

Minutes of a Meeting of the Planning and Environmental Protection Committee  
held at the Town Hall, Peterborough on 8 February 2011

**Members Present:**

Councillors – North (Chairman), Lowndes (Vice Chair), Hiller, Serluca, Todd, Winslade, Ash and Harrington

**Officers Present:**

Simon Machen, Head of Planning, Transport and Engineering Services  
Nick Harding, Group Manager, Development Management  
Jez Tuttle, Senior Engineer (Development)  
Ruth Lea, Lawyer – Growth Team  
Gemma George, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillors Burton, Thacker and Lane.

Councillor Winslade attended as substitute and Councillor Swift wished for it to be noted that he was unable to attend as substitute.

**2. Declarations of Interest**

There were no declarations of interest.

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

Councillor Hiller declared that he would be making representation as Ward Councillor in respect of item 5.6 on the agenda, 45 High Street, Maxey.

**4. Minutes of the Meeting held on 11 January 2011**

The minutes of the meeting held on 11 January 2011 were approved as a true and accurate record.

**5. Development Control and Enforcement Matters**

**5.1 10/01598/FUL – Installation of external downlighting to tennis courts 3 and 4 at Longthorpe Memorial Hall, 295 Thorpe Road, Peterborough, PE3 6LU**

The application sought planning permission for the installation of flood lighting to existing tennis courts at Longthorpe Tennis Club. The installation was comprised of nine 6.7 metre high lighting columns around the courts. It was proposed that three of the columns that were to be sited between the pitches would have double luminaires with the remaining six having single luminaires. Each lamp was proposed to be angled at the horizontal and fitted with side and rear baffle plates in order to reduce the level of light spillage and glare as far as was practicable. The applicant proposed the lights to be in use until 20.30 Monday to Saturday with a maximum of two evenings per week until 21.30 and up to 18.00 on Sundays and Bank Holidays.

The application courts were situated within the Longthorpe Memorial Hall grounds, which was comprised of a community centre, car park, four tennis courts, a bowls green, play area and playing fields. This complex was situated at the heart of the urban village of Longthorpe, a predominantly residential area of varied character and form. The properties surrounding the site were predominantly large detached 2 storey dwellings with rear gardens facing on to the site, albeit there were terraced properties facing on to Thorpe Road. The shortest distance from the edge of the tennis courts to the back wall of the residential properties was highlighted as being 33 metres in relation to number 4 Longthorpe Green and in the case of number 6, it was highlighted as being 41 metres, therefore the distance of separation was substantial. This had been an important factor with regards to the lighting impact assessment of the scheme. The site was located within the identified Longthorpe Conservation Area.

Parking was provided to the front of the site, in an area of car park accessed from Thorpe Road, adjacent to the Post Office. This was a shared facility between the Tennis Club, the Memorial Hall and bowls green. A public footpath ran to the south of the site.

Planning permission had recently been granted for the installation of all weather surfacing on Courts 1 and 2 (retrospectively) and Courts 3 and 4 to allow usage of the courts throughout the year. Members were advised that none of the courts were currently floodlit.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issue for consideration was whether the light spill from the floodlights would be to the detriment of the nearby residents. Members were further advised that an ecological assessment had been undertaken and it was highlighted that the scheme would not be detrimental to bats in the area and also the proposal would not be detrimental to the trees on the site.

Two photograph slides were presented to the Committee showing a similar location with its floodlights in action. These photographs highlighted to Members the extent of the lighting on the courts, the amount of light spill and its effect on neighbouring properties. Members were informed that the light emanating from the floodlights was concentrated as much as possible within the courts.

The Committee was further presented with a copy of the light spill diagram in relation to the proposal. This diagram provided an overview of the amount of light which would fall on the ground outside of the tennis courts and to what level. The gardens to the residential properties would be subjected to a spill of 0.3 lux, which was extremely low. The scheme was therefore considered to be very well contained. The recommendation was therefore one of approval.

Members' attention was drawn to additional information contained within the update report. There had been one further letter of support received in relation to the application and there had also been one further letter of objection received. This letter queried a discrepancy in the interpretation of light spillage information with regards to the light intrusion through the windows of surrounding properties. It queried the conclusion by Officers that the level of light spillage would have a minimal impact upon the amenity of surrounding residents and that the level of light intrusion would be within the levels recommended by the Institute of Lighting Engineers guidance.

Members were informed that further information had been provided to Officers detailing the amount of light that would be entering the windows of the nearest

property. The maximum light level would be 0.9 lux. This figure would be well within the requirements of the Institute of Lighting Engineers guidance.

The tennis club had indicated that it wished to operate the courts on Sundays until 18.00, weekdays and on Saturdays until 20.30, and on any two days in the week up until 21.30. Officers were happy with the proposed operating hours, however, it was felt that the 21.30 nights should be limited to only one night per week, and that night should be a nominated night. Surrounding residents would therefore be aware of which day was the nominated late night.

Councillor Samantha Dalton, Ward Councillor, addressed the Committee on behalf of Longthorpe Tennis Club and responded to questions from Members. In summary the issues highlighted to the Committee included:

- There had been all weather courts recently added at the club and members played for as long as there were daylight hours
- Matches could be played into the summer evenings and the club wanted to enjoy the same throughout the winter months
- The club was conscious of the lighting affecting surrounding local residents, therefore there were to be shields (baffle plates) placed around the lights to minimise any impact on the local residents
- The closest property to the courts was 30 metres away
- The request to be able to play tennis all year round in the evenings was considered to be acceptable
- In terms of light pollution, assuming that street lighting was between 10 and 15 lux, then the light impact on local residents would be minimal
- The Memorial Hall, opposite the tennis courts, already had a brightly lit car park
- In terms of additional traffic, there were roughly 150 members of the tennis club, 100 of which were local. There was a bike rack installed and the Memorial Hall had a small car park which could be utilised. Councillor Dalton stated that she would also be encouraging the tennis club to approach the Travel Choice Team in order to undertake travel planning
- In terms of noise it was not believed that there would be any more of an impact than what occurred during the summer months. Therefore this was not perceived to be an issue

Mr Graham Walker, a trustee of Longthorpe Village Hall and an independent member of the Community Association Management Committee and Mr Kenneth Wappat, the Project Manager for the tennis club and a representative of the Community Association Management Committee, addressed the Committee jointly and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Following the completion of the new village hall, all of the community groups were provided with much needed improved facilities. There had been much benefit to those using the hall and the grounds
- The tennis club had previously lost one of its grass courts when the new hall was built and it was decided that new all weather courts would be built. Courts 1 and 2 being adjacent to the hall and courts 3 and 4 being more isolated to the south of the hall grounds
- The new courts could be extensively used in the summer months but they were restricted throughout the winter months because of the shorter daylight hours
- The use of artificial light would allow the courts to be used throughout the year for both young people after school and older members after work

- The application had been subject to a long design process which had included consideration and rejection by the village hall of the lighting of courts 1 and 2 because of the proximity to neighbours
- A lighting scheme that was environmentally friendly and aesthetically acceptable has been provided
- The scheme had been discussed with the Community Association from the outset and neighbours had been informed of progress at meetings and there had been a pre-application submission to the Planning Officers to ensure that all matters requiring consideration had been looked into
- All of the light would be concentrated on the courts
- The tennis club had sourced a specialist company to design the installation and lighting, and the diagrams which had been provided showed the level of light within the court and the surrounding area
- There was a booking system for use of the courts and the lights would be operated by a token system
- One late night a week, until 21.30, was requested. This night would be used for the club to compete in matches in a league. The application had previously been for two later nights, however, the Officers recommendation was for one night only
- It was anticipated that there would be an average of six cars parked in the car park at any one time during hours of operation. There were no changing facilities on site and it was anticipated that patrons would have left the site by no later than 15 minutes after the conclusion of their game
- One of the closest neighbours, Mr Michael Taylor, the Chair of the Community Association, was in full support of the proposal
- There were 150 members of the club and even throughout the summer there was not continued use of the courts. The courts could also not be used in extremely cold weather or when it was raining
- The club had financed the development of the four all weather courts and would do so for the current proposal
- The development would encourage the use of the tennis courts by both youngsters and older members
- The services of a coach could be obtained if the application was successful
- The lighting proposed was not typical of the city

Following debate, a motion was put forward and seconded to approve the application, with the times of operation to be Sundays until 18.00, weekdays including Saturdays until 20.30 and one specified night, to be determined by the applicant, until 21.30. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C3 as detailed in the committee report
2. The informative number 1, in relation to the operating times, as detailed in the committee report

**Reasons for 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 floodlighting would give rise to no detrimental impact on the amenities of occupants of neighbouring residential properties

- There would be no unacceptable impact on the character or appearance of the area or the Longthorpe Conservation Area
- There would be no unacceptable impact upon the highway network or highway safety
- There would be no detrimental impact upon the local bat population

The proposed development was therefore in keeping with Policies T1, DA1, DA2, DA12, CBE3, LNE9 and LNE19 of the Peterborough Local Plan (First Replacement) 2005.

