

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

Members Present:

Councillors – North (Chairman), Serluca (Vice Chairman), Hiller, Simons, Todd, Winslade, Harrington and Lane

Officers Present:

Nick Harding, Group Manager, Development Management
Julia Chatterton, Flood & Water Management Officer (Item 5)
Emma Latimer, Strategic Planning Officer (Item 5)
Jez Tuttle, Senior Engineer (Development)
Carrie Denness, Principal Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Casey, Stokes and Martin.

Councillor Winslade attended as a substitute.

2. Declarations of Interest

6.1 Councillor Harrington declared that he had a personal prejudicial interest in the item.

6.2 Councillor Todd declared that Ashcroft Gardens was in her ward but this would in no way affect her decision.

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

Councillor Harrington declared that he would be making representation as Ward Councillor on item 6.1, Land to the North of the Village Hall, Guntons Road, Newborough, Peterborough.

4. Minutes of the Meeting held on 11 October 2011

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

5. Draft Flood and Water Management Supplementary Planning Document

The Committee received a report which followed recent and forthcoming changes in legislation around flood and water management, the adoption of the Core Strategy and the preparation of the proposed submission version of the Planning Policies Development Plan document.

The purpose of the report was to obtain the Committee's views and comments on the document, which was due to be presented to Cabinet on 12 December 2011, for approval for the purposes of public consultation. The Committee was advised that its comments and views would be taken into account and reported to Cabinet.

Officers were preparing a Supplementary Planning Document (SPD) that would provide guidance to developers on flood and water management in Peterborough. It would expand on overarching headline policy contained in the Council's adopted Core Strategy. Officers had proposed to consult with the public and stakeholders on a draft of the SPD in January / February 2012.

The Committee was informed that the SPD formed part of a package of work arising following the Flood and Water Management Act (FWMA) 2010, which made Peterborough City Council a 'Lead Local Flood Authority'. The Council was responsible for co-ordinating surface water management.

Flood risk management was high on the agenda in Peterborough. Ensuring that the drainage network and watercourses were managed well, that sites were designed and constructed to drain well and that development was located in a safe environment were all key to reducing the likelihood and consequences of flooding in Peterborough.

The objective of the SPD was to provide guidance to applicants and decision makers on:

- How to assess whether or not a site was suitable for development based on flood risk grounds. This element supported the main river flood risk requirements of policy CS22 in the Core Strategy Development Plan Document (DPD);
- The use of different sustainable drainage measures within Peterborough. This element supported the surface water requirements of policy CS22 in the Core Strategy DPD; and
- How development could ensure it protected aquatic environments. This element supported policy PP14 of the Planning Policies DPD.

Members were invited to comment on the document and the following issues and observations were highlighted:

- A brief overview of the different types of drainage system was requested and Members' attention was drawn to the latter sections of the SPD and a verbal overview was provided. Members were requested to note that Peterborough had a clay soil, so as compared to other places in the country, there was less potential for infiltration into the ground.
- Members sought clarification as to how many rivers there were located in Peterborough. In response, it was advised that there were 18 main rivers located in Peterborough. There were many other water courses, and the classification was not straightforward and was based on flood risk.
- It was highlighted that there was no mention of the possibility of springs being a problem. In response, Members were advised that the authority would be looking into this going forward, especially around the Orton Goldhay area, as there had been issues with springs in this location previously.
- Members questioned how it was ensured that the right drainage for a particular development site was put in place. Members were advised that it was important to ensure early discussion was undertaken with developers and a strong flood risk partnership had also been set up to identify any issues early on.

- Members further questioned what constituted a floodplain. Members were advised that the Environment Agency updated its models every quarter and much of the Eastern side of Peterborough was in floodzone 3. It was important to note that the floodzones were a worst case scenario and there were defences in place so the likelihood of flooding was low.

The Committee positively commented on the document stating that it was very well written and easy to understand.

RESOLVED: the Committee offered comment on the draft Flood and Water Management Supplementary Planning Document, in accordance with the Committee's delegations under paragraph 2.5.1.5 of the Council's Constitution, before it was presented to Cabinet for approval for the purposes of public consultation.

6. Development Control and Enforcement Matters

6.1 11/00885/FUL – Development of 18 dwellings, associated access and parking at land to the north of the Village Hall, Guntons Road, Newborough, Peterborough

The proposal was to construct 18 dwellings, made up of 6 x 4 bedroom houses, 2 x 3 bedroom houses, 9 x 2 bedroom houses and 1 x 2 bedroom bungalow. The houses would be two and two and a half storey, and a mix of detached, semi-detached and terraced.

The access road would be directly off Guntons Road and would run to the south of the existing development on Harris Close. The access into Harris Close would be closed and a connection put in from the new access road.

