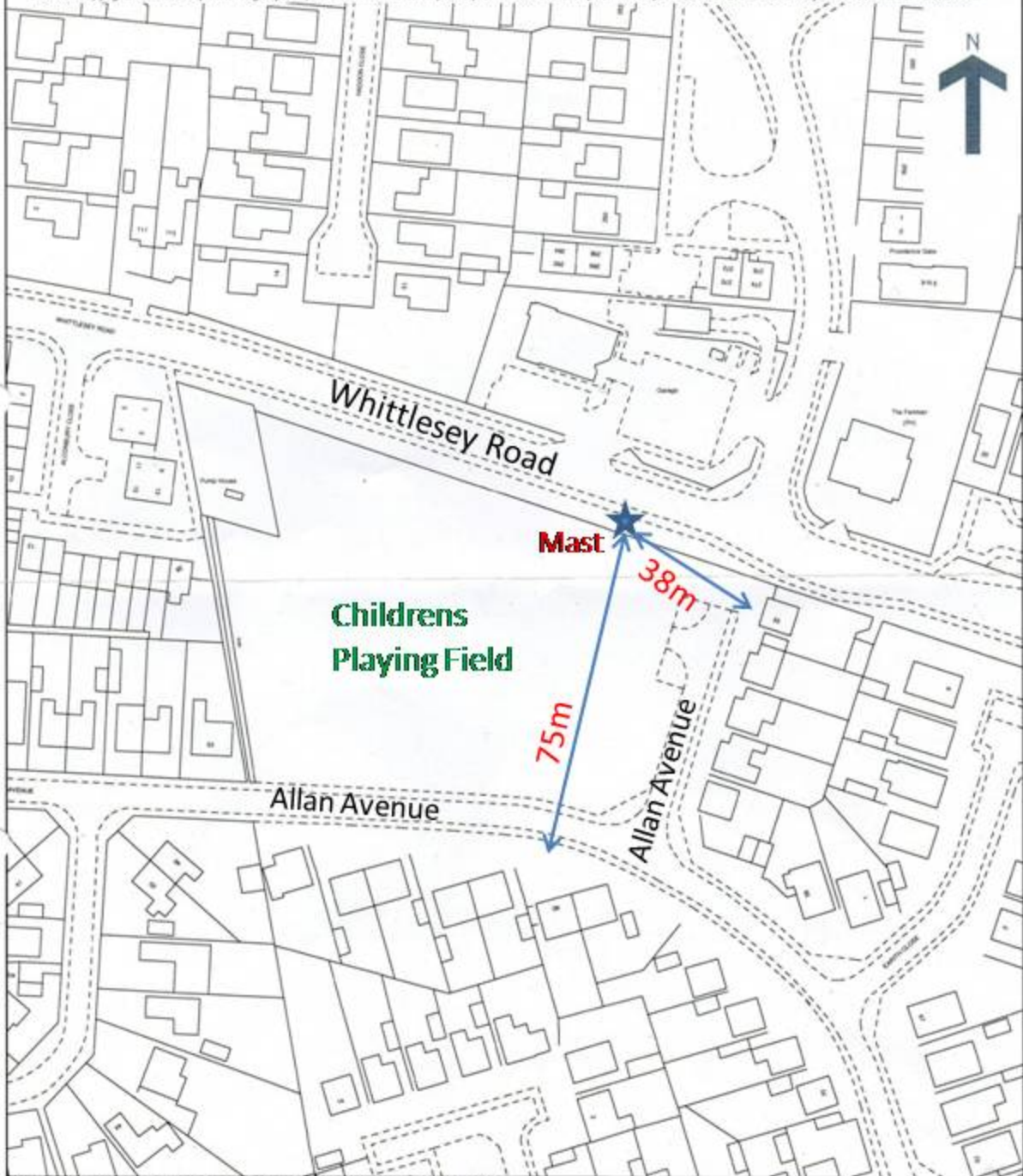








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This plan should be read in conjunction with result X54TLJB.

Picture 5 : Plan View.

Application 10/00559/NTEL
Details Highway Verge Land Corner of Thorpe Road Junction With Audley
Gate Netherton Peterborough

TO: PLANNING AND ENVIRONMENTAL PROTECTION
COMMITTEE (Case Officer Louise Lovegrove)

FROM: CLLR NICK ARCULUS (West)

Declaration: I have no personal or prejudicial interest to declare.