## **5.2 10/001267/FUL – Construction of 294 residential units, A1 food store, and associated infrastructure at Carbon Challenge Site, Glebe Works, Glebe Court, Fletton, Peterborough**

Full planning permission was sought for 294 residential units, an A1 foodstore (278 square metres / 3000 square feet) together with access, open space, car parking and landscaping. The 294 residential units consisted of 220 residential houses (64 x 2 bed, 82 x 3 bed, and 74 x 4 bed) and 74 apartments (all 2 bed).

The apartments were all located within a single 7 storey high apartment block at the entrance to the site fronting on to London Road. This block contained undercroft parking, cycle parking, and the A1 retail foodstore at ground floor level, the 74 apartments and roof gardens. If looking down London Road towards the city centre, the apartment block would obscure a very small amount of the views to the cathedral, however it was largely protected. It was therefore the Planning Officer's opinion that the views of the cathedral would not be compromised by the development.

All of the units in the apartment block were to be two bedroom units. The residential houses were a mixture of detached, semi-detached and terrace properties, and were 2, 2 1/2 and 3 storeys high.

40% of the residential units, the total being 120, would be affordable, 48 apartments and 72 houses. This was an additional 10% provision above the normal 30% policy standard.

All of the dwellings were to be designed to meet Code Level 6, of the Code for Sustainable Homes. This was the highest possible design standard available, and this was to ensure that the houses located on the site were thermally efficient.

The site would be accessed from London Road, via Cripple Sidings Lane and a new access from Glebe Road. The layout of the site had been specifically designed to allow continued access into the Peterborough United football ground and future provision for pedestrian and cycle links into the adjoining residential area had also be provided.

A green wall was to be erected to reduce the impact of noise from the railway on the houses proposed adjacent the height of the green wall would vary between 2 ½ and 3 ½ metres in height in order to provide a sufficient noise barrier. Space was being provided for the future provision of a pedestrian/ cycle bridge over the railway.

The site covered an area of approximately 6.9 hectares (17 acres). It was located to the south of the River Nene and city centre, and fell within the city centre boundary and South Bank opportunity area.

The site was bounded to the north by the Birmingham to Norwich railway line, and to the south by the Peterborough United football ground and residential housing.

The Frank Perkins Parkway was located to the east of the site and London Road to the west. The residential housing that bounded the site was a mixture of 2 storey housing and 3 storey residential apartments.

The site had been cleared of the former factory buildings on site. The site was currently vacant and was a mixture of hardstanding, car parking and rough scrubland.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the proposed design and layout, the impact on neighbouring sites, the highways impacts and car parking, drainage, the impact of the development on trees and the S106 planning obligation. The recommendation was one of approval.

Members were advised that the roads within the development had been designed to keep traffic speeds low and hence a key feature of the development was the incorporation of shared surfaces. This meant that not all of the roads had a footpath associated with them. With regards to the main road running through the site, there was a footway on one side of the highway and on the smaller roads there were only small sections of footpath, meaning the road surface would be shared between cyclists, pedestrians and vehicles. Adequate space had been allocated along the highways for all users, and this included space for bus use along the main route.

Two areas of open space had been provided on the site, one of which comprised a water feature which would form part of the surface water scheme for the site. There was also a proposed landscaping scheme which incorporated the retention of a number of trees on the site. This would help to help to avoid excessive levels of overlooking and loss of privacy in terms of the new development in relation to the existing dwellings off site.

The development had originally included a community building, but this had now been deleted from the scheme. This had been done with a view to the proposed redeveloped Peterborough United Football Ground stand having a community use proposed within it also.

Members' attention was drawn to additional information contained within the update report. It was highlighted that the Tree Officer had no objections to the proposal however a standard landscape condition, standard landscape maintenance scheme condition and a tree protection scheme condition had been suggested. Highways had identified that there was an error in condition 23 of the committee report that should read "a 2.4 metre by 27 metre visibility splay" and not a 24 metre visibility splay. Pollution Control had suggested additional conditions in relation to a landfill gas assessment and also vibration mitigation measures and this was in relation to the structures in closest proximity to the railway line. Officers had also identified the need for additional conditions relating to the exact design of the green wall noise barrier and also surface water details to include long term maintenance arrangements. With regards to this issue, the Environment Agency had indicated that long term maintenance issues should be incorporated into the legal agreement, however the Officer view was that this would give no greater enforcement control than a planning condition requiring a maintenance regime to be established.

Mr Peter Lee, an objector from the Civic Society, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The scheme was long awaited and it had been fraught with difficulties, therefore the Civic Society did not wish to hinder the application any further

- There was one objection however, and this was in relation to the height of the apartment block
- The block had originally been submitted as a 9 storey block and despite mention being made in the Design and Access Statement, submitted with the application, of the important views of the cathedral from the site there was no mention of the impact of the block on the views of the cathedral from elsewhere
- A series of photograph montages showing the building in relation to the cathedral from a number of agreed public viewpoints, should have been submitted
- It was the conclusion of the Civic Society that the Design and Access Statement probably pre-dated the decision to include an apartment block, and therefore could be of doubtful legal validity
- The Officers report was also highlighted as being deficient as it listed the cathedral view Policy CC7, however, there was no attempt at assessment to show that the policy was being complied with or whether it was being breached
- The Civic Society believed that from at least one position, the views of the cathedral would be blocked by the apartments to an unacceptable degree
- The block of apartments should be no higher than 5 storeys
- The application should be deferred to the next meeting to allow a proper assessment of the impact of the views to the cathedral and submitted as an amendment to the Design and Access Statement and for amended plans to be submitted
- A tall buildings policy should be provided as part of the forthcoming Planning Policies DPD or the City Centre Action Plan. The Civic Society felt strongly that with the level of growth in the city it would be important for Officers to have a clear idea of where tall buildings were going to be acceptable and where they were not
- The Design Review Panel should also be reconvened to consider major proposals such as this one at the pre-application stage

Mr Gary Goodwin, the Group Planning Design Director for Morris Homes Ltd, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The application in front of Members was the culmination of six years worth of work with numerous stakeholders, including Peterborough City Council
- A number of public consultations had been undertaken over the last six years
- Morris Homes had utilised its knowledge and experience of Peterborough and its community gained from the three developments on Hampton Vale and the development about to commence at Atherstone Avenue
- On all the developments the high density approach had been resisted and numbers had been reduced in favour of much needed family detached and semi detached houses
- The architecture and technology for the carbon challenge site had been tested by almost completing a zero carbon prototype for the dwellings for this application on Hampton Vale
- It had been learnt that the mono-pitch roof pitches made the houses appear 3 storey and overbearing and the cost was also akin to that of a 3 storey house
- There had been an excellent working partnership with Peterborough City Council Planning Officers
- The number of dwellings had been reduced from 344 to 295 by removing many of the apartments