The proposal was a redesign of an original 13 unit scheme and Members were requested to note that as the scheme had commenced, the permission could not expire. Plots four to eight and Plot 11 were unchanged from the previously approved scheme.

The site was on the east side of Guntons Road, to the north and east of the village hall. To the immediate north was Harris Close, and to the east was open countryside.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the principle of development, highways safety and access, residential amenity in terms of the proposal in relation to the adjoining properties and the issue of S106 contributions. The recommendation was one of approval.

The original application site had been amended slightly to include a section of road to Harris Close. Under the original permission there was a legal agreement in place that required the adjacent access to Harris Close, at its junction with Guntons Road, to be closed off.

The key issue surrounding the application was the matter of the S106 agreement. Members were advised that under the adopted Council Planning Obligation Implementation Scheme Policy (POIS), a contribution of some £90k would be sought for such a development and five affordable housing units, under the Council's Affordable Housing Policy. It had been indicated that these contributions were unaffordable for the development and the applicant had undertaken a financial appraisal of the development. This appraisal had demonstrated that the development

was making a loss and would take a 19% increase in values to become profitable. In conclusion, there was sufficient justification for an S106 contribution and affordable housing to not be required on the site.

The Parish Council had been consulted on the matter and in response, had indicated that a claw-back arrangement should be implemented in the event that property prices should rise. The Planning Officers did not believe that this request was feasible.

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

- Newborough had had no major growth during the previous ten years and was designated as a Limited Growth Village in the Local Development Framework
- The development represented approximately a third of what was allocated in the Core Strategy. This was a significant amount
- Newborough was unique as it had no footpaths linking it to its immediate neighbouring villages or to the city
- The settlement of Milking Nook, located approximately one mile from the village had no footpaths linking it with the main village
- The only way to safely reach Eye or Glinton was by bus, via a connection from Queensgate. This prevented many older children from being able to access facilities which Newborough lacked such as skate parks
- Without S106 contributions, Newborough would struggle to provide the necessary infrastructure outlined in Policies CS12 and CS13 of the Core Strategy
- Regarding affordable housing, Policy CS6 stated that ‘a variety of housing should be implemented to meet local need, including affordable housing’
- In the National Planning Policy PPS3 it stated that ‘a development of more than fifteen dwellings should have an element of affordable housing’
- In Policy CS6 of the Core Strategy it stated that ‘there was no reason not to adopt the national recommendation’
- In the Peterborough Draft Housing Strategy 2010/2013, it stated that ‘there should be an increase affordable housing for those already living in rural communities’
- The proposed development did not address any of the previously mentioned points in any way
- It was important that the village and rural communities were supported through difficult times
- If rural development was allowed without obligation it would lead to decline
- Just to take all and to give nothing was not viable for the communities
- A reduced S106 contribution would perhaps be acceptable
- With regards to affordable housing, a part rent/part buy scheme would have been acceptable

Councillor Harrington left the meeting.

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

- The Parish Council did not object to development on the site however a fair deal was sought

- In 2006 the site had been agreed for development of thirteen houses, with five of them being affordable
- The number had now increased to eighteen and had taken away the affordable houses. This was unfair on the village and was only of benefit to the developer
- The development would now be slightly cramped
- There should be an S106 contribution made
- A reduction in the number of houses was sought, preferably back to the original thirteen
- The Parish Council would like the site to include affordable houses
- The children of the village had been working hard to raise money for a skate park and S106 money would go a long way to helping the children towards their goal
- An area of green space was sought in that part of the village
- It was suggested that plots 4,9,10 and 11 had their rear gardens slightly shortened so this would provide an extra piece of land at the back of the village hall, as the current area was very small
- A fair deal was sought
- There had not been any pre-meetings held between the developers, agent and the Parish Council

Mr Sam Metson, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The Agent had worked hard with the Council's Planning Office over the last year in order to address all the planning issues raised by the scheme
- The proposal was very close in nature to the scheme which had already been granted permission
- Work had stopped when the previous developer, DGM Properties had gone into administration some years ago
- West Register, the Applicant, did not believe that the commenced scheme was viable and this was largely due to the number of very large five bedroom properties approved under the original planning permission
- This proposal sought to achieve a more viable mix of housing, better suited to local needs and demands
- Even with the revised mix of housing, the viability of the scheme was marginal, and showed a considerable loss
- In accordance with Council Policies, work had been undertaken with the Council's S106 Officers and a detailed viability appraisal had been provided which had demonstrated that the site could not afford affordable housing or financial contributions
- If the obligations were required, the site would not come forward
- The development provided for all the essential onsite infrastructure required to make it acceptable in planning terms and it met the tests of the Government's guidance on planning obligations
- An offer had been extended to meet with the Parish Council but the matter had been discussed at a meeting in October and Mr Metson had been unable to attend, a detailed letter had been sent explaining the background to the situation, the outcomes of the appraisal and discussions from the S106 Officers
- The losses shown from the appraisal highlighted that the site would be unlikely to accrue a profit that would make the suggested claw-back scheme viable
- West Register had entered into a contract to commit to buy the site in 2009 and they had prepared what they believed to be the most viable development for the site