Statement: I apologise for not being present at the meeting scheduled for 8th June 2010 to represent the views of the ward which have been vociferously stated by others in connection with this application. My absence is due to an unmovable professional commitment.

I and my fellow ward councillors, Cllrs Matthew Dalton and Samatha Dalton, all oppose the siting and appearance of this monopole and we have all represented our views to the relevant officer on previous occasions.

I have had the opportunity of reading the report prepared by the Planning Department and support the recommendation that the proposal be refused as the design of the proposed monopole will appear incongruous with the street scene.

As a resident of the Ward and as a councillor I would go further and say that the proposed location would be detrimental to the current amenity use of the area in question and out of place given its proximity to Thorpe Hall and to the Longthorpe Conservation area.

With regret I have to state that I have reservations about the representations made by the Head of Transport and Engineering and with the Conservation Officer. It is my considered belief that the development would harm the character and appearance of Longthorpe and of Netherton. I also have grave concerns that the issue of public safety at times of maintenance has not been given sufficient and appropriate consideration. Both these issues have been raised by a number of residents.

The residents of immediate propinquity have compiled a petition opposing the development which (given perceived inadequacies of the consultation exercise) supports my representation that the residents' strong and vociferous opposition to the development ought to be recognised, accepted and supported by the council. I present this petition to the Committee with a request that the views of the community ought to be given full weight in these proceedings.

I support Cllr Cereste's opposition to the proposal and, recognising that there may be an argument that the Statutory Undertaker is correct in identifying the need for a mast in the general area, am willing to meet with the developers to discuss alternative sitings. I would encourage the council to engage fully with the local community in finding acceptable sites for this type of development in future.

I invite the Committee to refuse the application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. B. Arculus', written in a cursive style.

Cllr Arculus

NOTIFICATION OF TELECOMMUNICATIONS PROPOSED SITING OF A 12 M HIGH LAMP POST STYLE MAST WITH ASSOCIATED EQUIPMENT CABINET cam 7165 AT HIGHWAY VERGE LAND CORNER OF THORPE ROAD JUNCTION WITH AUDLEY GATE NETHERTON PETERBOROUGH.

Application to be considered by the Planning & Environment Protection Committee on 8th June 2010 at 1.30pm in the Bourges/Viersen Rooms at the Town Hall.

Any late submissions must be received by the Senior Governance Officer before 4 pm on day before committee, either in writing or by telephone.

We the undersigned hereby petition Peterborough City Council Planning & Environmental Protection Committee to reject the application by Orange Telecom to site and erect the aforesaid telecommunications mast on the highway verge land corner of the Thorpe Road junction with Audley Gate Netherton.

Name	Address	Signature
J.T. DREWNICKI	THORPE ROAD PETERBOROUGH PE3 6LW	J.T. Drennicki
E.B. DREWNICKI	THORPE ROAD PETERBOROUGH PE3 6LW	E.B. Drennicki
S.E. CHEETHAM	GLAMIS GARDENS PETERBOROUGH PE3 9PQ	S.E. Cheetham
L.M. CONNOLLY	GLAMIS GARDENS PETERBOROUGH PE3 9PQ	L.M. Connolly
M. Connolly	GLAMIS GARDENS	M. Connolly
J. Holdsworth	GLAMIS GARDENS	J. Holdsworth
E. R. COLE	GLAMIS GARDENS	E.R. Cole
JH PHILLIPS	Audley Gate	JH Phillips
J.O. OKONKWO	Audley Gate	J.O. Okonkwo
G.A. NOY	Audley Gate	G.A. Noy
B Jones	AUDLEY GATE	B Jones
Carol Jones	Audley Gate	CAROL JONES