- More useable open space had been incorporated onto the site which included new play areas
- The scale, height and design of the apartments fronting onto London Road had been changed radically
- The response of the Civic Society had been considered and it was conceded that the apartment block was overbearing at 9 storeys, so 3 storeys had been removed. It was not conceded however that the apartments obscured the views of the cathedral
- A road hierarchy had been incorporated, and whilst remaining innovative in terms of design, was acceptable to the Highways Officers
- Some of the highlights of the scheme were, a dedicated biomass district heating centre in the new stand of the football club producing both heat and power for the development and also the club itself, or a combination of solar panels and individual biomass boilers within each dwelling
- The house structures would consist of pre-fabricated airtight timber frames, with triple glazing and super levels of insulation, plus whole house ventilation systems
- Water use would be restricted and supplemented by rainwater harvesting systems
- Each dwelling would be provided with secure cycle storage and waste segregation within the dwellings themselves for the purposes of recycling. There would also be charging points available for electric vehicles
- A sustainable drainage system and soakaway, balancing ponds, ditches and roadside channels which would all combine to restrict flows into the existing system would be incorporated onto the site
- Onsite contamination would be capped rather than taken off site to landfill, this would double up as flood protection by raising levels to protect against the 1 in 100 year storm event affecting Fletton Springs
- An ecology dyke would be provided along the entire length of the northern boundary
- The balancing ponds and ditches would add to the ecology value and work would be undertaken with local schools to provide bat and bird boxes
- A green roof was to be added to the London Road apartments and planted living green walls had been added to the elevations of both the apartments and the houses. These would remain green throughout the year being planted with evergreens
- Half a million pounds would be provided towards education in the city
- 40% of the dwellings would be provided as rented and shared ownership with a registered social landlord
- The vehicle and pedestrian links to the football club, and wider area, would be greatly improved
- The proposals met and exceeded both the aspirations originally set out for the site and for the city of Peterborough

Following questions to Mr Goodwin, Members expressed concern at the implementation of the shared surfaces, particularly in relation to one part of the proposal. The Planning Officer addressed the Committee and stated that even though there were to be shared surfaces, there would also be a section of footpath close to every dwelling. The particular area of concern highlighted by Members within the proposal consisted of 20 dwellings, all with their own individual footpaths. The shared surface area was to be a minimum of 6 ½ metres wide, this would allow for two cars to pass by and pedestrians to walk alongside.

Members highlighted that there may be issues with some of the dwellings not having access to their rear gardens as this would exacerbate issues with regards to bin storage. The Planning Officer advised that there were very few properties on the



site with no rear access and there would be large bin stores available at the front of these specific properties.

Members commented that development on the site was badly needed, however there was likely to be issues with parking going forward. The re-development of the Peterborough United Football Ground incorporated a reduction in parking spaces, this would therefore lead to parking issues on the site on match days. The Planning Officer advised Members that there were three new access points which had been agreed, one of these being a pedestrian access point linking straight in to the railway bridge. There would of course, undoubtedly be some conflicts on match days but there would be police control in the area.

The Head of Planning, Transport and Engineering Services addressed the Committee and stated that the scheme had been a challenging one, however there was the opportunity for Peterborough to be put on the map as the forerunner for sustainable design and construction. The development was needed along London Road and the site was capable of coping with the scale of the development. There had been limited objections from local residents and the scheme was commendable in terms of design.

Members commented that no construction vehicles should be allowed to access the site via the Glebe Road access. The Planning Officer advised that this could be achieved by the addition of an informative on any planning permission issued.

Following further debate, Members continued to express concern at the shared surfaces and also the reduced S106 contribution from the developer. Could assurance be given that with the reduced contribution, the Council would not end up having to make up the shortfall? The Planning Officer stated that the shared surfaces were only located in a very small portion of the site. Members concerns were understandable however, it had previously been highlighted through other similar schemes in the city that shared surfaces actually encouraged traffic to slow down as it increased a mutual respect for the roads. With regards to the S106 provision, normally a development of this size would provide in the region of £3 million. The application had been subject to a standardised process and there was evidence to support that the proposal would be unviable given the scale of contributions sought, it was therefore felt that given the scale and nature of the development and the overall benefits that it would bring to the city, it was right to provide a discount.

In further response to this query, the Head of Planning, Transport and Engineering Services addressed the Committee and stated that the project was a national pilot ahead of its time and if a code 6 development was sought then the S106 could not be had as well. There may be some future burden to bear by the Council, but that would be outweighed by the benefits the proposal would bring to the city of Peterborough.

Members queried how long, after completion of construction, was it likely to be before the roads on the site were adopted. The Highways Officer addressed the Committee in response to the query and advised that providing the contractors building the roads adhered to the Council's standards and construction specification the process of adoption would be a quick one. The phasing of the construction would also have a bearing on the adoption process, as roads were not tended to be adopted whilst still being used by heavy duty construction vehicles.

After further debate, and clarification provided by the Planning Officer that the proposal would be anticipated to take four years to build, Members commented that it was important to take into consideration the lack of objections received against the

application from local residents. A lot of work gone had gone in to the development over the years and ultimately the land needed to be developed as it was currently wasteland. The concerns raised around shared surfaces would be difficult to appease, but there was no evidence to say that this would not work in Peterborough. Overall the development came across as a well thought out and well planned development.

There would undoubtedly be more traffic generated and although not a planning consideration, the reduction in parking at the football ground may possibly cause future issues if not policed properly. The design aspects were very impressive, particularly the green wall apartment block which could, in the future, become a landmark building.

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

**RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the community needs of the area
2. The resolution of flood risk, contamination and noise issues with the Environment Agency and Pollution Control
3. The conditions numbered C1 to C28 as detailed in the committee report
4. An amendment to condition C23 requiring the visibility splays to be 2.4 metres by 27 metres rather than 24 metres by 27 metres
5. The additional conditions including those proposed by the Landscape Officer and Pollution Control as detailed in the update report
6. The informatives 1 to 6 as detailed in the update report
7. If the S106 has not been completed within 6 months of the date of this resolution without good cause the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

**Reasons for 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 amendments to the layout and design of the development had enhanced the visual appearance of the scheme and provided a better quality public realm and environment for residents. This is in accordance with Policies DA1 and DA2 of the Peterborough Local Plan (First Replacement) 2005
- Whilst there would be an impact on the current privacy and amenity enjoyed by neighbouring sites, it was not considered unacceptable. It was therefore considered the development was in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005
- A safe and convenient vehicle access to the site would be provided and the highway network could accommodate the traffic generated by the development without any adverse impact on highway capacity or road safety. This was in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005
- Subject to the agreement of additional information to support the Flood Risk Assessment by the Environment Agency, the scheme would accord with the requirements of PPS25 'Development and Flood Risk'

- Subject to the agreement of additional information to support the contamination report by the Environment Agency, the scheme would accord with Policy U9 of the Peterborough Local Plan (First Replacement) 2005
- The detailed layout could be designed around the existing trees on the edge of the site in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement)
- The impact of the proposed development upon the ecology of the site was considered to be acceptable. It, therefore, was in accordance with policy LNE19 of the Peterborough Local Plan (First Replacement)
- The community needs arising from the development would be met by the planning obligation in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement)

The meeting was adjourned for ten minutes.

**5.3 10/01345/FUL – Partial demolition and conversion of existing main building to form 4 dwellings (2x1 bed and 2x2 bed flats), full demolition of existing out buildings and construction of 21 dwellings (6x2 bed houses, 2x3 bed houses, 1x4 bed house and 12x2 bed flats) together with access, car parking and landscaping; and  
10/01346/CON – Partial demolition and conversion of existing main building to form 4 dwellings, full demolition of existing out buildings and construction of 21 dwellings**

The Planning Committee, at its meeting on 23 November 2010, resolved to approve the two applications subject to the signing of a Section 106 Legal Agreement in order to secure a contribution (of £213,550) to assist in covering the social and physical infrastructure impact of the development. At that time, the proposal was for a mix of private and affordable housing, with 30% of the units being affordable.