- The development could make a valuable contribution to meeting the housing requirements of the area during the forthcoming difficult economic period

The Planning Officer addressed the Committee in response to queries and issues raised by speakers. In response to the request raised by the Parish Council with regards to the reduction in garden sizes on a number of plots in order to increase the green space available at the back of the village hall, it was highlighted that a reduction in plots 9, 10 and 11 would be a feasible proposition without the inclusion of Plot 4. With regards to a proposed reduction in the number of houses on site, this would ultimately drive down the returns the developer would get from the development.

Members queried whether a refusal for lack of S106 contribution and a lack of affordable housing could be supported by Policy. In response, the Legal Officer advised that if Members were minded to go against officer recommendation, the viability information, which had been obtained, would most likely be taken into account by an Inspector if the application went to an appeal.

Members further questioned why the viability information had not been provided for them to consider. In response, the Planning Officer advised that the development appraisal information had not been presented to the Planning Committee as it was commercially sensitive information, however if Members wished to have sight of this information, the appropriate course of action would be to defer the item and a set of confidential papers could be circulated for consideration and possible discussion during closed session at a future meeting.

Concerns were highlighted with regards to the lack of S106 contribution and also the lack of negotiations undertaken between the applicant, agent and Parish Council in order to identify a possible way forward.

After further debate a motion was put forward and seconded to defer the application. This would allow the Committee opportunity to have sight of the viability report in order for it to be able to determine whether there was a requirement for a S106 obligation in monetary or affordable housing terms. For the minutes, it was highlighted that Members had no issues with any other aspect of the development. The motion was carried unanimously.

RESOLVED: (Unanimously) to defer the application to the next meeting.

Reasons for decision:

The Committee agreed that in order for it to be able to make an informed decision on the application, the item was to be deferred until the next meeting, and:

- The financial appraisal was to be attached to the main report for Members as a confidential background paper; and
- The developer and Parish Council were to be asked whether giving up some of the garden from plots 9-11, for use by the parish hall as suggested by the Parish Council, was a compromise that could be agreed to if it was confirmed that no Section 106 could be reasonably secured.

Councillor Harrington re-joined the meeting.

6.2 11/01363/OUT – The construction of two additional two bedroom properties, each with parking space and garden, with access from Reeves Way, at 44 Ashcroft Gardens, Eastfield, Peterborough, PE1 5LP

Outline planning permission was sought for 2 x 2 bedroom properties, each with a parking space, and garden area. The proposal also involved the creation of a vehicle access from Reeves Way. This application was for the principal of two dwellings on this site, all other matters were reserved.

The site was within a residential area of Peterborough. No.44 Ashcroft Gardens was a two storey residential property that occupied a corner plot between Ashcroft Gardens and Reeves Way. The application site was currently part of the rear garden of this property and faced on to Reeves Way. The site covered an area of 270 square metres, and presently there was no direct vehicle access to it.

The surrounding area was characterised with large detached and semi-detached residential properties with side garages, and large rear gardens. The site was in relatively close proximity to existing bus stops on either side of Reeves Way.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the site capacity and impact on the character of the surrounding area, the impact on neighbouring sites, the access to the site and highway issues, the impact of the development on trees and the S106 planning obligation. The recommendation was one of refusal.

Members were advised that the application was a resubmission following a recent refusal under delegated powers. Technically the application was the same apart from the inclusion of indicative streetscene plans. These plans demonstrated how the development may appear in the streetscene and in relation to the existing neighbouring properties.

The recommendation was one of refusal and this was due to the development representing overdevelopment, resulting in a cramped form of construction uncharacteristic with the area, the dwellings would overshadow adjacent developments and be overbearing in nature. There had also been no S106 entered into at the current time.

Members' attention was drawn to the update report and it was advised that Councillor Nabil Shabbir, Ward Councillor, had submitted a letter of support for the application. The Agent had also submitted a statement which sought to justify the proposal in the context of previous decisions made by the authority.

The Committee was advised that Councillor Nabil Shabbir, a provisional speaker, was not in attendance.