Name	Address	Signature
Z.J. SZEMBEK	AUDLEY GATE	Z.J. Szembek
GYOZO STUMF	AUDLEY GATE	Gyozo Stumpf
I.H. BENNMAN	Audley Gate	I.H. Bennman
L.C. YOUNG	Audley Gate	L.C. Young
R. KEMP	Audley Gate	R. Kemp
JOE FISHER	— — —	Joe Fisher
L.S. RICHARDS	Audley Gate	L.S. Richards
K. ALI	Audley Gate	K. Ali
J. COWLAND	AUDLEY GATE	J. Cowland
M. VINCENT	AUDLEY GATE	M. Vincent
R.M. BOULTER	AUDLEY GATE	R.M. Boulter
E.L. BOULTER	" "	E.L. Boulter
A. MEHMOOD	" "	A. Mehmood
P.H. BALLARD	Audley Gate	P.H. Ballard
R.S. LLOYD	AUDLEY GATE	R.S. Lloyd
E. SEDDON	AUDLEY GATE	E. Seddon
T. BATEMAN	THORPE RD	T. Bateman
A. WITTH	? Thorpe Rd	A. Witth
MRS A.D. STIBBE	? Thorpe Rd.	Mrs A.D. Stibbe
Sukhi. Wadhwa	THORPE RD.	Sukhi Wadhwa
Ravindra Wadhwa	THORPE RD.	Ravindra Wadhwa
— — —	HURLASTON CLOSE	— — —
JAIWANT SINGH	HURLASTON CLOSE	Jaiwant Singh
MEL CARMACE	HURLASTON CLOSE	M. J. Carmace

Name	Address	Signature
ROD MORRIS	HURLASTON CL NORTHORPE	R Morris
COLIN MORRIS	HURLASTON CL	LMU
JANET MORRIS	HURCASTON CLOSE	J. E. Morris
STEPHEN KEAWCZYK	HURLASTON CLOSE	S Keawczyk
AHMED SHAIR	1A Thorpe Road	A Shair
Samina Akhtar	Flam's Gardens S	S Akhtar
TREVOR K WARD	FLAM'S GARDENS	T Ward
ROY JACKSON	CLARA'S GARDENS	R Jackson
Bruna Antunes	Audley Gate	B Antunes
Katherine van Bessel	Audley Gate	Katherine
Jan. Kan	Audley Gate	Jan Kan
G Ward.	Audley Gate.	G Ward.
L. Piscopo	AUDLEY GATE	L Piscopo
V. PISCOPO	Audley Gate	V. Pisco
R Jones	Audley Gate	R Jones
M. SARUAR	AUDLEY GATE	M Saruar
KE COOK	AUDLEY GATE	K Cook
E. Simms	Audley Gate	E. Simms
SHEILA WARD	Audley Gate	Sheila Ward
TARCZYNSKI	Audley Gate	Tarczynski
S BOAST	AUDLEY GATE	S Boast
S. SINGH (Sen)	AUDLEY GATE	S Singh
P. FISHER	FLAM'S GARDENS	P. Fisher

NOTIFICATION OF TELECOMMUNICATIONS PROPOSED SITING OF A 12 M HIGH LAMP POST STYLE MAST WITH ASSOCIATED EQUIPMENT CABINET cam 7165 AT HIGHWAY VERGE LAND CORNER OF THORPE ROAD JUNCTION WITH AUDLEY GATE NETHERTON PETERBOROUGH.





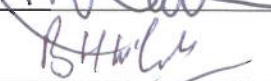
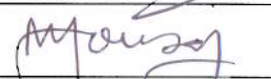



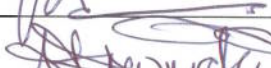
Application to be considered by the Planning & Environment Protection Committee on 8th June 2010 at 1.30pm in the Bourges/Viersen Rooms at the Town Hall.

Any late submissions must be received by the Senior Governance Officer before 4 pm on day before committee, either in writing or by telephone.

We the undersigned hereby petition Peterborough City Council Planning & Environmental Protection Committee to reject the application by Orange Telecom to site and erect the aforesaid telecommunications mast on the highway verge land corner of the Thorpe Road junction with Audley Gate Netherton.