Since November 2010, the applicant had been busy securing the funding for the development and had been fortunate enough to be able to secure enough funding to enable all of the units to be affordable rather than just 30%. Whilst this was good news in respect of helping to meet the unmet demand for affordable housing, the consequence was that the scale of the contribution towards meeting the social and physical infrastructure impact of the development was much reduced. The applicant had put forward an economic appraisal of the revised scheme and the Council's Development Implementation Manager had evaluated it and confirmed that a reduced Section 106 contribution of £21,000 was acceptable. It was typically the case that 100% affordable schemes were unable to meet the normal Section 106 requirements and the Council had previously been content to accept contributions in or around the £1000 per dwelling mark given the pressing need for affordable housing and the finance restrictions of such developments.

These two changes to the scheme had been the subject of public consultation. The consultation period closed on 21 January 2011.

The Planning Officer addressed the Committee and gave an overview of the proposal including the background to the previously refused schemes. Members were advised that when the application was first submitted to the Council it included a health facility, this application was turned down by the Committee on design grounds. The scheme had subsequently been reworked and the medical element had been removed, and at the time was for 100% affordable housing and involved the loss of Thurston House as part of the scheme. The Planning Committee resolved to approve the scheme, however, the decision was challenged and called in to be considered by the Full Council. Full Council overturned the Planning Committee decision and the application was refused on two grounds, those being 'the loss of

Thurston House' and secondly it was felt that the proposal was too remote from key social infrastructure. The applicant had re-looked at the scheme and resubmitted proposals, this time for a development incorporating the main part of Thurston House. This proposal was for 30% affordable housing and the remainder being private. The Planning Committee resolved to approve the development, however, the planning permission was not issued at the time owing to the involvement of the drawing up of the S106 legal agreement which had to be completed prior to the issue of planning permission. The HCA had subsequently approached the applicant with the offer of additional funding. The applicant had contacted the Planning Department and sought advice on how to progress the matter. It was highlighted that because the scheme had been previously considered by the Planning Committee with 30% affordable housing and not 100% and also with a higher S106 contribution, it was felt that a re-consultation exercise to those people consulted on the application previously should be undertaken, and once the consultation had been completed, to bring the application back for consideration by the Planning Committee.

The recommendation was one of approval for both of the applications and Members were advised that since the previously approved scheme there had only been one material change to the planning recommendations and that was the implementation of a condition stating that the scheme must be 100% affordable.

The Planning Officer advised Members that a further objection to the application had been submitted by a representative of local residents. The objection expressed the view that the development would worsen the already poor crime and disorder situation in the area.

Councillor John Peach, an objector and Park Ward Councillor, addressed the Committee. In summary the concerns highlighted to the Committee included:

- After the rejection of the application at Full Council, Accent Nene had produced a revised application and it had taken on board many of the ideas presented at Full Council and was only 30% affordable housing
- Accent Nene had subsequently changed the plans again without proper consultation
- The proposed development fell within the Park Ward Conservation Area and Councillor Peach had not been consulted on the revisions
- Policy IPM1 would be breached if the reduced S106 contribution was to be accepted. This would also set a dangerous precedent for future planning applications by not funding important infrastructure that will be of detriment to the local community
- By refusing the application, the applicant would need to readdress the proposals and come back with something more suitable and with an increased S106
- Planning Officers had previously stated that the whole site was unviable without the total demolition of Thurston House, this had been proven not to be so

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

- Mrs Randall had submitted a letter of objection, she queried why had that not been acknowledged?
- None of the local residents had had any notification of this application at all
- The only notice that Mrs Randall had been aware of was the article in the Evening Telegraph by Mr Stewart Jackson MP

- The area was a conservation area within the city centre with beautiful Victorian houses
- Nineteen years ago the St Theresa's Centre had been placed in the vicinity without any prior consultation with local residents. This had brought drugs and prostitution to the area
- Bringing social housing to the area would ruin the area for the people living in the vicinity
- Many of the local residents owned their own properties and there were no other issues in the area
- The houses along Lincoln Road were suffering with rubbish being dumped in their back gardens
- You only needed one or two families with unruly children to increase the problems
- The scheme had been dealt with in a very underhanded way

The Chairman addressed the Committee and stated that in the interest of fairness the meeting would be adjourned for five minutes, whilst Mrs Randall's letter was photocopied by the Senior Governance Officer and distributed to Members to read.

Members read through the letter and the meeting was reconvened.

The Chairman further addressed the Committee and stated that there was a paragraph contained in an email from Councillor Swift, addressed to Councillor Peach, in relation to 80 Lincoln Road. For the sake of transparency, this paragraph would be read verbatim by the Legal Officer.

The Legal Officer stated that Councillor Swift's email related to many planning matters and 80 Lincoln Road and the current application were briefly mentioned as follows;

"The implications of the variation to affordable housing on that planning application in respect of Lincoln Road to avoid paying the S106's will have repercussions on many other developers in the city particularly in the North and Central Ward Neighbourhoods which are being promised that redevelopment for amenities and so on, with in their respective area, will be paid for out of 106 agreements".

Mr Adrian Redmond, the Director of Development at Accent Nene and Mr John Walton from Accent Nene, addressed the Committee jointly. In summary the issues highlighted to the Committee included:

- Accent Nene was a Peterborough based housing association with a proud track record of managing high quality mixed tenure housing
- Over 600 affordable homes had been delivered in the city centre in the last 5 years
- Significant resources had been invested in developing a scheme that retained Thurston House
- There were over 9,000 people on the housing waiting list
- The head office for Accent Nene was directly opposite the proposal site
- The proposal would provide 16 affordable rented and 9 shared ownership homes for local people and would be built to Code 4 of the Code for Sustainable Homes. This would mean a high level of green technology and high levels of efficiencies within the homes. Innovative subterranean bin storage would also be provided for the flats
- The development would enhance the city centre and satisfy aspirations for home ownership in Peterborough
- There were over 330 people on the register for shared ownership homes

- The original application had not been specific about the housing mix, it met with the minimum 30% affordable homes in compliance with Peterborough City Council policies and this was included to secure the planning consent
- The first application for grant funding in September 2010 had been turned down and Accent Nene were not in a position to apply for an all affordable scheme at the time without a grant
- None of the previous objections received had been in relation to affordable housing
- In December 2010, the Homes and Communities Agency had approached Accent Nene about the possibility of investing in the project
- With the full support of the Housing Strategy Team at Peterborough City Council, Accent Nene had agreed to a grant to the value of £948,000 as an investment for the city. This was to deliver the affordable housing
- Once the funding had been agreed, the S106 Officer had been approached and the contribution agreed
- With an all affordable housing mix, the project was unable to support the contributions agreed under the previous planning application. This had been demonstrated by using the agreed Peterborough City Council viability tool which came from the Homes and Community Agency itself
- The scheme made no profit and would not pay back for a substantial period
- The provision of affordable housing, in itself, was regarded as a housing benefit
- Over 50% of the residents living in Accent Nene's social schemes were employed with less than half dependent upon housing benefit
- There was an anti social behaviour policy which had to be adhered to by tenants and there was also a specialist in-house Anti Social Behaviour Officer specialising in the liaison with different stakeholders in the management and dealing with anti social behaviour. Anti social behaviour was regularly dealt with
- The scheme had the full support of Peterborough City Council's Planning Officers

Following questions to the speakers, Members expressed concern at the reduction in the S106 agreement. In response to this concern, the Head of Planning, Transport and Engineering addressed the Committee and stated that the Council's policy on developer contributions was set out in the Planning Obligations and Implementations Strategy supplementary planning document, which formed part of the Local Development Framework (LDF). Once the financial viability appraisal process had been undertaken, if the developer could demonstrate that the scheme was not deliverable by adding a large amount of money back to the community, then it was still possible to achieve planning consent with a reduced amount of money.

Affordable housing almost always involved a lower S106 contribution and with the major development schemes that were coming forward in the city, the amount of affordable housing and the amount of developer contributions were, in many cases, less than the POIS target. However, development land and property were worth less than they had been previously and there were less people building than before. Therefore, if development was still to be undertaken, reduced contributions had to be accepted.

