

## **PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

**TUESDAY 8 JANUARY 2013**

**1.30 PM**

**Bourges/Viersen Rooms - Town Hall**

### **AGENDA**

**Page No**

**1. Apologies for Absence**

**2. Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

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

**4. Minutes of the Meeting held on 4 December 2012** **1 - 8**

**5. Development Control and Enforcement Matters**

5.1 **12/01556/FUL - Rathbones of Peterborough, Midland Road, West Town, Peterborough** **9 - 32**

5.2 **12/01694/R3FUL - Queens Drive Infant School, Queens Drive West, Peterborough, PE1 2UU** **33 - 46**

5.3 **12/01725/FUL - Thomas Deacon Academy, Queens Gardens, Peterborough, PE1 2UW** **47 - 70**

5.4 **12/01430/R3FUL - Heltwate School, Heltwate, Bretton, Peterborough** **71 - 78**



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268 as soon as possible.

Committee Members:

Councillors: Serluca (Chairman), Casey (Vice Chairman), Hiller, North, Stokes, Todd, Shabbir, Sylvester, Lane and Harrington

Substitutes: Councillors: Kreling, Martin and Ash

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – [gemma.george@peterborough.gov.uk](mailto:gemma.george@peterborough.gov.uk)

**CASE OFFICERS:**

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet MacLennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

**NOTES:**

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning, Transport and Engineering Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL  
PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 4 DECEMBER 2012**

**Members Present:** Councillors Casey (Vice Chairman), Stokes, Todd, Hiller, Sylvester Harrington and Lane

**Officers Present:** Nick Harding, Group Manager Development Management  
Julie Smith, Senior Engineer (Development)  
Carrie Denness, Senior Solicitor  
Karen S Dunleavy, Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillors Serluca and North.

**2. Declarations of Interests**

There were no declarations of interest.

**3. Members' Declaration of Intention to Make Representation as Ward Councillor**

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

**4. Development Control and Enforcement Matters**

**4.1 12/01189/WCMM - Variation of condition 1 of planning permission 10/00488/WCMM to vary the completion date of the permitted infilling from 31/07/2012 to 31/07/2013 - Cross Leys Quarry, Leicester Road, Wansford, Peterborough**

The Committee was informed that item 4.1 had been withdrawn from the agenda.

**4.2 12/01528/FUL- Construction of 2.4m high green palisade fencing, Limesquare Estates, Enterprise Way, Bretton, Peterborough**

The application site formed part of Bretton General Employment Area 2 (GEA 2) as set out within Policy SA11 of the Site Allocations DPD (2012). The site was comprised of three industrial buildings (Ashwood, Elmhurst and Oaklea), all of which were currently undergoing refurbishment. The site was screened by a mature landscaping buffer, which ran parallel to Bretton Way. There was a pedestrian footway/cycle path to west behind this landscape buffer, and the East-Coast railway line ran north/south to the east of the site. The site had two vehicular accesses; Enterprise Way (south) and Marholm Road (north).

The Applicant sought retrospective planning permission for the erection of a 2.4m high palisade fence (green).

Referring to the Application forms, the palisade fence commenced along the west and north boundary on 15 August 2012, however the Parish stated that the works had commenced in July 2012. However, notwithstanding that the fence had been implemented, and would tie in with a security gate and turning head at Enterprise Way (south), which were approved earlier this year under Planning Applications 12/00859/R4FUL and 12/00653/R4FUL.

The Committee was asked to note:

- The request for an amendment to delete C3 as submitted in the application as this was no longer a requirement due to the retrospective nature of the planning application;
- Removal of some panels within the fencing in order to allow for wildlife to pass through; and
- The submission from Councillor Sandford.

The Officers Recommendation was to grant the application subject to the imposition of relevant conditions.

Bretton Parish Councillors Clements and Merrill addressed the Committee. In summary the issues highlighted included:

- The residents appreciation of the greenery surrounding Bretton and the differences the changes industrial buildings had made to the area;
- Concerns raised over the damage to Bretton's landscape and wildlife corridors;
- Bretton Parish Council (BPC) were not trying to stop development or prevent security of the area;
- Concerns raised over alterations to the original development plan and the new position of the fence, as that there was no reason from a police point of view to change its position;
- The landscape buffer had been removed to make way for the fence;
- Trees had been removed that had screened the view of the building from passers by;
- Linking the urban areas with the countryside was against objective three of the Core Strategy in BPC's view;
- Bretton may not be a conservation area, however, is was the first township of Peterborough that had added value and distinctive landscape which was met by objective 20 of the Core Strategy, within the DPD;
- There was a need to protect bio diversity; and
- Concerns were raised over the fact that there were no plans submitted to replace the trees that had been removed.

Following questions to the speakers, Members commented that there had been conditions applied to the application to produce a plan to attempt to replace the trees that had been lost. Councillor Clements confirmed that the plans had been

reviewed at a recent Bretton Parish Council meeting; however, the replacement did not seem to cover the amount of tree line that had been lost.

The Group Manager Development Management advised that Planning Permission was not required for the removal of trees and that those trees in question were not protected by a tree preservation order.

Following further debate and questions by Members regarding planning permission being sought retrospectively, the Legal Officer reminded the Committee that the application must be determined on its own merits and considered as a brand new submission, it was irrelevant that the matter was retrospective. Also, any adjustment to the value of surrounding land should not be considered as part of the debate as this was immaterial.

A motion was put forward and seconded to grant the application subject to relevant conditions. The motion was carried by 4 voting for, 1 voting against and 1 abstaining.

**RESOLVED:** (4 for, 1 against and 1 abstention) to grant the application, as per Officer recommendation subject to:

1. The conditions C1 to C3 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 weighing against relevant policies of the development plan and specifically:

- the design of the fence did not result in an unacceptable adverse impact on the appearance character or visual amenity of the street scene;
- the design did not result in an unacceptable adverse impact on neighbouring amenity;
- the proposal did not result in a highway safety hazard and can accommodate sufficient off street parking;
- subject to conditions the proposal would provide a suitable landscaping scheme and measures to improve biodiversity connections within and adjacent to the application site; and
- the proposal would help prevent crime in the area.