Name	Address	Signature
V. GUMMER	Thorpe Rd.	V Gummer
N. PATEL	THORPE PARK ROAD	N Patel
R. WATWOOD - PATEL	THORPE PARK RD.	R
F. COCKERILL	Thorpe Park Rd.	F Cockerill
P. EVANS	THORPE PARK RD	P Evans
J. N. CHEETHAM	THORPE PARK RD,	J N Cheetham
M. CARSTONS	THORPE PARK RD	M Carstons
S. PEMBROKE	THORPE PARK ROAD.	S Pembroke
M. PECK	THORPE PARK ROAD.	M Peck
P. WILLIAMS	Thorpe Park Rd.	P Williams
D. WHITE	Thorpe Park Rd.	D W. White
K. WHITE	Thorpe Park Rd.	Karen White

Name	Address	Signature
Lucy White	Thorpe Park Road	
Jane Murphy	Thorpe Park Road <small>Peterborough</small>	
Kolin Murphy	Alans Bank Road <small>P18002</small>	
RACHEL BRESLEY	THORPE PARK ROAD	
MARTIN GUMMET	THORPE ROAD	
PM BRESLEY	THORPE PARK	
Rob Smalley	THORPE PK ROAD	
Claire Speechley	Thorpe Park Road	
JOHN SEMERARO	AUDLEY GATE	
Faye Semeraro	Valley Gate	
Lynn Semeraro	Valley Gate	
Anthony Semeraro	Valley Gate	
TIM HOBBS	AUDLEY GATE	
KEITH WILLS	THORPE RD	
Sue Wills	Thorpe Rd	
Luciana Wills	Thorpe Road	
PETER DARCIOS	3 Thorne Road	
ANDY TOMBLIN	THORPE ROAD	
FIONA HACKETT	THORPE ROAD	
S.G. GARNISH	THORPE ROAD	
B.S. MARJARA	THORPE ROAD	
Ana Martin	" "	
SHANMUKH MARJARA	" "	
AJAY MARJARA	" "	

Name	Address	Signature
Henry Kainth	Hick Rd.	
Mrs A. Zoun	Thorp Rd	A Zoun
Mrs L DANTON	THORPE RD.	
Mr A DANTON	THORPE RD	
M TUTTLE	Thorp AV	
B McCowbe	Thorp Rd.	
M. YOUSAF	THORPE ROAD	
Judith Broadhead	Ledbury Rd	J Broadhead
D.M. BIRD	THORPE ROAD	D. MR
A K BIRD	THORPE RD	
J S DREWICKI	Styke, Peterborough	
P.C. PIERRO	THORPE RD, Peterborough	
A H DREWICKI	THORPE RD, Peterborough	
N. ARCVUS	Thorp Rd	N. Arcvus

mt,

**10/00559/NTEL – Highway Verge Land, Corner of Thorpe Road,
Netherton, Peterborough**

Audley Gate
Peterborough
PE3 9PG

7 June 2010

Your ref 10/00559/NTEL

Dear Ms Gemma George

I write on behalf of my wife and myself to register our objection to the proposed siting of the mast and its equipment at the proposed location. We feel that it is in completely the wrong location because of the aesthetic effect on what is a green area that also overlooks Thorpe Hall and its surrounding grounds.

Yours sincerely

R M and Mrs E L Boulter

**John and Judith Broadhead
Ledbury Road, Peterborough PE3 9RF**

Peterborough City Council
Planning Services
PE1 5D

10/00559/NTEL - Proposed siting of 12m high lamp post style mast with associated equipment cabinet CAM7165 on the highway verge land corner of Thorpe Road junction with Audley Gate, Netherton, Peterborough

I understand the date for comments on the above application is not as has been previously mentioned the 21st May. Please will you confirm whether is in fact the 25th or 28th May?

Our concerns and objections to the above proposal are:

Hundreds of children would pass directly by the mast every day on their way to school. There are three schools within a mile in this area.

Jack Hunt Secondary School is 0.5 of a mile away with approx 1680 pupils
Thorpe Primary School is 0.7 of a mile away with approx 460 pupils
Longthorpe Primary School is 0.9 of a mile away with approx 415 pupils.

It is well known such masts should not be erected in areas close to schools and children. In this day and age when parents are encouraged to walk their children to school rather than take their cars a mast at this location would subject them to frequency of pulses in transmitter emissions. Dr Gerard Hyland, of the Department of Physics at the University of Warwick, has argued that transmitter masts should not be sited near schools because evidence shows they pose a threat to children's health. He says that although the intensity of radiation from transmitters had been shown in tests to be safe, **its frequency has not**. The frequency of pulses in transmitter emissions, he says, could affect the brains of young children which are still developing until the age of about 12.