In response to the concerns raised by speakers and Members regarding the lack of re-consultation undertaken, the Planning Officer addressed the Committee and advised that prior to the previous application in July 2010, site notices had been put up, an advertisement in the newspaper had been submitted and those residents who abutted the site were consulted. With the application before the Committee today, letters had only been sent to those residents abutting the site again. There had been

no further advertisements or site notices. The reason for this was that there had been very little interest in the previous application and very few objections had been submitted. The proposal had also recently received press coverage and there had, once again, been very few objections received in response.

For clarification on the application, the Legal Officer addressed the Committee and advised Members that the design of the scheme had in no way changed from the previously considered application. The only differences were the level of S106 contributions because the scheme was to be 100% affordable social housing.

Members commented that a large number of the private residential houses in the area were being turned into House in Multiple Occupation (HMOs), if more private houses were built on the site then maybe this would happen there also. However, with good quality rental and co-ownership houses that would not be the situation.

Members further commented that Peterborough City Council had an excellent track record of supporting and enabling the delivery of affordable housing in the city. The provision of affordable housing should not be perceived as a 'dumbing down' of the city and affordable housing did not automatically mean 'shoddy'. It was proper housing for people who were disadvantaged in some way who wished to bring up their families in safe and secure communities.

After further debate, a motion was put forward and seconded to approve the partial demolition and conversion of the existing main building and the full demolition of the existing out buildings. The motion was carried unanimously.

**10/01346/CON - RESOLVED:** (Unanimously) to approve the application, as per officer recommendation subject to:

1. The conditions C1 to C2 as detailed in the committee report

A motion was put forward and seconded to approve the application for 25 dwellings on the site together with access, car parking and landscaping. The motion was carried by 7 votes, with 1 voting against.

**10/01346/FUL - RESOLVED:** (7 for, 1 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990
2. The conditions numbered C1 to C19 as detailed in the committee report
3. If the S106 has not been completed within 3 months of the date of this resolution without good cause the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report

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

Subject to the imposition of the conditions, the proposed changes were acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically;

- The increase in the provision of affordable housing was supported as it assisted in housing the very large number of people on the housing waiting list in Peterborough which was over 9000.
- Although the Section 106 contribution was much reduced, a economic appraisal had been submitted by the applicant and this had demonstrated that the scale of

the contribution that could now be afforded was limited to just £21,000. This had been assessed by the appropriate officer and confirmed.

Councillor Harrington left the meeting.

#### **5.4 10/01704/FUL – Construction of six two bed and two three bed dwellings at land between 45 and 55 North Street, Stanground, Peterborough**

This was a revised application for a residential development of 8 dwellings following the refusal of the previous application (10/00738/FUL) for 8 dwellings on the site. The scheme had been submitted following the refusal of the previous scheme which consisted of 12 dwellings on the site. The refused application had included three 3 storey units on the back part of the site and this had been a key area of concern for the Planning Committee with regards to overlooking, and also the height of the building in relation to the development which surrounded it. There had been two other reasons for refusals by the Committee and these were the lack of a Phase 1 contamination report having been completed and that no S106 legal agreement had been entered into at that time.

The revised application was proposed as an entirely 2 storey development of one 2 storey terrace comprising three two bedroom properties and one 2 storey pair of three bedroom properties fronting onto North Street. A 2 storey terrace of three, two bedroom properties was proposed to the rear of the frontage development. The block was orientated so that the frontage faced east and overlooked the communal car parking court. All six units were proposed as affordable housing.

The proposed vehicular access was off North Street. A private shared driveway was situated between the frontage blocks, and provided access through to the rear houses, and shared car parking court. It was proposed that a pair of manually operated access gates was provided to the access in order to create a defensible space.

The site was currently owned by the City Council.

The application site was comprised of 0.214 hectare of unallocated brownfield land. To the north the site abutted the 'Back River', with the Nene Washes located beyond. The Washes, including the Back River, were designated as the Nene Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsay site. The character of the area was predominantly residential with dwellings located to the east, south and west of the site, although it was noted that there was an active boat yard to the north-west of the site.

The area was characterised by frontage developments situated within long thin plots. Many of the properties had outbuildings/boat storage located within the rear curtilage. The street scene comprised a varied design, scale and age of properties.

Historically the site was used as a boat builder's yard, but it had been vacant for a significant period of time and was primarily comprised of overgrown scrub land. There were a number of mature trees located within the site, however their individual form was poor and it was proposed that the majority of these were removed and replacement planting secured. However, a sycamore tree on the site was to be retained. The site levels sloped significantly (approximately 1.6m) from the highway down to the northern boundary with the Back River.

Approximately 70% of the application site was located within Flood Zone 1. The northern part of the site was located within Flood Zones 2 and 3.



An ecological assessment had been undertaken and submitted by the applicant. No features or species of value had been identified.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the design and impact on the character of the area, the impact on the residential amenities of neighbouring properties, the highways impact, the landscape implications, flood risk and drainage, contamination given the sites previous use, ecology and the issue of the S106 obligation. The recommendation was one of approval.

Members were advised that a Phase 1 Contaminated Land Report had been provided and that had been proven to be satisfactory. Negotiations were also in progress with regards to the S106 contribution. It was therefore felt that as previous Committee concerns had been addressed, including the reduction of the height of the building from 3 storey to 2 storey, the proposal was acceptable.

Members' attention was drawn to additional information contained within the update report. There had been additional comments received from a neighbour objecting to the application, a copy of the objection had been provided in full to the Committee as was the original letter of objection from the neighbour. In summary the additional concerns were highlighted as being that the Committee report was wrong in saying that the 2 storey building close to the river was appropriate given that most of the buildings in the location were either 1 or 1 ½ storey in height, the height of the 2 storey building would be accentuated by the building up of the ground due to the site levels sloping, the raising of levels would worsen the overlooking of number 57, having the parking area adjacent to the site boundary would be a source of noise and disturbance to the adjacent garden, the strip of land between the parking area and the river was an inadequate ecological buffer, the occupiers of the dwellings fronting onto North Street would park in North Street, and if the Committee was minded to approve the application the discharge of the planning conditions should not be left for Officers to undertake it should be for the Planning Committee to undertake or it should be the subject of public consultation.

Contained within the update report were a number of additional conditions and informatives which were suggested to be appended to the recommendation, these were in relation to vehicle to vehicle visibility splays, street numbering and naming and vehicular crossings site access works. There was also a suggested amendment to condition C7 to refer to turning areas as well as parking areas.

Councillor Brian Rush, Ward Councillor, addressed the Committee on behalf of local residents and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The current application was little more than a watered down version of the previous application refused by the Committee
- North Street was situated in the older part of Stanground Village close to the Church Street Conservation Area, where people had lived for generations
- The existing properties along the north side of North Street consisted of 1 or 2 storey dwellings
- One of the primary characteristics of these dwellings was that they had a double frontage on both the front and rear, with rear gardens sloping down towards the river. These properties were of brick and tile slate construction
- The proposed construction 2 storey half timbered dwellings was not in keeping with the established building materials and was out of character with the existing dwellings

- There was a pride in the upkeep of the properties situated along North Street, especially with the rear of the properties. There was a regard for the river and residents were conscious that people using the river regarded the rear of their properties as people using the roads would regard the front of their properties
- The rear terrace would be more than 2 metres above true ground level due to it being built up
- The first floor windows would overlook, and have an overbearing impact, on adjoining properties
- The proposed development would not fit in, and would be out of character, with the surrounding properties. The current dwellings were situated away from the rivers edge
- Boat users and people arriving in the city by train would not be impressed with the view of a car park which was to be situated at the rear of the development
- The proposal incorporated a gated entrance onto North Street. Was it really believed that the occupiers of the properties fronting onto North Street would get out of their cars to open these gates? They would end up parking on the road instead, next to their houses
- At night time, the headlights from cars coming in through the gates would disturb the occupiers of the dwellings opposite
- Was it correct for a speed check to have been undertaken by the developer? Was this not a conflict of interest
- The speed check was also conducted when the corner of South Street and Church Street was blocked to through traffic, thus restricting the normal flow
- The application was contrary to Policy DA1, as the development was not compatible with, and did not improve, its surroundings
- The application would not fit in with its surroundings and would result in highways issues and nuisance to neighbours, it would cause irreparable harm to the character of North Street, Stanground backwater and the Nene Washes
- The Planning Department should consider whether developments fitted in with the surrounding area and should ensure the developments would enhance the area. This development would not

Following questions to Councillor Rush, a query was raised regarding the difference in height from the original 3 storey top window to the proposed second storey window. The Planning Officer advised that he would look into this query and return with an answer after the next speaker.