Hence the proposal was in accordance with Policy CS16 of the Peterborough Core Strategy (2011), Policy SA11 of the Peterborough Allocations DPD (2012), the NPPF (2012) and Policies PP1, PP2, PP3 and PP13 of the Peterborough Policies DPD (emerging)

- 4.3 12/01543/WCPP - Revised application for regeneration of the Werrington Centre, comprising demolition and alteration of existing buildings including erection of new supermarket, shop units and public house, alterations to car park and access, together with landscaping and other ancillary works including off site highway works, new roundabout at the junction of Davids Lane and Staniland Way Specifically variation of**

**Condition 1 of 11/01582/NONMAT (approved drawings/documents) and C21 of 08/01471/FUL (off site highway works) and removal of conditions C3 (details of contamination - petrol station), C4 (contamination), C7 (tree protection), C8 (tree specification), C9 (arboriculture method statement), C15 (acoustic barrier), C22 (visibility splays) and C29 (service yard management plan) of 08/01471/FUL (part retrospective) Werrington Centre, Staniland Way, Werrington, Peterborough**

The application site formed part of the Werrington Centre. Located in the north of Peterborough, it was the smallest of five District Centres which served the city. The application area was comprised of a number of different buildings and uses. The eastern part of the site was characterised by single storey retail units, which included a 2845 square metre supermarket (now occupied by Tesco), a public house, a petrol filling station and a two storey office building (Olympus House) which had its own parking area comprising forty four spaces. An additional 26 space car parking bay lay to the south of the retail units. At the rear (further east) of the retail units was a bus lay-by accessed from Goodwin Walk and a dedicated bus lane. Within the western part of the site there were two retail car parks comprising of 335 spaces and another two storey office building (Sundance House) with its own 49 space parking area. Access to Sundance and Olympus House, the car park and the petrol filling station was from Staniland Way. To the south of the application site but still within the District Centre boundary was a dental surgery, health centre, a small parade of retail units and a terrace of four dwellings. Access to them was from Skaters Way. Residential properties outside of the District Centre were located on the southern side of Skaters Way and immediately to the south west of the application site. The properties to the south west were blocks of flats owned by Minster Housing Association.

To the west of the application site, and separated from it by Foxcovert Walk footpath/cycleway, was a library, sports centre and the Ken Stimpson Community School. The library and sports centre formed part of the District Centre. These facilities had no separate parking areas. School staff and visitors used the Werrington Centre car park and the newly created 100 space community car park adjacent to the bowling green. Delivery access to the school was via Staniland Way.

There were dwellings to the north of the Centre, on the other side of Staniland Way and to the east on the other side of Goodwin Walk.

The application before Committee was to consider the alteration of the design of the proposal, Committee Members were reminded that they were unable to consider and alter any part of the previously approved decision.

Members were informed that the application site was now within two ownerships, as such Tesco could not be required to commit to any obligations outside of their control.

During demolition, there was a requirement for the store to provide temporary shopping facilities, which would take up one hundred and seven parking spaces.

The Officers recommendation was to grant the application subject to the applicant

entering into a S106 planning obligation and the imposition of relevant conditions.

The Group Manager Development Management also summarised a submission received from Councillor Judy Fox, which had included the following:

- Concerns raised over the reduction of car parking compared to the original approved scheme;
- Concerns raised over the service yard location and highway safety;
- Proposed goods yard was of a bland design and would be visible from the car park; and
- Concerns were raised over the loss the pub and that there was a strong community desire to ensure it was replaced within the first phase of the redevelopment plans rather than retain the petrol station.

Mr Alan Smith, representing Werrington Neighbourhood Council and Councillor John Fox, Ward Councillor, addressed the Committee. In summary the issues highlighted to the Committee included:

- Concerns raised over the reduction of 107 car parking spaces, which was a significant reduction as approved in the original planning application;
- Consideration was to be given to provide a slip access to the community car park;
- Concerns raised over landscaping and the loss of 95 trees;
- Concerns raised over the intrusion of the service yard;
- Consideration to be given to include the south side of the District Centre within the landscaping improvement plans;
- Although the provision for £50k for community art was welcomed, it was not obvious what the design proposals were;
- Concerns raised that the redevelopment would involve improvements to Tesco's and that the remaining area, such as the pub would become an after thought, as there was no time control over the redevelopment;
- Consideration should be sought to liaise with Werrington Neighbourhood Council over how the s106 money would be utilised to benefit the community;
- Concerns raised over the small piece of land located near the bus stop and that assurances were sought to ensure that it would not become run down;
- Comments were raised that Werrington Centre should be known as a vibrant place to visit and that it did not become a traffic congestion issue;
- The creation of one hundred spaces within a designated community car park should not be used as a buffer in losing the 137 spaces;
- Traffic safety concerns raised over the entrance to the loading bay location in relation to the entrance of the car park; and
- With reference to the previous planning application, consideration should be given to install the roundabout junction before any construction was commenced.

Following questions to the speakers, Members commented that it was evident that residents welcomed the proposed regeneration of the District Centre; however, grave concerns had been raised over road traffic safety, retention of car parking spaces and immediate replacement of the public house.

Mr Andy Simmons and Ms Lyn Nicolson addressed the Committee. In summary the issues highlighted to the Committee included:

- No indication was given by Tesco's over when the redevelopment would commence and when it would be completed;
- Small businesses would suffer, due to the fact that self employed clientele of the public house, sourced most of their work through socialising in the pub.
- Original plans of regeneration was supported by the community, however, there were concerns raised over traffic safety and location of the loading bay for the Tesco store; and
- The lease for the Jet garage, located in Werrington Village was not to be renewed by the current tenants, which would result in Tesco's financial saving offers over petrol, to cause traffic congestion for the District Centre.

Mr Mark Mann, agent for the applicant addressed the Committee. In summary the issues highlighted to the Committee included:

- Planning application had been granted by Committee In 2009 which was to achieve a multi million pound investment for the District Centre;
- The development would involve the installation of a new bus shelter, zebra crossing; contributions to public art, CCTV, community car park and a new roundabout;
- Although the retention of the petrol station would reduce the car parking spaces, there was a significant creation of community parking spaces was thought to compensate and accommodate the community's use of the store and district centre;
- A parking survey was conducted and revealed that at the busiest time during a fifteen minute period, there were 65 car parking spaces available;
- The parking survey had satisfied concerns raised by the community and was welcomed by PCC Transport Officers;
- It should be acknowledged that Ken Stimpson's school was the biggest user of Tesco's car park; and
- The proposed amendments were intended to enhance the scheme and to introduce an energy efficient building.

Following questions to the speakers, Members commented that it was clear that Tesco's had conducted consultation by writing to residents regarding the plans to retain the petrol filling station. Members were also advised that Tesco's did own the tenancy rights to the public house and that they intended to replace it, as agreed within the original planning consent. In addition, it was confirmed to Members that the current tenure of the pub had been granted to the Manager, Mr Simmons, on a temporary basis and that consent for the development plans were already in place at the time of renewal.

The parking scheme would increase the number of car parking spaces by 180, compared to the consented scheme, which had included the 100 spaces of community car park that Tesco's were part funding.

Following responses to questions, Members debated further and key points



highlighted were:

- Following comments by Members over consideration to include a wider variety of species of trees and shrubberies, the Group Manager Development Management confirmed that the issue had been addressed with the developers;
- It was advised that the Committee would be unable to alter the original consented plans in terms of when the public house would be reinstated as this was not included within the s106 agreement;
- Members were also informed that Tesco's and the City Council were working towards avoiding any further delay to the redevelopment scheme of the District Centre. Members were also advised that if there were no good grounds to not agreeing to the scheme, the Committee should consider a resolution to grant approval;
- The Group Manager Development Management provided further clarification to Members over the reduction of the car parking survey undertaken which had identified a small peak period were the capacity would be almost full and that there would be no solid grounds to reject the application on this basis; and
- The Group Manager Development Management recommended the application to Members on the grounds that the scheme was to regenerate Werrington Centre, relocation of the goods yard and store, which would be further away from residents, retention of the petrol filling station that served the community well and improvements to the David's Lane junction and the recent installation of the community car park.
- Following clarification sought by Members over the future proof of parking for the District Centre, The Highways Officer confirmed that the surveys conducted by Tesco's were satisfactory and had met current up to date national standards in relation to comparing the future economic pressures;
- The Legal Officer reiterated to Members that provisions for a car park had been taken into account and mitigated up to the level PCC Highways Officers had deemed adequate;
- Members commented that it was clear that Tesco's aims within the application was not to create a flag ship store in a run down centre and that the regeneration opportunities being offered was what was important to take on board. Members further commented that they, as a Committee, had no influence over when the public house would be reinstated and that the community wanted to retain the petrol station in the original planning application, which was being captured within the resubmitted plans;
- The Group Manager Development Management informed Members that there was a danger that if the scheme did not go ahead, there would be an adverse impact on the retail assessment of the area.