Mr and Mrs Skerritt, local residents, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Mr and Mrs Skerritt were the residents of number 42 Ashcroft Gardens
- The application was a reconstruction of a previous planning application which had been heard
- The objections raised had not been addressed

- The development would be inappropriate for the existing area, being very intrusive and invasive to the neighbouring properties
- The intrusion would impact on the right of light on the neighbouring properties which had been enjoyed for over 30 years
- The development would be overbearing and would overshadow the neighbouring properties
- The size of the site was inappropriate for such a development and would lead to a cramped development uncharacteristic for the area
- It was difficult to see how any alternative layout would be any better going forward
- The proposal documents mentioned the property being 'angled' to blend in, this would not be the case
- The proposed site was too small for the development

Mr Barry Nicholls, the Planning Consultant, addressed the Committee. In summary the issues highlighted to the Committee included:

- On the Newborough submission the bungalow garden size, on the recommended site by the Officers, was undersized and did not comply with Peterborough City Council's guide requirements
- In relation to the residents of number 42, Peterborough City Council's design requirements with regards to lack of privacy had been taken into consideration
- The area was not in the Conservation Area and the proposal had been designed to marry into the streetscene and to blend the front elevation of the property as to make it similar to the adjacent properties
- The site met the requirements for amenity space
- Objections had only been received from two residents. Highways and the Tree Officer had not raised objections
- There were very few small developments which generated a S106 contribution such as this to go to the community
- The development would also assist local tradesmen and keep jobs for the community
- The client would agree to a S106 condition for a contribution

The Planning Officer addressed the Committee and talked through the Agent's submitted statement in further detail which sought to justify the proposal in the context of previous decisions by the authority. In summary, there were no material similarities to be highlighted in relation to the proposal before the Committee.

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

RESOLVED: (Unanimously) to refuse the application, as per officer recommendation, and:

1. The reasons R1 to R3 as detailed in the committee report

Reasons for decision:

The proposal was unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- It was considered that two dwellings on this site would appear overly cramped for the plot and be uncharacteristic of the more spacious layout pattern of development in the surrounding area;
- It was considered, due to the small size of the site, that any two storey property on the site would unacceptably overshadow, be overbearing and reduce privacy of surrounding residential properties;
- A planning obligation had not been secured to meet the infrastructure needs arising from the development;
- The proposal was therefore considered contrary to PPS3, Policies CS16, and CS13 of the Peterborough Core Strategy DPD, and Policy H7 of the Peterborough Local Plan (First Replacement) 2005.

6.3 11/01383/FUL – Construction of 2 bedroom detached dwelling at 171 Mayors Walk, Peterborough, PE3 6HB

The proposal was to erect a two storey, two bedroom detached dwelling with a dedicated rear amenity space of 55 square metres. The site would be accessed off Woodfield Road and would create dedicated parking spaces for both the existing and proposed dwelling.

The site was used to form part of the garden of No. 171 Mayors Walk. There was a two metre high brick wall abutting Woodfield Road, with a single detached garage situated at the Southern most point with a space for a single vehicle to front.

The area was predominantly residential. To the North was 171 Mayors Walk, to the East was 169 Mayors Walk and to the South was 2 Woodfield Road, all of which were two storey brick buildings. To the East was 1A Woodfield Road, a triple garage with flat above which was granted planning permission in 2006.

There were no trees on site that contributed to the street scene.

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 the principle of development, the design and visual amenity, the impact on neighbouring residents, the amenity of future occupiers and the highways implications. The recommendation was one of approval.

The site had a long case history, which was outlined to the Committee. The revised proposal had reduced the property in size from a three bedroom to a two bedroom property, it had a reduced footprint and this had in turn increased the amount of garden space. A hipped roof design had also been implemented. The design mirrored typical development in the area and addressed all of the previous concerns highlighted.

Members' attention was drawn to additional information contained within the update report. Further objections relating to the parking in the area and the alterations proposed to the first floor rear window leading to a featureless blank wall, had been received. Further to the receipt of a petition, an additional signatory had also been received from 9 Woodfield Road and a letter had been received from Mr Rolfe, a local resident, adding numerous points to the submitted petition.

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

- The application, just by its title, was misleading as the development would take place on Woodfield Road
- The Committee was requested to note that the Officer's recommendation was 'on balance' and could therefore have easily tipped in the favour of refusal
- In a case where the decision was 50/50, the default position of the Committee should be one of refusal unless there was adequate grounds for the contrary
- With regards to design and visual amenity of the land, there had been a very high proportion of objections
- Woodfield Road was a small street and the number of objection letters demonstrated the high level of opposition
- The design was very far from mirroring the existing buildings and did not concord with the properties in the area
- PPS3 stated that 'good design should contribute positively to making places better for people. Design which was inappropriate in its context or which failed to take opportunities available for improving the character and quality of an area and the way it functioned, should not be accepted'. The development in this particular streetscene was not appropriate in context and it did not improve the area
- The building line along Woodfield Road was not being followed by the proposed development and the design and access statement made reference to it 'bookending the street'
- With regards to garden land, a statement had been released by Councillor Marco Cereste, the Leader of the Council in 2010 which stated that "the situation had changed since the Coalition Government had come into power and not all development proposals in private residential gardens would be automatically rejected" however the assumption would be that most of them would be, Councillor Marco Cereste had gone on to state that "in many cases, development in private gardens can make a positive contribution to the character of an area and help to meet Peterborough's housing needs". This imposed a test as to whether the development generated a positive contribution to the character of the area and whether it helped to meet Peterborough's housing needs. It was suggested that the answer to both of these questions was 'no'
- Objective 9 of the Core Strategy was that 'the Council sought, through its planning policies, to improve the overall quality and longevity of Peterborough's housing stock by ensuring that all houses met higher environmental and design standards'. This proposal did not satisfy this objective
- Objective 25 of the Core Strategy stated that 'it was Council policy to ensure the highest standards of urban design in all new developments'. Why should an exception be made on this street?
- There was a statement highlighting that the windows onto Woodfield Road would be obstructed but that this was not a material planning consideration. This should be a relevant consideration
- The compromises which had had to be made to the building design would detract from the amenity of the existing development
- It had been evidenced that the proposed development would not fit into the site
- House 171 would lose its garden land and would probably never be able to revert back to residential use
- Illegal parking issues had been raised and although not a material planning consideration, the building was most likely to be used as a HMO and this would increase the number of cars in the area and parking would inevitably take place on the road