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

- Mrs Harrison had developed a 1 storey garage in the exact spot and that stood at a height of 4 foot
- The Committee report was based on flawed reasoning
- There was no argument with the social housing aspect
- The development was contrary to the Council's published policies
- The development was high density, inappropriate for the area being backland development and would adversely impact on the character of the area and landscape, was poor layout and design and would have detrimental impact on residential amenity
- The area was characterised by low density development
- The dwellings in the area had, mostly, gardens down to the river

- Where there was backland development in the area, it was limited to domestic outbuildings none of which exceeded 1 ½ storeys high
- The proposal was for high density, backland development
- The high density development was incompatible with the area and would destroy the general character of the area, which was houses backing onto the river
- The backland development of 2 storey housing was on land built up by 1.2 metres, this meant that it would be far more than 2 storeys above ground level
- The half timbered construction was out of character with brick and stone buildings and would be a blot on the landscape as they would end up looking like slums in no time due to the strong winds across The Wash
- The raised height of these buildings would mean they would still overlook the adjacent gardens, having an adverse impact on neighbour amenity. This was contrary to Policies DA1, DA2 and a number of others
- Because of the decrease in the number of bedrooms, the level of parking provided would be contrary to Policy T10, in that there would be an over provision of parking
- The over provision of parking would still not stop people parking in North Street. They would park next to their homes
- The siting of the parking area was totally inappropriate
- This development would have a detrimental impact on the views from back river, Stanground Wash, the railway and neighbouring properties
- The parking area was also located immediately adjacent to the boundary fence, meaning that noise and fumes will have an adverse impact on neighbour amenity
- The narrow strips of land on which the proposal had highlighted for landscaping was nothing but derisory screening. It would be wholly inadequate for the purpose of landscape bunding in accordance with Policy LNE6
- The parking area contravened Policies DA1, DA2, T10, LNE6 and others
- Planning Policy Statement 1 required local councils to develop a shared vision with their local communities, what shared vision was there here?
- There had been discussions with the Chief Executive of Cross Keys who had stated that houses with gardens to the river and car parking adjacent, had been the preferable choice of development. The current application was Officer led

The Planning Officer addressed the Committee in response to the earlier query raised regarding the difference in height of the 2 storey proposal. Members were advised that it was 10 metres to the ridge and 4 metres to the bottom of the first floor window which was on a par with the previous development. Members were requested to note that the previous proposal had been of concern because it was 3 storeys. In terms of separation distances between the proposal and existing dwellings, the distances would be acceptable in every case on any other proposal consisting of a 2 storey development abutting a 2 storey development. In terms of the development being backland development, there were numerous other similar developments in the area.

Members commented that it was appreciated that the application caused emotive feelings amongst residents, however, all of the previous issues had been addressed. The application was a significant improvement and cut down the opportunity for overlooking. There was however still minor concerns highlighted regarding the parking situation and the manual gates. The Highways Officer addressed the Committee in response to these concerns and stated that it was true that there were some gated courtyards located on developments in Peterborough that weren't used

very often, there being many reasons for this. However, with this proposal, if the residents of the properties fronting onto North Street did wish to park in front of these houses, there was adequate space for them to do so. Previous site visits to the area had also highlighted that people tended not to double-park along the road.

Members further commented that automated gates would be a better prospect for the development and would encourage people to use the parking courtyard. Although the Committee had been happy with the gates previously, it was felt that in order to give the residents of North Street the very best proposal, these gates should be incorporated.

Following further debate, a motion was put forward and seconded to approve the application with the addition of automated gates, the additional conditions and informatives and the amendment to Condition C7. The motion was carried by 5 votes, with 2 voting against.

**RESOLVED:** (5 for, 2 against) to approve the application, as per officer recommendation subject to:

1. The prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the needs of the area and a Phase 1 Desk Top Study to assess the extent of contamination of the site and inform any remedial work required
2. The conditions numbered C1 to C22 as detailed in the committee report
3. The amendment to condition C7 to reflect turning areas as well as parking areas
4. The informatives numbered 1 to 11 as detailed in the committee report
5. The additional Highways condition referring to visibility splays as detailed in the update report
6. The additional informatives as detailed in the update report
7. If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason R1 as detailed 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 principle of residential location was acceptable in this location
- The proposal by reason of its design, scale and height would not result in a detrimental impact on the amenity of the occupiers of neighbouring dwellings
- The scale and form of the development was consistent with the character of the area and would provide adequate living conditions for residents
- The proposal would not result in an unacceptable impact on the biodiversity of the site. Suitable soft landscaping could be achieved by means of the imposition of the recommended condition
- The applicant had demonstrated that the level of flood risk arising from the development was acceptable
- Vehicular access, turning area and on site parking to serve the development could be provided
- The applicant had made provision for the infrastructure requirements arising from the development

The proposal was therefore in accordance with Policies DA1, DA2, DA6, H7, H16, LNE9, LNE 6, LNE10 and T10 of the Peterborough Local Plan (First Replacement) 2005.

## **5.5 10/01594/FUL – Construction of a barn for rabbit breeding and construction of a polytunnel for trees, shrubs and plants to the land to the west of Uffington Road, Barnack, Stamford**

The proposal was to erect one polytunnel, for horticultural use, and one barn for the raising of meat rabbits and for the hydroponic production (growing of plants without the use of soil) of their feed. The site would also be used for the raising of plants.

The polytunnel would be almost 27 metres long and 8 metres wide, set about 27 metres back from the roadway. The barn would be 27 metres long and almost 9 metres wide, about 6 metres to the eaves and 8 metres to the ridge, and set back from the roadway by about 10 metres.

It was also proposed to alter/widen the existing access points, and add a third access point, from Uffington Road into the field.

An area of hardstanding would be created adjacent to the barn for the parking and turning of vehicles.

The site was comprised of a field with a width of about 100 metres and depth of 350 metres. The field was set at the beginning of a rise in the landscape, with the lowest part of the field along Uffington Road. Currently there were two small access points through the hedged boundary to the road.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were whether the use of the site was acceptable in the open countryside and the visual impact of the proposal on the area of best landscape. The recommendation was one of approval.

Members were advised that the application originally submitted had three access points, two of which were established agricultural access points not requiring consent and the third potentially requiring consent. This point had been highlighted to the applicant, particularly in relation to the access point being located on a bend in the road, which would mean that the necessary visibility splays would be difficult to achieve. The applicant had therefore agreed to remove this particular access from the proposal leaving just the two existing farm accesses. The Committee was advised that if it was minded to approve the application, an additional condition would need to be added to delete the third access point.

The Planning Officer highlighted that there were very few standalone agricultural buildings located in the urban countryside area.

Members' attention was drawn to additional information contained within the update report. Councillor David Over, Ward Councillor, had submitted additional comments in relation to the application stating that the development was not essential for the needs of agriculture, it would result in the loss of agricultural land and that it would have a detrimental impact on the area of best landscape. There had also been an additional neighbour objection submitted highlighting concerns that a dwelling to support the operation might come forward in the future, that the applicant had undertaken similar developments in other parts of the country, the small scale of the business proposal made it unviable and if the scheme was allowed it may set a precedent.