Following debate, a motion was put forward and seconded to grant the application. The motion was carried by 4 votes, with 3 abstaining.

**RESOLVED:** (4 for, 3 abstentions) to grant the application as per officer recommendation, subject to:

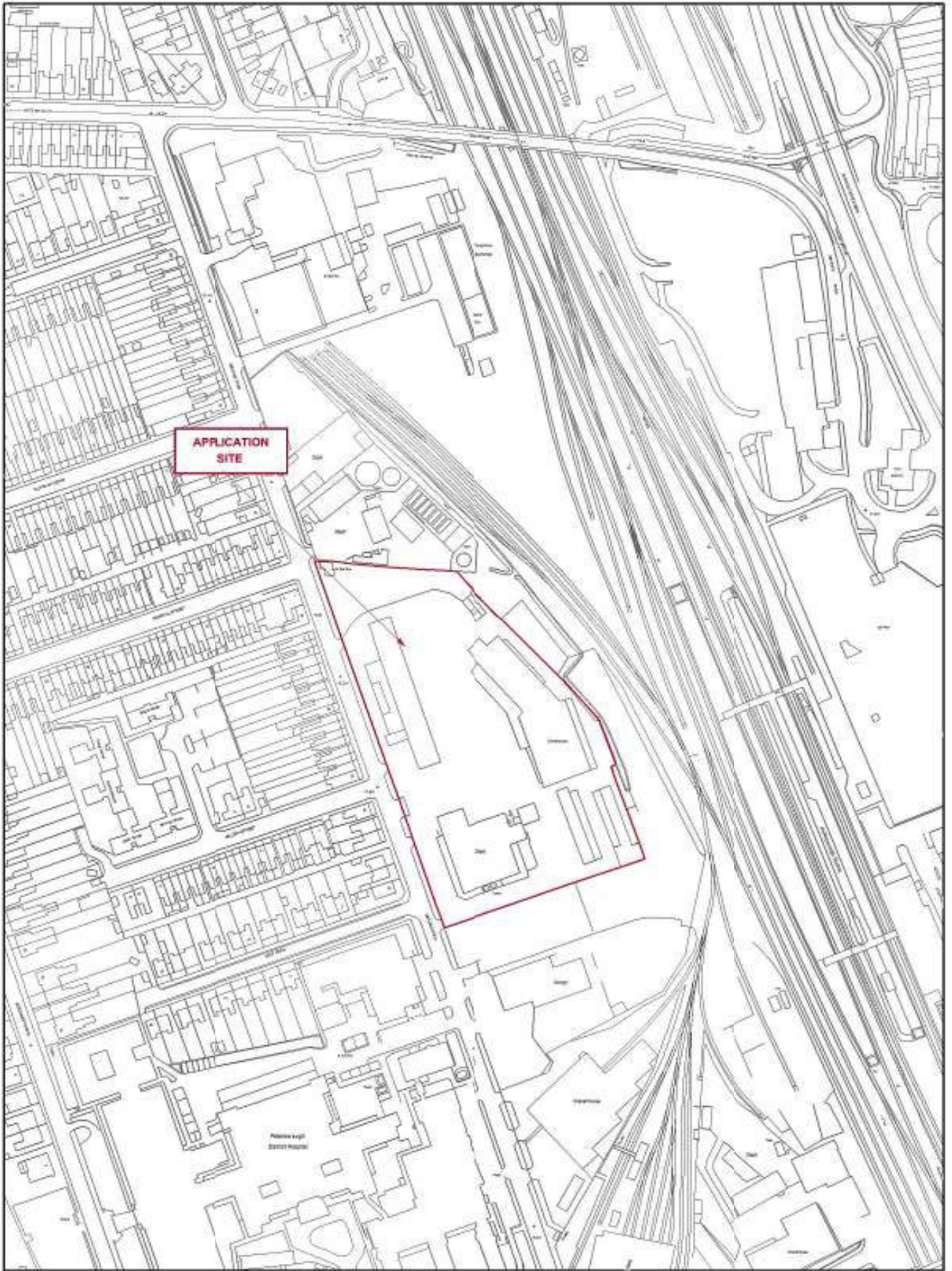
1. The reference to Government Office as a Retail proposal under the Town and Country Planning (Shopping Development) (England and Wales) (No. 2) Direction 1993;
2. The completion of a Section 106 Planning Obligation in respect of a financial contributions towards - payment for the existing community car park - public art - bus stop upgrades - a travel plan - travel plan monitoring contribution - CCTV provision – monitoring fee;
3. The conditions numbered C1 to C30 as detailed in the committee report;
4. The informatives numbered 1 to 29 as detailed in the committee report;
5. If the S106 has not been completed within 3 months of the date of the meeting 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 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 retail development was considered to be acceptable in accordance with Policy CS15 of the adopted Peterborough Core Strategy and the National Planning Policy Framework;
- The highways impacts arising from the proposed development could be acceptably mitigated. The proposal was therefore acceptable in terms of highway safety and convenience. The site was also a sustainable location accessible by a range of transport modes and a Travel Plan would be secured. As such the proposal was in accordance with policy CS14 of the adopted Peterborough Core Strategy;
- The proposed car parking provision was acceptable in accordance with policy CS14 of the adopted Peterborough Core Strategy;
- Although the design of the proposed new buildings would be different from the surrounding residential dwellings this distinction was considered to be appropriate given the District Centre function of the site. The design details were also acceptable. As such the proposal was considered to be in accordance with policy CS16 of the adopted Peterborough Core Strategy;
- Given the proposed mitigation measures (e.g. noise management plan) it was considered that the development could be satisfactorily accommodated without significant adverse impact upon the amenity of the neighbouring residents. The proposal was therefore in accordance with policy CS16 of the adopted Peterborough Core Strategy;
- The proposed layout allowed for the protection and retention of higher quality trees on the boundaries of the site. A detailed landscaping scheme would also be submitted. The proposal was therefore in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement); and
- The community needs arising from the development would be met by the planning obligation in accordance with policy CS13 of the adopted Peterborough Core Strategy.