Mr Phil Rolfe, a local resident speaking on behalf of other local residents of Woodfield Road, addressed the Committee. In summary the concerns highlighted to the Committee included:

- The proposal would have a detrimental impact on the character of the neighbourhood and it would impinge on the quality of life of residents
- Woodfield Road was a quiet road, populated largely by families and made up of well kept, semi-detached houses with bay windows
- There had been a steady deterioration of the properties at the Mayors Walk end of Woodfield Road, with a number of houses being turned into flats and HMOs
- Properties tended to be neglected and there had been anti-social and criminal behaviour. This would be exacerbated by the construction of this property, not being of sufficient size for a genuine family home
- Developments of this kind were irreversible and were unlikely to ever return to family homes
- Tenanted and multi-occupancy properties tended to be favoured and once an area had changed, its character was lost forever
- It had been acknowledged that the development at 1A should never have been permitted
- The proposal was out of keeping with the rest of the streetscene in its size, scale, density, position and layout
- All of the other houses in the street were good quality, family homes with a minimum of three bedrooms and appropriate garden areas
- The proposal was at an angle to all the other properties
- Highways safety would be compromised due to the number of flats, HMOs and parked cars already in existence at this end of the road
- The proposed off street parking was close to a blind corner on an already narrow and congested section of the road with little room for manoeuvre
- There would be a negative impact on the amenity of local residents given the size and scale of the building
- The changes to the plans did not deal with the fundamental issues
- There was a lack of amenity space for future occupants
- It had been stated that the development would suit a retired or working couple, why did the development therefore need three toilets and no storage space?
- It was suspected that the downstairs living area was to be turned into a third bedroom, creating three bedsits
- The narrow interpretation of planning law did not address all the issues with the proposal

Ms Janice Kendrick, the Agent, addressed the Committee. In summary the issues highlighted to the Committee included:

- Sympathy was extended to the residents of Woodfield Road
- The site was ideally located from shops, bus routes etc. so was an ideal plot in terms of amenity
- The project had been discussed on numerous occasions and a complementary design for the area had been sought
- The property adjacent to the proposal had a projection to the left hand side so the proposal had been brought in line with that
- The design had been adapted after consultation with the planners to ensure all concerns and objections had been addressed
- With regards to parking, the implementation of two sets of off street parking spaces would reduce the congestion on the road

- With regards to garden size, many people still wanted the bedroom accommodation but without a large garden
- Great thought had been given to design, guidelines and good use of land. The planners had been satisfied
- With regards to the proposal being on-balance, this was supposition and the proposal should be dealt with on the merits of the area

The Highways Officer addressed the Committee in response to points raised by the speakers. It was highlighted that there had been a lot of work undertaken to obtain the parking areas for this proposal and the parking did accord with standards and requirements in terms of the access. With regards to the proximity of the car parking space to the junction, the space was 30-35 metres away from the junction. Overall, Highways were satisfied that the development would not increase issues in the area as it had adequate parking provisions on site.

Members expressed concern at the parking situation and in response the Planning Officer advised that the Council had adopted policies in place which identified the number of parking spaces to be provided for new residential developments. This proposal satisfied those requirements therefore a reasonable basis for refusal could not be justified in an appeal situation.

Following debate, Members commented both positively and negatively against the application. A motion was put forward and seconded to refuse the application due to the proposal being an overdevelopment of the site. This would result in a cramped development which would be uncharacteristic of the surrounding area. The proposal would be out of keeping in size and appearance and would overshadow and be overbearing to the surrounding residential properties, resulting in a loss of amenity to the neighbouring area. The motion was carried by 7 votes, with 1 voting against.

RESOLVED: (7 for, 1 against) to refuse the application, against officer recommendation.