Mrs June Wollard, a Barnack Parish Councillor speaking on behalf of the Parish Council and local residents, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Barnack Parish Council supported appropriate development in the village of Barnack wherever possible
- On this occasion the Parish Council objected most strongly to the planning application
- The land in question was marked on the Local Plan as an area of best landscape and was in open countryside
- The field was entirely surrounded by agricultural land and was outside of the village planning envelope
- A barn, 8 metres high, with a metal roof and a polytunnel would be entirely inappropriate for the particular situation and would be extremely obtrusive
- The development would be visible from the west and north entrances to the conservation area of Barnack
- The planning application also included a septic tank. This would be entirely inappropriate and would not be necessary for breeding rabbits
- A septic tank required water to operate, there was no water on site or anywhere within the vicinity and there were no connections to a main water supply
- There were no main services of any description to the site as it was located in open farmland
- Chemical toilets could be used for workers and would be far more appropriate
- The area was overrun with wild rabbits, was it therefore viable to breed them?
- If rabbits were bred on the site, manure would be produced. Would this produce an environmental hazard?
- An application for stables and hard surfacing had previously been submitted for on the same field. One of the conditions placed on the permission had been that there should only be one entrance into the site. If a new entrance was to be established, the original one was to be blocked up. The stables and hard surfacing had not been built and this condition was totally ignored, with two entrances to the site being established
- Both this and the previous application had been submitted with the intention of gradually developing the field for housing
- A similar situation had occurred in Helpston when permission had been granted for stables outside the village envelope. The Parish Council did not therefore wish for this mistake to be repeated in Barnack
- The field in question ran along the Uffington Road, which was a narrow country lane
- The site was situated just before the approach to a blind bend making access to and from the site difficult and dangerous
- The Parish Council were disturbed to learn that trees may be felled. Trees in Barnack were very important
- The proposed development was way outside of the village envelope and it was hoped that all of the conditions from the previous development would be put in place were Committee minded to approve the application

The Planning Officer addressed the Committee in response to points raised by the speaker. Members were advised that in terms of the previous stables permission which had been granted for the site, no evidence that this had ever commenced could be found, therefore enforcement of non compliance of the conditions could not be implemented. In terms of the water supply, it would be up to the applicant to arrange servicing arrangements, it was not a material planning consideration in this particular instance. The applicant had mistakenly referred to a septic tank and discussions had been held regarding this matter. In terms of a rabbit breeding, at the end of the breeding cycle the building would need to be washed down prior to new

stock therefore any water, which could be potentially contaminated, had to be collected into a holding tank to be subsequently collected at a later date.

With regards to the animal waste created on a day to day basis, this would have to be dealt with within DEFRA guidance and it was not for Planning Officers to duplicate that guidance. If there were any outbreaks of pollution or pests then this would be dealt with via Pollution Control.

There were no trees were proposed to be felled as part of the proposal and Members were reminded that future speculation of what may happen on the site could not be taken into consideration.

Members commented that the application was against Policies LNE1, LNE3 and LNE5. There was no evidence to suggest that the application was essential to the effective operation of local agriculture or horticultural forestry. There had been no precedent set in the area and the extremely large barn would be an eyesore on a very attractive field outside of the village envelope. The development would result in the loss of agricultural land and it would have a significant effect on the area of best landscape.

Following further debate, a motion was put forward and seconded to refuse the application due to it being directly against LNE1, LNE3 and LNE5. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to reject the application, against officer recommendation.

**Reasons for decision:**

1. The applicant had provided insufficient information to demonstrate that the proposal was essential to the effective operation of local agriculture and therefore the proposal was contrary to Policy LNE1 of the Peterborough Local Plan (First Replacement) – Adopted 2005.
2. The proposal would result in the loss of Grade 2 and 3 agricultural land and therefore the proposal was contrary to the provisions of Policy LNE3 of the Peterborough Local Plan (First Replacement) – Adopted 2005, which sought to protect such categories of agricultural land from development.
3. The proposal (located in the Area of Best Landscape defined in Peterborough Local Plan (First Replacement) – Adopted 2005), involved the construction of buildings in an open landscape setting, characterised by long and wide views, isolated from any other buildings that would normally be associated with an agricultural / livestock / horticultural operation. In the case of the rabbit breeding barn, the structure was of substantial dimensions. The proposal was therefore contrary to Policy LNE5 as it failed to:
  - a) respect local building forms
  - b) reflect the distinctive landscape features
  - c) safeguard important views
  - d) be sympathetic to the local topography

The meeting was adjourned for five minutes.

Councillor Hiller left the meeting.

**5.6 10/01648/FUL – Construction of 2 semi-detached houses and 1 link detached house (1 x 3 bed and 2 x 4 bed) with parking at 45 High Street, Maxey, Peterborough**

The proposal was to erect 3 dwellings; two 4 bed and one 3 bed dwellings. Each dwelling had 2 off street parking spaces. Each of the dwellings had its own dedicated rear amenity spaces.

Vehicular access to the rear of Plots 1 & 2 had an oversail/bridge unit above it which formed part of the upstairs accommodation to Plot 1.

The application originally submitted had a shared driveway and parking for Plots 1 & 2 which fronted onto and were accessed from the High Street. Plot 3 was accessed separately from Woodgate Lane. Highways had raised objections to the shared driveway for Plots 1 & 2 on the grounds of highway safety and inadequate access dimensions, not meeting National Highway standards. Revised plans had been submitted to address this issue, the revised plans showed Plot 1 as having its own dedicated driveway from High Street, and Plots 2 and 3 would utilise tandem parking off Woodgate Lane.

The site had been subject to several applications for residential redevelopment over the past 5 years. In 2006 the site was host to a 1960's bungalow, now demolished. Planning permission had previously been granted for a 2 dwelling scheme on the site and permission had lapsed. Footings had been constructed on site, however these were not in accordance with a previous approved scheme and work had since stopped. The site was cordoned off by security fencing and was effectively rough ground.

The site was within Maxey's conservation area and was a key feature in the village street scene. The surrounding land uses were residential with a bus depot/workshop (Shaws of Maxey) to the West.

The Barn on Woodgate Lane and 26 & 28 High Street situated to the immediate North and East were Grade 2 listed buildings.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the policy context and principle of the development, its impact on the amenity of adjoining properties, its impact on the historic environment given its location and the highways implications. The recommendation was one of approval.

Members' attention was drawn to additional information contained within the update report. Comments had been received from Highways Officers stating that they were broadly happy with the application as it stood and an additional condition was requested in relation to a topographical survey. There had also been a representation received from Councillor Peter Hiller, this representation included images highlighting what the proposal would look when built.

Councillor Peter Hiller, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Development on the site was not objected to in principle. A sensible one or two house development that was designed to be sympathetic with the plot and with its position. It would have to have adequate off road parking facilities for its residents and visitors
- Residents often requested Ward Councillors to protect their Wards from potential developments that were not only unwelcome, but also on occasion, completely unsuitable for their plots in terms of size, density, style, vehicle provision and neighbour amenity



- The Planning Officers did not always get it right, especially when dealing with rural applications
- The rural villages were an integral part of the make-up of the authority's area, but they often required a more considered approach to their development
- The Rural Housing Strategy Planning Document presented the way in which villages should be looked at in regards to their future growth
- The photographic representations included in Councillor Hiller's objection were an accurate representation of what could happen on the site if the application was passed
- About four years ago, the plot consisted of one small three bedroomed character bungalow and a modest garden plot in the heart of the protected conservation village
- The proposal in front of the Committee was to replace the previous modest single storey property with an overbearing eleven bedroomed development of three 2 storey town houses with extremely small amenity areas, an out of place 'drive under' arrangement, tandem car parking areas, no provision for visitor's cars, no provision for additional family cars and a driveway that would not even allow for two cars to pass each other, let alone consideration for pedestrian safety
- This arrangement was considered unacceptable in the most prominent position in the heart of a protected conservation area in a small rural village surrounded by listed and thatched cottages
- The application had no support whatsoever in Maxey Village and it flew in the face of all that had previously been expected of the Planning Officers
- The application was poorly researched and had been proposed by an out of the area, speculative building firm that either did not know, or did not understand the local area or had no reservations about what could be put onto the plot
- The application before the Committee was a hastily put together plan. The original plan had been thrown out by the Highways Officer
- The site of the original bungalow had permission for two houses. The then builder had started to build them in the wrong places, arguing that the plots should be bigger than they actually were
- The current applicant, Seagate Homes, had also tried to justify the overdevelopment by stating that "the housing market had suffered significantly over the last two and a half years. It was considered that a similar development would not be commercially viable at the moment". This was in relation to the original planned 2 dwellings
- The dining room window of number 47 window would be so blocked of light that every meal would feel like a midnight supper
- Woodgate Gate Lane was a single track lane used by farmers with big agricultural vehicles. Seagate Homes had reasoned that because Woodgate Lane was too narrow to park outside and their presumption that the new owners would not be able to park on the High Street, this would alleviate any cars littering the street scene
- There were only six car parking spaces, four of them being tandem. There were no garages, no visitors parking and no turning space. People would park on the High Street
- The proposal was against Policies DA1, reasons A, B and C. DA2, reasons A, B and C. DA6, reasons A, B, C and D. Policy CBE3 and Policy CBE7
- A revised proposal needed to be better than what Seagate Homes had come up with already. They should go away and rethink the proposal and come up with something acceptable and agreeable to the people affected by the proposal. All the builder was concerned with at that time, was profit, not people