1.30pm – 3.25pm  
Chairman



**LOCATION PLAN 12/01556/FUL**  
Rathbones of Peterborough, Midland Road, West Town

**Scale** NTS      **Date** 19/12/2012      **Name** AA      **Department** Planning Services



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<b>Application Ref:</b>	12/01556/FUL
<b>Proposal:</b>	Demolition of existing buildings and construction of 90 new dwellings (comprising 62 x 2 bed, 26 x 3 bed, 2 x 4 bed) including new access, car parking and public open space
<b>Site:</b>	Rathbones Of Peterborough, Midland Road, West Town, Peterborough
<b>Applicant:</b>	Westleigh Developments Limited, L&H Homes & Ashwell
<b>Agent:</b>	Mr Robert Woolston rg+p
<b>Referred by:</b>	Head of Planning, Transport and Engineering Service
<b>Reason for Referral:</b>	Application of wider interest as part of the Station Quarter redevelopment area
<b>Site visit:</b>	31.10.2012
<b>Case officer:</b>	Miss V Hurrell
<b>Telephone No.</b>	01733 453480
<b>E-Mail:</b>	victoria.hurrell@peterborough.gov.uk
<b>Recommendation:</b>	<b>Grant</b> subject to conditions and the completion of a S106 Agreement

## **1 Description of the site and surroundings and Summary of the proposal**

### **The Site and Surroundings**

The application site is approximately 1.72 ha in size and comprises a number of former industrial buildings which are mainly brick built, including a former dairy, bakery and depot. These are now vacant and in a poor state of repair. It appears that part of the bakery building has been demolished. Hoarding has been erected along the front of the site with Midland Road largely covering the original 1.80 meter high brick wall. There is an existing sub station in the north west corner adjacent to Midland Road.

The site is located about half way along Midland Road on the eastern side. This side of the road is generally characterised by industrial and commercial uses although it is not a designated employment area. In contrast, the western side of the road is characterised by residential development and a couple of small local shops.

To the south west is the former Peterborough Hospital site which it is proposed to redevelop (policy CC13 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

A 1.80 metre high wall runs along the southern boundary of the site with the adjacent car park. The car park extends to the south east of the site, separating it from the East Coast Mainline Railway. This rear area is currently being used for the storage of machinery and equipment being used for works to the railway. The north east boundary directly adjoins railway land. This eastern (rear) boundary with the site is largely overgrown. To the north of the site is a depot containing more industrial buildings.

The application site is located within the Railway Station Opportunity Area (policy CC12 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

### **The Proposal**

This application seeks permission for the demolition of the existing industrial buildings and the

construction of 90 new dwellings comprising 62 two bed properties, 26 three bed properties and 2 four bed properties in a mix of houses and flats (the flats would be located adjacent to the railway line). 30% of the houses would be affordable.

The development would be served by a new access off Midland Road (the existing accesses to the site would be closed).

Also included with the development is a new area of public open space (1250 square metres) where it is intended to install play equipment.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
12/00014/SCREEN	Screening opinion	Comments	09/10/2012

## **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### **National Planning Policy Framework (2012)**

#### **Section 1 - Economic Growth**

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

#### **Section 4 - Assessment of Transport Implications**

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

#### **Section 6 - Presumption in Favour of Sustainable Development**

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

#### **Section 7 - Good Design**

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

#### **Section 8 - Safe and Accessible Environments**

Development should aim to promote mixed use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

#### **Section 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

## **Section 11 - Re-use of Previously Developed Land**

Should be encouraged provided that it is not of high environmental value.

## **Section 11 - Biodiversity**

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

## **Section 11- Noise**

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

## **Section 11 - Contamination**

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

## **Peterborough Core Strategy DPD (2011)**

### **CS08 - Meeting Housing Needs**

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

### **CS10 - Environment Capital**

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

### **CS13 - Development Contributions to Infrastructure Provision**

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

### **CS17 - The Historic Environment**

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

### **CS19 - Open Space and Green Infrastructure**

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

## **Peterborough Planning Policies DPD (2012)**

### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

### **PP04 - Amenity Provision in New Residential Development**

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **PP14 - Open Space Standards**

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

### **PP20 - Development on Land affected by Contamination**

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.



## **Peterborough Local Plan (First Replacement) (2005)**

### **CC12 - Railway Station Opportunity Area**

Permission will be granted for comprehensive redevelopment. Redevelopment must improve pedestrian and cycle accessibility

## **Community Infrastructure Levy (CIL) Regulations 2010**

### **/ Planning Obligations**

Requests for planning obligations whether CIL is in place or not can only be lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

## **4 Consultations/Representations**

### **Anglian Water Services Ltd**

No comments received

### **Network Rail - Eastern (23.11.12)**

No objections in principle. Has made a number of detailed standard comments covering matters such as construction management, drainage, boundary treatment, landscaping and lighting.

### **Environment Agency**

No objections subject to conditions in respect of foul and surface water drainage and contamination.

### **Police Architectural Liaison Officer (24.10.12)**

No objections.

### **The Wildlife Trusts (Cambridgeshire)**

No comments received

### **Natural England - Consultation Service (24.10.12)**

No objections- refers to standing advice.

### **Drainage Team (05.11.12)**

Recommends a condition in respect of surface water drainage. Have concerns over the level of discharge from the site as there is the potential for down stream flooding

### **Senior Recreation Officer (25.10.12)**

No objections. Play equipment is suitable.

### **Landscape Officer (25.10.12)**

No objections subject to conditions.

### **Archaeological Officer (06.11.12)**

No objections subject to a condition requiring further archaeological assessment.

**Building Control Surveyor (02.11.12)**

No objections to revised plans in respect of lifetime homes and wheelchair housing.

**Education Department**

No comments received

**Transport and Engineering Services (12.12.12)**

No objections subject to securing a Travel Plan and conditions.

**Travel Choice**

No comments received

**Waste Management**

No objections

**Strategic Housing (09.11.12)**

No objections to the amount/mix of affordable housing.

**Childcare Market Facilitation Manager (T Laws)**

No comments received

**Pollution Team (19.11.12)**

No objections subject to conditions in respect of contamination and the implementation of noise protection measures in relation to the railway. The conclusions of the lighting report are accepted.

Comments in respect of the additional noise information supplied in respect of BP Oils will be tabled to members in the update report.

**Wildlife Officer (06.11.12)**

No objections subject to a condition regarding bat mitigation measures. The potential for Black Redstart to nest on the site should be drawn to the applicant's attention.