Reasons for decision:

The proposal was contrary to Policy CS16 of the adopted Peterborough Core Strategy DPD 2011, Policy DA6 of the Adopted Peterborough Local Plan 2005 and Planning Policy Statement 3 'Housing' for the following reasons:

- The size of the dwelling and the size of the plot were not in keeping with the typical pattern of development in the locality and as a result of this the development would be cramped in its appearance;
- The proposal would be in close proximity to the garden areas of 171 and 169 Mayors Walk and as a result the development would overshadow those properties and feel overbearing;
- The proposal would result in the significant loss of garden space associated with 171 Mayors Walk to the detriment of residential amenity; and
- The design and appearance of the proposed property did not adequately reflect the scale and appearance of typical properties in the street.

Contrary to Policy CS13 of the adopted Peterborough Core Strategy DPD, the scheme failed to make provision for additional infrastructure and community facilities which were necessary as a direct consequence of development.

The meeting was adjourned for ten minutes.

6.4 11/01458/R3FUL – Construction of a three storey academic block and extension to the sports block to create new facilities including a swimming pool. Associated alterations to pedestrian and vehicular accesses including new service access and driveway. Demolition of the existing main school buildings (excluding the sports halls, the hair and beauty bungalow, and the construction bungalow) and reinstatement of the land including alterations to existing parking facilities and landscaping, and creation of additional sports pitches at Stanground College, Peterborough Road, Stanground

Full planning permission was sought for:-

- Construction of a new main three-storey school building containing most of the teaching, support and administration facilities;
- The new building would be constructed before most of the existing buildings were demolished, to allow for continuous use of the site without having to provide temporary accommodation;
- The building would be set to the south and east sides of the current building cluster, facing out over a new pitch area to be laid when the existing buildings were demolished. The building would have a central entrance feature with glazing giving views through to the library, two long wings coming out to the north and the west (the front of the building), and two shorter wings to the east (towards Oakdale Primary) and south (the back of the building). The two long wings would enclose two sides of the new front pitch area, and would be the public face of the building;
- The existing sports halls would be retained, and incorporated into an extended/new building including activity suite, swimming pool, studio, and new changing, office and reception areas. The main assembly/dining hall would also be part of this building;
- The existing playing field area would be retained;
- Two small buildings to the south of the site would also be retained, these were the bungalows used for vocational studies;
- There would be some minor changes to the parking and access layout, and a new service vehicle access from Peterborough Road would be created along the south of the site;
- The existing informal pedestrian link between Peterborough Road and Oakdale Avenue would be improved and slightly realigned;
- To improve the overall security of the site, a fenced secure line would be established behind the car parking, to enclose the main school areas. The existing Powerleague area would be outside the line, as would the car parking and public entrance to the sports facilities and main hall; and
- The new buildings would be constructed to minimise energy consumption and increase efficiency, to achieve higher standards that are required under current building regulations, equivalent to Building Research Establishment's Environmental Assessment Method (BREEAM) Very Good rating.

The College site covered an area of about 13.1 hectares, with the main site frontage onto Peterborough Road to the west. The north of the site was to Whittlesey Road, although this boundary was enclosed with mature planting, and the east of the site was bounded by domestic gardens for most of its length, with Oakdale Primary School to the south-east.

To the south of the site was mainly former agricultural land, which was to be developed as part of the South Stanground Urban Extensions, and Glebe Farmhouse, which also had permission for residential development.

Currently, the school building faced Peterborough Road, with a strip of car parking in front of the building. The existing three storey main building was set about 40 metres back from Peterborough Road. There were a variety of other buildings, built over the years in various styles and in a rather ad-hoc manner, resulting in a slightly incoherent site with awkward connections and odd unused corners. The use of space was not efficient.

Approximately 1.6 ha, in the north-east quadrant of the site, was leased to Powerleague, a national 5-a-side football organisation. They had a dedicated building as well as a grid of 10 small pitches, enclosed behind fencing, and a parking area parallel to Peterborough Road.

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 of the facility, the impact on neighbouring sites, the access to the site and highways issues and drainage issues. The recommendation was one of approval.

Members were advised that the application site covered the whole of the current school site, however it specifically excluded the five a-side facility on the site and the Oakdale Primary School. The vast majority of the buildings on the site were to be demolished as part of the proposal. The access arrangements were to be left as they currently were, with a reconfiguration of the car parking spaces and the addition of another access point leading to the rear of the facility to be utilised by delivery vehicles.

The sports hall was to be retained and added to, including the provision of a new, larger swimming pool. The sports pitch areas were to remain largely as they were at the current time and once the school had been demolished, a new sports pitch was to be provided in the middle of the development. This would represent a reduction in the amount of sports pitch space available however the view of Sport England was that this was adequately compensated for by the provision of the far larger swimming pool facility.