Whilst we are aware mobile phone firms offer large cash incentives as the demand for new sites increases, we hope the Committee will consider the long term health of over 2550 Peterborough children is of much greater value and importance.

Will this mast have only one operator? If it was to become shared the emission levels would be even greater.

The junction of Thorpe Road, Thorpe Park Road and Audley Gate is already one which constantly causes concern to local residents. The three roads converge at the junction and a clear view is essential and therefore anything that which

would obstruct or distract from the view would be extremely detrimental and hazardous.

From a conservation point of view we would not have thought such a mast directly at the entrance to our historic Grade 1 listed Thorpe Hall is either desirable or suitable.

Yours faithfully

John and Judith Broadhead

3rd June 2010

Robert Nisbet
Puddingbag Lane
Pilsgate
Stamford
PE9 3HH

For the attention of the Planning and Environmental Committee

Ref: 10/00198/R3FUL

Reg 3 City Council Application (Full) land adjacent to 1 Puddingbag Lane

Dear Committee,

I received a letter on the evening of Wednesday 2nd June, upon returning home from work, advising me of a meeting to be held on 8th June 2010 (next Tuesday) and inviting me to make a personal representation. The letter was mailed last Thursday and, perhaps due to the bank holiday weekend, was only received the following Wednesday 2nd June. I have spoken to other residents, and their letters have also only just arrived too. Some are still awaiting theirs.

I would indeed like to make personal representation but given the extremely short notice given to me (three clear working days) I am unable to reschedule my diary. A number of other residents are also unable to attend due to the short notice, but would have liked to, and they have asked me to make this representation also on their behalf also.

As the planning application is being submitted by Peterborough City Council, the meeting is being arranged by Peterborough City council and is being held at the premises of Peterborough City Council, it seems extremely unfair, potentially biased and prejudice to the many people who object to this application by giving such short notice. Clearly we are disadvantaged as we are unable to make a fair representation at this meeting. As far as I am aware no one is able to attend to represent the views of the local community. I have no doubt Peterborough City Council (the applicant) will be in attendance as they would have been privy to the meeting date prior to ourselves, and obviously do not need to seek time off work to attend.

In our absence, we wish to make clear that the local community strongly believe the erection of a dwelling at the end of the terraces at Puddingbag Lane is against the wishes of the residents of Pilsgate. Whilst there have been around 8-10 written complaints against the planning request, for each of those who were able and resourceful enough to make written representation, there are many more villagers who also find the idea of squeezing a dwelling on this plot preposterous and unacceptable. Pilsgate is a small community and has already been subjected to the development of many new homes. The proposed dwelling is not in keeping with the row of houses in the Lane, and is not in keeping with the village. The

plot is too small and the design will not fit in with the existing homes. It will also block natural light and cause light pollution for existing residents.

Further Background

By way of background information, the proposed development land is currently used as garden land by the resident of 1 Puddingbag Lane, Mr Leonard Garratt. He has used this land informally for more than thirty years. The original garden of 1 Puddingbag Lane was mistakenly sold, under the right to buy scheme, by Peterborough City Council to the tenant at 2 Puddingbag Lane. This mistake has been acknowledged by the local authority.

You will note from the plan of Puddingbag Lane that each of the terraced houses has a strip of garden to the rear of the property with the exception of number 1 as this land is now allocated to 2 Puddingbag Lane, due to being sold in error leaving number 1 with no garden. Hence the informal use of the adjacent plot by Mr Garratt.

When the family of Mr Leonard Garratt (myself included) helped him buy 1 Puddingbag Lane, so we could carry out desperately needed works such as install a kitchen, central heating and double glazing, the strip of land (plot) was excluded from the sale as the council deemed it to be development land and requested he buy it as development land at a extremely high premium. This was disputed and the house purchase went ahead with the exclusion of the 'development land' pending further enquiry with regards the wrongful selling of his original garden. This dispute is yet to be resolved.