**Councillor M J Dalton**

No comments received

**Councillor Y Maqbool**

No comments received

**Councillor N Arculus**

No comments received

**Local Residents/Interested Parties**

Initial consultations: 538

Total number of responses: 7

Total number of objections: 7

Total number in support: 0

6 letters have been received from neighbours in respect of the proposals. These raise the following concerns/issues:-

- The proposal is for another high density development that will increase traffic and the surrounding population;
- Housing is aimed at the lower end of the market;
- Concerned about the creation of a new access into the site opposite property (where there is currently no access) as this will have a detrimental impact on neighbour amenity. Also some residents paid more for properties without an access opposite;
- If Midland Road is made slower and narrower it will become a bottle neck which will make it impossible to park outside houses as there will be traffic from a number of directions;
- Loss of existing on street parking bays opposite 47-53 Midland Road. This parking is essential between 6pm and 8am;
- The traffic survey does not accurately reflect the speed of traffic along Midland Road;
- Increase traffic along Midland Road;
- Safety measures are needed to protect residents of the area from traffic particularly children crossing to the new open space;
- Parking should be for residents only; traffic wardens need to visit the area more;
- The conclusions in the Traffic Assessment about preferred routes in and out of Midland Road are incorrect. Local residents use the Queensgate roundabout rather than Mayors Walk;
- There are a number of illegal movements into and out of Midland Road;
- Drainage. Proposal will utilise the existing sewer which backs up. Residents often have to get their drains unblocked after heavy rains;
- More housing will increase social problems in the area;
- Overall there has been a decrease in the quality of the housing stock within the area;
- Question the impact upon education provision/places;
- Has any consideration been given to the impact on residential amenity during the construction phase;
- The species indicated for the open space are not native to East Anglia. A local species should be used.
- The children's play area is well located within the site. However, there is no provision for elder children.
- The houses opposite are not just Victorian and Inter-War as stated. There are also a number of Edwardian houses.
- Hope the Council works hard to improve the area and housing stock to reduce the exodus to the surrounding villages.
- Welcome the removal of this derelict site but have some concerns with the proposal.

A letter of objection has also been received from HOW Planning on behalf of GB Oils Ltd the free holder of the parcel of land to the north of the application site. It objects to the development on the following grounds:-

- The proposal is in conflict the NPPF and Local Plan policies which seek to protect the amenity of future occupiers
- Consider that residential development in such close proximity to their site would have an adverse impact upon their amenity
- Current use is likely to a significant noise nuisance. The operational hours are unrestricted.
- If the development is permitted BG Oils is likely to receive a number if complaints from residents (plots 10-20 in particular)
- The application submissions does not appropriately examine and address the relationship of the proposed dwellings to GB Oils
- There are no restrictions on vehicle movements in terms of the amount of vehicles or times of day
- Adjacent properties are likely to be adversely affected by illumination from the site. No mitigation measures are proposed.
- The proposal will undermine the operation of the business. The NPPF places great emphasis on enabling businesses to grow and operate without restrictions to facilitate economic growth. Accordingly, planning permission should be refused.

## 5 Assessment of the planning issues

The main considerations are:-

- \* The Principle of Development
- \* Transport
- \* Layout
- \* Impact on Neighbour Amenities
- \* Landscaping and Ecology
- \* Flood Risk and Drainage
- \* S106

### **1. The Principle of Development**

The application site is located within the Railway Station Opportunity Area (policy CC12 of the adopted Peterborough Local Plan (First Replacement) (2005) refers). The opportunity area covers land on the eastern and western sides of the railway. On the western side the opportunity area stretches from Thorpe Road to Mayors Walk covering all the land adjacent to the railway on the eastern side of Midland Road. Policy CC12 seeks to secure the comprehensive redevelopment of this area. There is an emphasis upon railway operational requirements and other land uses including hotel, leisure and housing.

In 2008 a more detailed Development Brief was prepared. Although this is not a Supplementary Planning Document (SPD) and therefore not part of the Development Plan, it is adopted guidance. This sets out an overall vision for the opportunity area which it call the 'Station Quarter', promoting a new commercial and mixed use quarter, a high quality gateway, improved connections to the city centre and the creation of new public realm. It envisages new housing on the eastern side of Midland Road between 2-4 storeys in height.

A new City Centre Plan is currently being prepared. This will set out the strategic vision for the different areas of the city centre to 2026. Public consultation on the document is due to commence in early 2013.

The City Centre Plan includes the Railway Station area. Policy CC4 seeks to support high quality mixed use development, with the area to the west of the railway being developed primarily for residential use (it gives 200-300 as an indicative number of dwellings), community use, incorporating or enhancing the railway station sheds and the safeguarding of land for a new footbridge/cycleway over the railway line.

Since the original allocation of this opportunity area increasing emphasis has been placed upon residential development to the west of the railway line which this application would accord with.

Approval of this application would mean that the western part of the Railway Station opportunity area does not come forward as a comprehensive redevelopment. Although it is acknowledged that this is not ideal, part redevelopment of the western opportunity area is considered to be acceptable in this instance as the site is large enough to accommodate a planned housing layout and its delivery would not prevent or have an adverse impact upon the redevelopment of the surrounding area. Neither would the development affect the railway sheds or prejudice the delivery of a new cycleway link as referred to in the Railway Station policy guidance including the new City Centre Plan. Furthermore redevelopment of this site would help to kick start the regeneration of the western Railway Station opportunity area, particularly in these difficult economic circumstances, providing new housing in accordance with the objectives of the Core Strategy and it would remove a derelict site where there are now a number of problems with anti social behaviour.

A letter of objection has been received from HOW Planning on behalf of GB Oils the company located to the north of the application site. This makes a number of detailed comments which will be discussed in the sections below. It concludes by objecting to the principle of residential development on this site on the grounds that it would be contrary to the National Planning Policy

Framework (NPPF) which places emphasis upon enabling businesses to grow and operate without restrictions to facilitate economic growth.

It is acknowledged that the NPPF does place emphasis upon economic growth. However, as indicated under section 1 above this site is not within an allocated employment area. The western side of Midland Road is residential in character and as such unchecked industrial growth in this location would not be appropriate regardless of the redevelopment of the current application site. Furthermore both the application site and the GB Oils site are located within the Railway Station Opportunity Area where there is strong policy support for redevelopment, which will be further strengthened by the forthcoming City Centre Plan. The Council's objectives for this area have been adopted policy and in the public domain for a number of years. The development of this area is not a new proposal coming forward into the public domain for this first time. In light of the long term objective to regenerate this whole area and to transform its character, which in itself would bring another form of economic growth and be sustainable development the delivery of which is the key objective of the NPPF, it is considered that the principle of housing on the application site is acceptable at this time and not outweighed by emphasis within the NPPF on allowing existing businesses to grow without restriction. As set out above, the redevelopment of this site would also have a big benefit in that it would remove several derelict buildings which are the subject to anti social behaviour.

## **2. Transport**

The Local Highway Authority (LHA) has not raised any objections of the development of this site for housing subject to conditions. Some concerns have been raised by local residents about additional traffic but the LHA is of the view that there is capacity within the local road network to accommodate the development. The development would also be supported by a Travel Plan which would be secured as part of the S106 Agreement. The comments from local residents about illegal traffic movements and the preferred routes in and out of Midland Road referred to in the Transport Assessment are noted by the LHA but do not change their advice.

As set out above, the whole of the area from Thorpe Road to Mayor's Walk on the western side of Midland Road forms part of the Railway Station Opportunity Area. The hospital site to the south west is also to be redeveloped. Given this, the character of this area is going to change substantially. The area will become predominately residential (the Hospital Brief indicates that there will be between 350-500 houses over three sites). As such it is appropriate to change the nature of Midland Road and slow vehicle speeds. The developer could not be asked to deliver a scheme for the length of Midland Road as part of this development so the application focuses on the section adjacent to the site. The application includes a number of on street parking bays, a pair of build outs at the southern end and a new build out at the northern end. These measures will help reduce vehicle speeds along this section of the road thereby improving highway safety and are supported by the LHA notwithstanding the comments from residents about difficulty in parking. The delivery of the scheme can be secured via a condition on any planning permission.