The new access point would be from Peterborough Road, and a cycle route would run alongside it.

Members' attention was drawn to additional information contained within the update report. Anglian Water had confirmed that they had no objections to the surface water scheme for the site and an additional condition had been recommended requesting the finer details of the scheme to be submitted prior to the commencement of construction.

In summary, it was considered that the design and appearance of the new school was in keeping with the area and the educational use proposed, the provision of car parking was satisfactory even with the slight reduction in number of spaces and the access arrangements were acceptable. There would be a Travel Plan and Realtime information bus stops would be provided along Peterborough Road. There would be some trees lost as part of the development but these had been assessed and had been found to be in poor condition and not worthy of retention. Additional planting had been proposed.

The Highways Officer addressed the Committee and stated that contributions for a cycleway along the front of the site had been sought as part of the proposal. This scheme would not be fully delivered by the current proposal however there were contributions potentially available from other sources. The cycleway would run along the front of the site and due to the additional proposed access, it was the preference of

the Highways Authority for one of the car parking accesses to be removed in order to keep the number of accesses onto Peterborough Road the same as it was currently. This would lead to less points of conflict between motorists and cyclists leaving and entering the school. If the Committee was minded to accept this request, then a condition was sought to close the access nearest to the service access, this being the southern most access to the car park.

There were no speakers present therefore Members proceeded to debate the application. Questions were posed to the Planning Officer and Highways Officer and responses were provided as follows:

- The construction access would be the same as the service yard access
- The Construction Management Health and Safety regime, during the construction process, would highlight that children were to be kept away from the construction access route

Following debate, Members commented that the school was a much needed educational facility. It was of exceptional design and would provide, not only for the pupils, but for the local community and the people of Peterborough as a whole. A motion was put forward and seconded to approve the application. The motion was carried unanimously.

Members further commented that an informative was to be included requesting that one of the existing access points be stopped up, as requested by the Highways Officer, and if this request was rejected by the applicant then the decision could be issued.

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

1. The conditions numbered C1 to C26 as detailed in the committee report
2. An additional informative requested by Highways, that one of the access points be stopped up
3. An additional condition as requested by Planning Officers in relation to the provision of details of the proposed surface water drainage system, including technical details of installation, as detailed in the update report

Reasons for decision:

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The siting, scale and design of the new buildings were considered to be appropriate and a visual enhancement to the site. This was in accordance with Policy CS16 of the Core Strategy DPD 2011;
- The proposed buildings and layout of the site, including the revised access arrangements, new service road and additional car parking, were not considered to unacceptably impact on the amenities of neighbouring sites. This was in accordance with Policy CS16 of the Core Strategy DPD 2011;
- The proposed car parking and access arrangements were considered to be appropriate to the likely current and future needs of the school. The increased cycle parking and bus stop improvements were acceptable to encourage the increased use of more sustainable travel modes. This was in accordance with Policy CS14 of the Core Strategy DPD 2011; and

- The impact on existing trees and ecology was considered to be acceptable, and replacement trees and biodiversity/landscaping improvements were proposed. This was in accordance with Policies LNE9 and LNE10 of the adopted Peterborough Local Plan (First Replacement) 2005 and Policy CS21 of the Core Strategy DPD 2011.

6.5 11/01562/FUL – Construction of bungalow (part retrospective – part amendment) including reduction of ridge height and repositioning of rear wall at land rear of 78 Welland Road, Dogsthorpe, Peterborough

The application related to an existing three bedroom bungalow which had not been built in accordance with the approved plans. The as-built dwelling differed from the approved scheme (01/01585/FUL) in the following ways:

- Footprint of dwelling increased;
- Dwelling built 0.5 metres closer to the southern boundary;
- Dwelling built 1 metre closer to northern boundary;
- Garage built 1.5 metres closer to southern boundary;
- North-western corner of the dwelling ‘filled out’ and dwelling constructed 5 metres closer to the southern boundary;
- Arrangement of rooms internally altered to increase the number of primary habitable rooms facing Nos.46-50 Figtree Walk;
- Alterations to front elevation design;
- Number of windows to the southern elevation increased and size of windows increased also; and
- Ridge height increased by 0.7 metres.

The Committee had previously refused permission for the bungalow that incorporated the following changes to the above described development:

- Reduction of 0.75m in the ridge height to 4.75 metres;
- The restriction to the outdoor lighting; and
- The replacement of all four no. double patio doors on the rear elevation with fixed standard glazed windows and insertion of a 400mm strip of obscure glazing

The Committee had felt that:

- The reduced ridge height did not compensate enough for the fact that the bungalow was closer to adjacent dwellings than had been previously approved; and
- As a consequence the bungalow had an overbearing appearance

The latest application included all of the previously applied for changes plus the following additional change:

- The repositioning of the rear elevation, one metre back from its current position.