This land has continued to be maintained and enjoyed by Mr Garratt, as he has done so for over 30 years. He is an elderly war veteran who considers the plot to be his garden. His family, the local community and the Royal British Legion have made representations pleading with the council to allow Mr Garratt's uninterrupted enjoyment of this small garden, yet they have continued in their pursuit to sell it to a developer. This entire process has, in my opinion, been extremely unfair and not in any way in the interests or spirit of the local community.

Summary

None of the local residents agree that a property should be squeezed into this small strip of garden. Most feel it is completely out of character and will spoil the lane.

The land is being enjoyed and used by an elderly war veteran who has informally maintained it for more than 30 years.

The property is not in keeping with the other houses in the village and will, in the view of the local community, spoil the village.

Finally, I apologise for being unable to attend in person, and would kindly request minutes of the meeting be sent to me so that I can then distribute these notes to other interested parties who were also unable to attend due to the short notice of the meeting.

Kind regards

Mr Robert Nisbet

09/01394/FUL – Peterborough City Lawn Tennis Club

Dear Ms George

I am writing as a local resident to express my opposition to this planning application and ask that it be **REFUSED** by the Committee at their meeting on 8th June 2010.

I am concerned that the applicants will seek to convert the houses proposed into multi-occupied flat dwellings, similar to the plans previously rejected by the City Council and the Planning Inspector in 2007 and 2008 respectively, should the current application be granted and thereafter seek retrospective planning permission.

In addition, given their failure to adhere to s.106 conditions agreed in respect of previous applications, in particular the replacement of alternative tennis court facilities in the *immediate* locality, I do not believe that they are in a position to adhere to similar conditions in respect of the present application. It also a moot point as to whether any replacement facilities located at Bretton Gate is not *ultra vires* in terms of the interpretation of s.106 of the Town and Country Planning Act 1990.

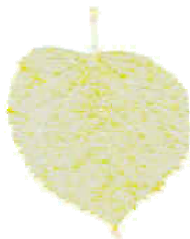
Furthermore, the scheme still leads to the loss of residential amenity for neighbouring properties (Policy H16 and DA2), the loss of recreational and sporting facilities (LT3 and PPG17) and contravenes the policy on Conservation Areas (CBE3), in respect of the Park Conservation Area Appraisal 2005.

I should be grateful if you would pass on my comments to the Members of the Committee.

Thank you, in advance

Yours sincerely

Stewart Jackson MA MCIPD MP



6th June 2010

Director of Planning Services
Peterborough City Council
Stuart House East Wing
St Johns Street
Peterborough PE1 5DD

Attention Ms Amanda McSherry

Dear Sir,

**Re: Planning application No 09/01294/FUL
Proposed Development at Peterborough City Lawn Tennis Club**

The Broadway Residents Association (BRA) submitted a detailed objection to this application on 2nd December 2009. We understand that the matter is to go before the Planning and Environmental Protection Committee for determination on 8th June 2010. We would like this late written submission to go the Committee as there has been a 6 month gap since our original objection and we are so restricted in time when addressing the Committee with our objections to this proposal. We make it having had only a week's notice of the hearing and only three days opportunity to consider the report to committee which we believe places us at a serious disadvantage in relation to the proceedings.

We shall concentrate on the matter which we say makes the officers' recommendation seriously flawed and possibly unlawful, namely that they are advising the Committee to approve a scheme, involving an agreement under s106 T & CP Act 1990, which has been previously rejected on two occasions by the Planning Inspectorate.

This application is a resubmission of a previous application. No new fee has been paid to the best of our knowledge. The issue of whether or not the application should receive consent does not turn on the character of the proposed development itself but whether or not it flies in the face of National and Local planning policy considerations. The issue is that this is a proposed development of a virgin site which has hitherto been used as a sports facility by the Peterborough City Lawn Tennis Club.

Development of sports facilities is covered by Government Planning Guidance in the form of PPG 17. The Council has adopted this guidance into its own local plan under Policy LT3.

Government guidance dictates that sporting facilities should not be developed unless there is provision for facilities elsewhere which are at least as accessible to existing and new users and at least equivalent in terms of size, usefulness attractiveness and quality.