The LHA has advised that it does not consider a formal crossing point to be necessary in terms of highway safety. If a crossing were to be accommodated it would also result in the loss of a large number of on street parking bays (both the proposed and existing). The loss of so many on street parking bays is not considered appropriate in light of the advice from the LHA regarding the need for a formal crossing point.

Some concerns have been raised by local residential in respect of the loss of the existing parking bay on the western side of Midland Road which is large enough to accommodate some 5 cars. The application includes new parking bays (sufficient to accommodate some 10 cars) so overall there will be a net gain in provision albeit that the location of the bays will change. Given this, the proposal is considered to be acceptable. It will be for the LHA to put measures in place to control the use of the parking bays i.e. residents parking only controls.

The application results in a slight relocation of the existing bus stop on Midland Road. The LHA has raised no objection to this.

### **3. Layout and Amenity of New Residents**

#### *Affordable Housing and Life Time Homes*

The application proposes 30% affordable housing, 20% life time homes and 2% wheel chair housing. The proposal therefore affords with policy CS8 of the adopted Core Strategy.

Some concerns have been raised by local residents regarding the proposed housing which they comment is aimed at the lower end of the market and the wider change in the quality of the housing stock. The redevelopment of site will help meet specific housing needs. It also has to be considered in the wider context of the redevelopment of the rest of the Railway Station Opportunity Area and the hospital site. Across the wider redevelopment it is expected that there will be a mix of housing types from large detached houses to smaller two beds. This site, given its location and the character of the adjacent housing, lends itself to a tighter urban form.

#### *Open Space*

The application proposes 1250 square metres of public open space and small play area. The recently adopted Planning Policies DPD introduces new open space standards. However, given that the application was prepared and submitted when the old Local Plan standards were in use (policy LT1 referred) it is considered appropriate in this instance to assess the proposal against this standard.

Under policy LT1 0.20ha of on site open space is required. Whilst the amount of open space proposed would fall below this, the proposed on site provision is considered acceptable. It will be a well located useable area which would be overlooked. The play equipment is also considered to be suitable for this type of open space. There is a lack of open space within the immediate vicinity of the site so in practice it would serve a wider area. It will, therefore, also have a community benefit. Furthermore, it would not be reasonable to seek to secure the full open space provision on site as this would prejudice the delivery of the development. Following assessment of the viability information it is not considered reasonable to ask for a financial off site contribution in lieu of the outstanding open space requirement. A condition requiring the delivery of the open space in accordance with an agreed timetable is recommended.

A comment has been made by a local resident that the amount of open space is not sufficient and that there is no provision for older children. This comment is noted but it is not the responsibility of this development to mitigate an existing shortfall within the area. Nor could the developer reasonably be asked to provide suitable equipment for all age ranges neither does planning policy require this. For the reasons set out above the provision proposed is considered acceptable. Notwithstanding this, new areas of open space will be sought (in accordance with policy) as and when the adjacent development area including the hospital site comes forward for redevelopment.

#### *Amenity of Residents*

It is acknowledged that this site is located close to the railway and at present would have other industrial/commercial uses in close proximity to it. It therefore has a distinct character /context.

The Noise Report submitted with the application assesses noise from the railway to the rear of the site. This concludes that the nearest properties, plots (54-81) would be in Noise Exposure Category B. It recommends a suite of measures including 1.80 metre high close boarded fencing along the boundary in order to ensure that these properties have a satisfactory level of amenity. The conclusions of this report are accepted by the Council's Environmental Health Section and the delivery of the recommended measures can be secured via a planning condition on any planning permission.

In light of the concerns which have been raised by BP Oils the applicant has submitted additional noise survey information. This reviews noise from the site during the day time period. Night time monitoring from within the application site has not been undertaken due to issues with site security (as indicated under above the site is subject to anti social behaviour). The assessment concludes that the BP Oils site would not have an unacceptable adverse impact upon the proposed

neighbouring dwellings although additional mitigation measures in the form of glazing and a 2.1 metre high acoustic fence are recommended to plots 10-20 to help mitigate any impacts. This updated information has been submitted to the Council's Environmental Health Section for its consideration. Further comments, including any additional conditions and any further representations from BP Oils will be tabled to members in the Update Report.

BP Oils has also raised concerns about the impact of their lighting. A Lighting Report has been submitted by the applicant in response. This concludes that the existing lighting is below the level whereby it is considered to be an issue. It recommends a new 2.1 metre high fence along the boundary between plots 13-20 which has been incorporated into the design. It is not considered that fencing of this height would be unduly overbearing on the residents. On the basis of the information provided, Environmental Health do not disagree with the conclusions in the report. If BP Oils proposed any new lighting then this would be subject to the usual planning controls.

Notwithstanding the above, whilst it is accepted that the adjacent industrial use is not an ideal neighbour it is not within allocated industrial area and the longer term of objective is the complete redevelopment of this area including the relocation of uses such as BP Oils to more suitable locations elsewhere within the city. As also set out under section 1 there are also a number of other benefits in bring the site forward for redevelopment at this stage. BP Oils has been advised that this assessment has been submitted. Any further representations will be tabled to members in the Update Report.

Plots 42-54 would be located adjacent to an existing car park. Whilst it is acknowledged that vehicle movements may have some impact, the relationship is considered to be acceptable in terms of amenity particularly given the benefits set out under section 1 above of bring this site forward for redevelopment at this time.

All the plots will have adequate usable garden areas with sufficient space for waste storage and collection.

Subject to further advice from the Council's Environmental Health Officers, in review of the site location and benefits which will come from its redevelopment at this time, the degree of amenity for the new residents is considered on balance to be acceptable.

#### *Car & Cycle Parking*

As indicated above since the application was submitted the Planning Policies DPD has been adopted. This now sets a minimum standard for car parking of one space per 1 bed properties and 2 spaces for two bed and bigger. It also introduces a requirement for on street parking provision (unallocated). This compares with the old maximum parking standards in the Local Plan (policy T10 referred) which required one space per 1 and 2 beds and two spaces for 3 and 4 beds or bigger) required by the old Local Plan. This Local Plan requirement was the adopted policy in place at the time when the application was prepared and submitted.

The application does not accord strictly with the new parking standards as some of the two bed house types only have one parking space, neither is there visitor parking within the development. However, the parking provision is considered to be acceptable given that the application has been submitted during a time of policy transition and because of its location close to the city centre where there are good public transport links. Given this context the Local Highway Authority has not raised any objections on parking grounds.

The flats will have secure cycle parking to the rear whilst the remaining gardens have scope to accommodate bicycles.

#### *Community Safety*

Having reviewed the proposal the Police Architectural Liaison Officer has raised no objections. It is, therefore, considered that sufficient provision will be made in respect of community safety.

### *Environment Capital*

In order to comply with policy CS10 of the adopted Core Strategy a condition requiring that the development achieve an energy efficiency of 10% above the current Building Regulation Standard is recommended.