Mr Peter Hardy, Mr Alan Middleton and Mrs Lisa Boughton, objectors and local residents, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The previous bungalow located on the site had been habitable at its time of demolition
- The village was in support of the previous scheme
- The previous scheme dwellings had been designed based on a suggestion from the Conservation Officer as to how they should look. They were in the style of the local area
- The development had since fallen through and the plot had changed hands
- The new development was not appropriate for the site, which was located in the middle of the village Conservation Area where surrounding plots contained single dwellings
- This will become the landmark building in the oldest, most important part of the town
- It would not be possible to deliver this scale of development without negatively impacting on the conservation area or creating significant safety issues
- Six parking spaces was unlikely to be sufficient for an eleven bedroom development and consequently visitors cars were likely to be left on a dangerous corner in the main village
- There was a problem with vehicles speeding through the village and a speed watch had been set up to try and keep the village safe. Speeding on this particular spot was a problem
- This area of the High Street had a problem with parked cars already
- The proposed vehicle access archway was unnecessary, out of place and a safety risk. Cars would enter the road on a blind corner and this would be worse when vehicles were parked on the High Street
- Pedestrians would also suffer due to the cars being parked partly on the paths
- The plot was surrounded by eight, grade II listed properties. As designed, it would be the largest and tallest development in the area detracting from the historic scene
- Each of the nearby buildings were set in a good sized plot with full off street car parking. The density of the proposal would not allow for all residents to have off street parking
- The proposal would be one metre taller than The Barn and would be even taller than one metre against number 47
- In summary refusal of the application should be given due to the density, parking issues, safety, the scale and dominance in the oldest part of the village

The Highways Officer addressed the Committee in order to clarify the queries with regards to the current parking situation along the High Street. Members were advised that there was an existing problem with parking due to people wishing to access Woodgate Lane. With regards to the parking offered on the development site, this was in accordance with planning policy. Further parking could not be requested and the proposal could not be refused by Highways because of it.

Mr Lewis Smith, a Chartered Town Planner and the agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Prior to the formal submission of the scheme, extensive consultations had been undertaken with the Council due to the location of the site within the Maxey Conservation Area
- Consultation had not been directly undertaken with the Parish Council
- The Design and Access Statement submitted with the application described the evolution of the scheme, which had been guided by the assistance of the Conservation Officer and the Development Management Officer
- The proposal before the Committee represented the culmination of much hard work between Officers and the applicant that would result in a form of development that would not only meet the minimum test of preserving the character of the Conservation Area, but would also enhance it
- The design incorporated a variety of roof heights and was set at an angle to the street
- The footprint and scale of the proposal were very similar to that originally approved in 2007
- Notwithstanding the pre application consultations, further changes to the scheme had been requested, these consisted of changing the shared driveway onto the High Street into a single point of access for Plot 1 only, with Woodgate Lane now providing access for Plots 2 and 3
- Woodgate Lane had been used to access the two plots on the original 2007 scheme
- It was understood that there were concerns expressed by local residents that on street parking would be increased due to the development
- The parking spaces provided were well related to their respective dwellings and people would use them rather than parking on the road
- Highway visibility from both Woodgate Lane and from the access to Plot 1 onto High Street was well in excess of the required standard and there was now no objection from Highways subject to suitable conditions
- The further amendments requested by the Conservation Officer were reflected in the amended plans before the Committee
- The photo montages presented to the Committee could not be classed as accurate for a number of reasons

Following questions to the speaker with regards to the tandem parking spaces Members expressed further concern at the situation with regards to parking on site. The Planning Officer informed Members that the parking provision met the required standard and there had been no objections from the Highways Officer.

Members were further advised that the Conservation Officer was happy with the development as he had been involved throughout the process, therefore from a Conservation Area perspective there were no issues. If there was further car parking located to the front of the site, it was felt by Planning Officers that this would be detrimental to the street scene.

In terms of visibility at junctions, there were no parking restrictions along High Street. It was up to the individual to park responsibly. Clearly this did not happen in every case but this could not be legislated against in terms of the design of the development. The Highways Officer addressed the Committee and advised Members that in terms of vehicle to vehicle and vehicle to pedestrian visibility splays, it had been demonstrated that adequate splays were achievable and conditioned in the committee report.

Following further questions to the Planning Officer regarding the design of the scheme, particularly the bridge unit. The Planning Officer advised that, granted, this was not an established design feature in the village, but in terms of the remainder of the development the design was in keeping with the Conservation Area.

Members expressed concern at the single access and the inability of two cars to be able to pass each other. The Highways Officer stated that the probability of two cars meeting each other was very slim and with the low speeds there would be no issue.

Following further debate, Members commented that the proposal was overdevelopment of the site and in particular did not comply with Policy DA1, as it would have an adverse impact and would not enforce a sense of place. It was also contrary to Policy CBE3, in that it was development that affected the Conservation Area and did not enhance or preserve its character, in fact it would have a detrimental impact on the character of the Conservation Area. The development was also contrary to Policy DA2 in that it was overdevelopment of that part of the Conservation Area. The proposal was also contrary to Policies PPS1 and PPS5. A motion was put forward and seconded to refuse the application. The motion was carried unanimously.

**RESOLVED:** (Unanimously) to reject the application, against officer recommendation.

**Reasons for decision:**

1. The proposal was considered to represent over-development of the site which was located within the Maxey Conservation Area. The nature of the traditional built form in the conservation area was typically, wide frontage properties being set in relatively spacious plots whereas the proposed development resulted in narrow frontages set in small plots. The proposal was therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:

DA1 – as it was not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.

DA2 – as it had an adverse impact on the character of the area

CBE3 – as the development failed to preserve or enhance the appearance of the Conservation Area.

And contrary to:

PPS 1 – as it did not provide for a high quality development that protected and enhanced the historic environment and character of the area to the benefit of peoples' quality of life

PPS 5 – as it failed to meet the objectives set for the redevelopment of gap sites in conservation areas i.e. high quality design that enhanced the area

2. The design of the dwellings themselves (the archway, scale and form in particular), did not reflect the character and appearance of traditional buildings within the Maxey Conservation Area. The proposal was therefore contrary to the following Policies in the Peterborough Local Plan (First Replacement) – Adopted 2005:

DA1 – as it was not compatible with its surroundings in the context of the relationship with nearby buildings and spaces, creating an adverse visual impact.

DA2 – as it had an adverse impact on the character of the area

CBE3 – as the development failed to preserve or enhance the appearance of the Conservation Area.

And contrary to:

PPS 1 – as it did not provide for a high quality development that protected and enhanced the historic environment and character of the area to the benefit of peoples' quality of life.

PPS 5 – as it failed to meet the objectives set for the redevelopment of gap sites in conservation areas i.e. high quality design that enhanced the area

13.30 – 19.07  
Chairman

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