The application proposes that effectively the sum of £100, 000 be lodged with the Council as a form of bond, with the tennis club hoping to enter into an agreement with a tennis club elsewhere. This sum will be forfeit if the Club cannot enter into a suitable agreement with a club elsewhere and the monies may be used for the improvement of tennis facilities by Peterborough City Council elsewhere at its discretion. It is proposed that a POIS payment is lodged at the same time in the sum of £24.000.

This is virtually identical to the proposal put before the Planning Inspectorate on the last occasion which was comprehensively rejected for uncertainty. The Planning Inspector said at Paras 7 to 10 of her report:

“7. A signed unilateral undertaking has been submitted which makes a contribution of £100,000 for the provision elsewhere of two new hard surface tennis courts with lighting, which would allow play on a greater number of occasions. Nevertheless, a site has not been provided. Therefore although the money would be set aside, there is no certainty that a site could be provided. There is no definite time scale, location or details of tenure. No planning permission has been granted for alternative courts. As there is no specific alternative site identified at this stage, it is not possible to assess the suitability of any relocation site.

8. Whilst the money to be allocated is a substantial sum, and I note how the figure was arrived at, since no site has been specified, I cannot be sure that this amount of money would be sufficient or excessive to provide an adequate alternative provision. No provision has been included for any changing facilities for the courts. The unilateral undertaking would allow the possibility of the Park Crescent site being developed before adequate replacement provision is secured and completed and indeed the club could cease to exist having disposed of the site.

9. Given that the unilateral undertaking is not an agreement with the Council, I am also not satisfied that the Council has formally agreed to provide courts in the event of the failure of the Appellant to find a site on which to construct new courts. I understand that the Appellant has had difficulty in negotiating with the Council, but the unilateral undertaking fails to satisfy me that tennis courts would be provided within a reasonable period of time that would satisfy the tests of the policy.

10. I note also the concern of the Council about the precise wording of the unilateral undertaking, and whilst I have details of trustees, these matters add to my concerns. I conclude that the proposal would lead to the loss of tennis courts which would conflict with LP policy LT3 and PPG 17.”

Despite having started this process four years ago, having two years since the last application was rejected by Council and one year since the last appeal was rejected, the club still can provide no details of an alternative site and it is difficult to believe that they are serious about providing one. They just say that the Bretton Gate site is preferred.

The inspectors report indicated that:

1. There was only a unilateral proposal from the club regarding an s106 agreement. This is still the case as a s106 agreement still does not exist. There is not even an agreement with the Bretton club.

2. There should be a definite location and detail of tenure. Although possible alternative sites are mentioned (Bushfield or Werrington) there is no definite site or tenure.
3. No planning permission has been granted for alternative courts (obviously still the case as no specific site has been identified).
4. There is no provision for changing facilities. These are not mentioned and finance for this should be included in the s106 agreement.
5. There was no application before her for conservation area consent for demolition of the pavilion on site which was therefore not a matter which she could consider or determine.

Accordingly an almost identical proposal has been rejected by the Planning Inspectorate and the Council should not be approving such a scheme without establishing what ultimate provision is being suggested. Where are the courts to be? How is the financing to be achieved? What changing facilities will be provided? If an agreement cannot be entered into with a club elsewhere what will £100,000 provide in terms of provision of "alternative facilities at least as accessible to existing and new users and at least equivalent in terms of size, usefulness, attractiveness and quality". There are some serious issues here, the Tennis club have no agreement with a club elsewhere and the Council would propose to use the money in Werrington or at Bushfields in Orton. The test is simply not passed.

The Planning and Environmental Protection Committee has rejected this application twice and on each occasion been upheld by the Planning Inspectorate. The Committee should reject this application as it does not accord with its Local Plan policies or National Planning Guidance and it flies in the face of two previous decisions of the Planning Inspectorate. This is particularly the case where the Council stands to gain financially itself under the terms of the s106 agreement. In such circumstances, transparency and probity are all important. The matter can go back on appeal to the Planning Inspectorate if the developer so chooses.

The Residents Association is of the view that the Council is bound by the last decision of the Planning Inspectorate and that there is no substantive change in the planning position since that decision. Accordingly if the Council is to pass the application we will have little option but to refer it by way of complaint to the Local Government Ombudsman as an unlawful and irrational decision.

Yours sincerely,

Anne Brosnan
Broadway Residents Association

cc. Councillor John Peach