### *Elevations*

Following some alterations the proposed layout elevations area considered to be acceptable.

It has been commented that the information submitted with the application is incorrect in that it does not refer to the existing Edwardian dwellings in the vicinity of the site. This is noted, however, the elevations proposed remain acceptable.

### *Summary*

Having considered all the above factors the design and layout of the site is considered to be acceptable at this time of policy transition. Whilst it is acknowledged that it does not have ideal neighbours there are wider redevelopment proposals for the area and as such, on balance, it is considered that the level of amenity which can be afforded to future residents is sufficient, subject to no significant concerns being raised by Environmental Health.

## **4. Impact on Existing Neighbours**

The relationship with the adjacent uses to the north and south has been considered under part 3 above. Issues in relation to car parking and traffic on Midland Road have been discussed under parts 2 and 3. These matters are not, therefore, considered further under this section.

The application would result in the creation of a standard street pattern with residential frontages facing towards each other. This relationship and the separation distance are considered acceptable given the location of the site within the urban area close to the city centre.

The scheme would result in the closure of the existing accesses into the site and the creation of a new vehicle access. Concerns have been raised by the residents who live opposite where the new vehicle access would be created that there would be an adverse impact upon their amenity. They have commented that an existing access should be utilised.

These concerns are noted. Given that the nature of the site and the surrounding area will change substantially and the need for a suitable layout it is not considered reasonable to insist on the reuse of the existing accesses. Their location should not dictate the layout. Furthermore, the relationship to be created i.e. a T- junction opposite existing housing is not unusual, particularly in the urban area. It is not, therefore, considered that the impact upon the amenity of the neighbouring residential would be such as to warrant either the refusal of the application or the redesign of the layout. Property values are not a planning consideration.

## **5. Landscape and Ecology**

### *Landscaping*

There is no existing landscaping within the site. There is some vegetation to the rear including one tree which is intended for retention. The application would also result in the removal of a couple of existing street trees. The Landscape Officer has not raised any objections to the application subject to a condition requiring a landscaping scheme and details of the construction method around the retained tree to the rear of the site.

Network Rail has commented that any landscaping once mature should not overland its land which adjoins the site. Given the nature of the site layout this is not considered to be an issue.

One of the representations received comments that the species proposed are not native. The landscaping is not yet finalised and the species remain to be agreed.



### *Ecology*

Given the previous use of the site and the fact that it is largely covered with hard standing it is of little ecological value. However, the existing office building has potential for bat roosting. An Emergence Survey has been carried out which recommends that the tiles be removed by hand. This conclusion is accepted by the Council's Wildlife Officer who has also advised that if the tiles are removed by April 2013 then a further emergence survey will need to be carried out. This can be secured via a condition.

Bird and bat boxes are recommended to support the development. These can be secured by condition. Clearance works should also take place outside of the bird breeding season.

The submitted ecological report also identifies that the site could potentially be used by Black Redstarts, even if construction works have commenced. This has been discussed with the Wildlife Officer who considers the potential to be low. As the applicant has a duty under the Wildlife and Countryside Act 1981 (as amended) not to harm breeding birds it is considered that this provision can be relied upon to deal with the situation should it arise rather than imposing a condition.

The proposal is therefore considered to be acceptable in ecological and landscaping terms.

### **6. Flood Risk and Drainage**

The application site is located in Flood Zone 1. It is proposed to connect into the existing combined sewer which runs along Midland Road. Anglian Water has raised no objection to the principle of the site draining into this sewer (as the site has done historically) although the run off rate will be capped. On site attenuation will, therefore, also be required. Following consideration of the revised Flood Risk Assessment the Environment Agency has not raised any objection to the scheme subject to conditions in respect of foul and surface water drainage. It has also recommended a condition requiring petrol interceptors. If these conditions were not imposed then it would object to the development.

The Council's Drainage Team supports the conditions recommended by the Environment Agency and has requested additional information also via a condition. It has commented that careful consideration needs to be given to the discharge rate to ensure that there is not a risk of flooding downstream.

Network Rail has commented that the site should be drained away from the railway. The drainage plans submitted with the application confirm this (as indicated above it will drain to Midland Road).

A concern has been raised by local residents regarding the drainage of the site. Given that the Environment Agency and Anglian Water have not objected the proposal is considered to be acceptable subject to the conditions referred to.

### **7. Other Matters**

#### *Network Rail*

Network Rail has made a number of detailed comments on the scheme which the agent has been made aware of. Amongst other matters it has commented that fencing is required to the rear of the site to prevent trespass onto its land. The plan has been updated to reflect this requirement. Network Rail has also commented that there should be no buildings within 2 metres of the boundary so that no access onto its land is required for construction and maintenance purposes. There are a couple of areas where development would be within 2 metres of Network Rail land, however, the agent has confirmed that construction and maintenance can take place without any encroachment. Network Rail has also been advised of this. Any further comments from Network Rail will be tabled to members in the Update Report.

#### *Contamination*

Given the historical use of the site there is contamination within it. A Phase 1 contamination report has been submitted with the application. Subject to conditions requiring further assessment and mitigation prior to the commencement of development the Environment Agency and the Council's Pollution Control Section have raised no objection.

### *Archaeology*

Although largely covered with hard standing the Council's Archaeologist has advised that there is some potential for archaeological remains. A condition requiring further assessment is, therefore, recommended on any permission.

### *Construction Management*

A condition requiring the submission and approval of a Construction Management Plan is recommended to ensure that there is no adverse impact upon neighbouring residents. A number of detailed comments have been made by Network Rail which adjoins land to the rear of the site concerning construction methods/fencing etc. It is considered that there can be addressed as part of the Construction Management Plan.

### *School Places*

A concern has been raised regarding school places and the scope to accommodate additional dwellings. This concern is noted. School place provision is being considered as a whole as part of the wider redevelopment of the area.

## **8. S106**

Under the Council's Planning Obligation Implementation Scheme (POIS) the development gives rise to a requirement for a contribution of £420, 000 and a 2% monitoring fee.

The applicant has submitted a viability appraisal to demonstrate that the development cannot afford this payment. Money from the scheme is being used to fund the affordable housing element as no grant funding is available. Discussions in relation to the level of POIS payable are on going and members will be advised further in the update report.

A Travel Plan will also be secured as part of the S106 obligation.

## **6 Conclusions**

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

The application site is located within the designated Railway Station Opportunity Area. Policy promotes the complete redevelopment of the Railway Station area, with housing being an appropriate land use. Whilst this scheme would not result in the complete redevelopment of the western part of the opportunity area it would not compromise the delivery of other schemes and would kick start the regeneration process. The scheme would also remove derelict buildings where anti social behaviour is taking place. As such the application is considered acceptable in accordance with policy CC12 of the adopted Peterborough Local Plan (First Replacement) (2005).

The scheme includes works to Midland Road which will provide additional on street parking and slow vehicle speeds. It is not, therefore, considered that there would be any adverse impact upon highway safety. Although the parking provision is below the new standards in the Planning Policies DPD the application was prepared and submitted under the old maximum standards. Given that this is a transitional period to the new policy standards the parking provision is considered to be acceptable and it would not result in highway safety concerns. The proposal accords with policy CS14 of the adopted Core Strategy DPD and policy PP12 of the Planning Policies DPD.