The site was previously part of the rear private gardens to Nos. 78 and 80 Welland Road, a pair of semi-detached dwelling houses. The site was bounded to the north east by part of the side wall and the rear garden to No.82 Welland Road and to the south east by the rear gardens of properties along Figtree Walk.

The dwelling itself was situated to the rear of the plot, at its narrowest approximately two metres from the rear boundary wall and at its widest 3.2 metres. The form was roughly 'L-shaped' with the main amenity area to the front of the dwelling. A detached garage was situated close to the boundary on the south-west side and access to the highway was provided via a driveway along side No.78 Welland Road. The driveway had not been completed.

The Planning Officer addressed the Committee and gave an overview of the proposal. The main issue for consideration was the impact of the development on neighbour amenity. The recommendation was one of approval.

Members were advised that the repositioning of the rear elevation would leave an exposed floor slab and under the proposed recommendation there was a condition stating that this slab would have to be removed. It was also recommended that permitted development rights be removed in order to prevent any future overlooking issues. It was proposed that the windows, currently french doors, would be reduced in size by obscuring the top section of the glass. The ridge height was proposed to be reduced by 0.7 of a metre and the fencing proposal would be wood latticed rather than a brick wall.

Members' attention was drawn to additional information contained within the update report. A further objection had been received from 46 Figtree Walk and a suggested correction to an error made in section nine of the recommendations in the committee report was requested. Councillor Adrian Miners had also submitted a statement highlighting that the issue needed to be resolved as it had been going on for such a long time.

Councillor Chris Ash and Councillor Bella Saltmarsh, Ward Councillors, addressed the Committee jointly and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The bungalow, even with the new proposals, would still not be built as per the original application submitted in 2002
- The letter giving permission in 2002 stated that 'no development should take place until there had been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings were occupied. Development should be carried out in accordance with the approved details'
- The residents of Figtree Walk were still extremely upset as the application seemed to make a mockery of planning rules and regulations
- The application had been refused, and the appeals dismissed several times before
- The Planning Inspector had backed the judgement of the Planning Committee on previous occasions
- The proposal was still overbearing to the residents of Figtree Walk
- It was requested that the boundary treatment be conditioned so as to be sure that this would be softer and be maintained in perpetuity by the occupier of the site

Councillor Lane declared a personal non-prejudicial interest in that he knew a resident of Figtree Walk.

Mr John Dadge, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- At the last consideration of the application, it was felt that the ridge height did not compensate for the fact that the bungalow had been built in such close proximity to the neighbouring dwelling
- Immediately following the decision, an application had been prepared in response to these concerns in relation to the position of the rear of the building
- The construction of the dwelling as it stood, did allow the rear wall to be moved back
- The current application sought to take the building as designed and to adapt it to address the fundamental concerns
- Moving the building back and reducing the ridge height would reduce the overbearing nature. There would also be no overhang of the roof
- Consideration had originally been given to landscaping, but it had been decided that this was not feasible due to the amount of space available. Creating an additional metre of space, landscaping was now feasible
- The critical items raised previously had been addressed
- Councillor Miners had submitted comments in support of Officer recommendation
- If approved, the works would take approximately six months to complete

Following debate, Members commented that the development should have been built as it was originally approved, however the proposal outlined to Members did identify a way forward and it did mitigate against the overbearing nature of the property upon the residents of Figtree Walk. Sympathy was extended to those residents of Figtree Walk however it was noted that a decision did need to be made as the issue had been going on for such a long time. A motion was put forward and seconded to approve the application, with an additional condition to implement a tree planting scheme for the area between the rear elevation of the property and the boundary with the existing properties. The motion was carried by 5 votes, with 2 voting against and 1 abstaining.

RESOLVED: (5 for, 2 against, 1 abstention) to approve the application, as per officer recommendation subject to:

1. The conditions numbered C1 to C7 as detailed in the committee report
2. An additional condition requesting a tree planting scheme for the area between the rear elevation to the property and the boundary with the existing properties in Figtree Walk
3. If the S106 had not been completed before the expiration of the application following the resolution without good cause, the Head of Planning, Transport and Engineering 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 light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The bungalow was situated in a residential area on an unallocated site. Development was considered to be in keeping with the character of the area, providing adequate living conditions for residents and suitable highway access;

- The impact on occupiers of neighbouring properties was not substantially worse than the impact of the development permitted under 01/01585/FUL and the proposed mitigation measures would prevent any issues of overlooking or overbearing impact.

The proposal was therefore in accordance with Planning Policy Statement 1: Delivering Sustainable Development (2005), Planning Policy Statement 3: Housing (2010), Policies CS2, CS14 and CS16 of the Peterborough Core Strategy DPD (2011) and Policies H7, H16, and DA6 of the Peterborough Local Plan (First Replacement) (2005).

13.30 – 16.45
Chairman

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