Whilst it is acknowledged that the site does not currently have ideal neighbours in terms of land use it is considered that the level of amenity for future occupiers is, on balance, acceptable particularly given the wider benefits which the redevelopment of this site would deliver at the current time. The proposal therefore accords with policy PP4 of the adopted Planning Policies DPD.

The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore accordance with policy PP3 of the adopted Planning Policies DPD.

Subject to conditions the site can be adequately drained and mitigation measures secured to deal with ground contamination. The development is therefore accords with policy CS22 of the adopted Core Strategy DPD and the NPPF.

Subject to the imposition of conditions the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK and accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

Further to the submission of a viability appraisal the developers have demonstrated that the proposal cannot pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution is acceptable in this instance. Subject to the level of POIS being finalised and secured via a planning obligation the scheme will accord with policy CS12 and CS13 of the adopted Core Strategy DPD.

## **7 Recommendation**

The case officer recommends that planning permission is **Granted** subject to conditions and a S106 Agreement:-

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 The development shall be carried out in accordance with the following approved details;

7249/079A Location Plan  
7249/004 W Site/Roof Plan  
7249/080B Landscaping Strategy  
7249/078B Boundary Plan  
012.1007.001 Public Open Space and Play Area  
7249/074A Streetscene  
7249/026A Plots 1-4 Elevations  
7249/025A Plots 1-4 Plans  
7249/027A Plots 5-9 Plans  
7249/028A Plots 5-9 Elevations  
7249/029A Plots 10-13 Plans  
7249/030B Plots 10-13 Elevations  
7249/031A Plots 14-16 Plans  
7249/032A Plots 14-16 Elevations  
7249/033A Plots 17-18 Plans  
7249/034 Plots 17-18 Elevations  
7249/035A Plots 19-20 Plans  
7249/036 Plots 19-20 Elevations  
7249/037B Plots 21-24 Plans  
7249/038A Plots 21-24 Elevations  
7249/039A Plots 25-26 Plans  
7249/040 Plots 25-26 Elevations  
7249/041A Plots 27-28 Plans  
7249/042A Plots 27-28 Elevations  
7249/043A Plots 29-30 Plans  
7249/044A Plots 29-30 Elevations  
7249/045A Plots 31-32 Plans

7249/046A Plots 31-32 Elevations  
 7249/047A Plots 33-35 Plans  
 7249/048A Plots 33-35 Elevations  
 7249/049A Plots 36-38 Plans  
 7249/050 Plots 36-38 Elevations  
 7249/051A Plots 39-42 Plans  
 7249/052 Plots 39-42 Elevations  
 7249/053A Plots 43-46 Plans  
 7249/054 Plots 43-46 Elevations  
 7249/055A Plots 43-46 Plans  
 7249/056A Plots 47-49 Elevations  
 7249/057A Plots 50-51 Plans  
 7249/058A Plots 50-51 Elevations  
 7249/059A Plots 52-54 Plans  
 7249/060A Plots 52-54 Elevations  
 7249/061A Plots 55-57 Plans  
 7249/062A Plots 55-57 Elevations  
 7249/063A Plots 82-83 Plans  
 7249/064 Plots 82-83 Elevations  
 7249/065A Plots 84-87 Plans  
 7249/066B Plots 84-87 Elevations  
 7249/067A Plots 88-90 Plans  
 7249/068A Plots 88-90 Elevations  
 7249/070 Plots 76-81 Flats  
 7249/071A Plots 70-75 Flats  
 7249/073A Plots 58-63 Flats  
 7249/072 Plots 64-69 Flats  
 7249/084 Lifetimes Homes    7249/-83 Refuse Lorry Tracking  
 Lighting Assessment  
 Noise Assessment dated 22 August 2012 (1365 Midland Road)  
 Heritage Assessment dated July 2012  
 Flood Risk Assessment Revised 12037 FRA 03  
 Combined Phase 1 Desk Study reference 31262 dated 24 May 2012  
 Transport Assessment and Appendices dated October 2012 P790  
 Report of Ecology and Protected Species Survey dated September 2012 Ref 2012/08/132

For the avoidance of doubt, the trespass proof fencing to the railway shall be erected before any occupations and retained and maintained in perpetuity.

Reason: For the avoidance of any doubt and to ensure that the developed is carried out in accordance with the approved details.

- C 3 No development other than ground works and foundations shall take place until /details samples of the following have been submitted to and approved in writing by the Local Planning Authority;
- Wall, render and roofing materials (samples)
  - Windows and external doors including roof lights (details);
  - Cills lintels and external steps (details);
  - Rainwater goods (details);

The samples and details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall thereafter be carried out in accordance with the approved details

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Core Strategy DPD.

C4 The development hereby permitted shall not commence until a comprehensive contaminated land investigation, which shall include the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority (LPA).

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment. Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation based on 1 above shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA for approval.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved details.

Reason: To ensure potential risks in relation to contaminated land arising from previous site uses have been fully assessed in accordance with the NPPF (2012), particularly paragraphs 120 and 121.

C 5 Where the studies under C4 identify any unacceptable risk, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. This shall include any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

.No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with the NPPF (2012), particularly paragraphs 120 and 121.

C 6 No dwelling shall be occupied until two copies of a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation have been submitted to and approved in writing by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report along with a plan ( a 'long term' monitoring and maintenance plan) for the longer term monitoring of pollution linkages, maintenance and arrangements for contingency action as identified in the verification report. The long term monitoring and maintenance plan shall thereafter be implemented as approved.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the NPPF in particular paragraphs 120 and 121.

- C7 If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance the NPPF in particular paragraphs 120 and 121.

- C8 The development shall be carried out in accordance with the approved Noise Assessment dated August 2012 as updated in December 2012 and the mitigation measures set out therein. These measures shall be put in place before the dwelling to which they relate is occupied. No occupations shall take place until the 1.80 metre high acoustic fencing along the eastern boundary of the site and the 2.1metre high acoustic fence along the northern boundary of the site have been erected.

Reason: To protect the amenity of future residents, and to accord with policy PP4 of the Planning Policies DPD and NPPF (2012).

- C9 Notwithstanding the submitted information and prior to the commencement of any development a timetable for the laying out of the Public Open Space and associated play equipment shall be submitted to and approved in writing by the Local Planning Authority. The Public Open Space and play equipment shall thereafter be laid out in accordance with the approved timetable and at no time thereafter shall this area be used for the storage of construction vehicles, equipment or portakabins etc.

Reason: In the interest of ensuring future residents have adequate access to Public Open Space and in the interest of the visual amenity of the area, in accordance with Policy CS16 of the adopted Core Strategy DPD.

- C10 Prior to the commencement of development a scheme of surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the betterment to be provided to the site for the surface water run-off generated up to and including the 1.0% annual probability event with the inclusion of climate change. It shall also include the following:-

- A scheme for the installation of oil and petrol separators.
- Details of the ownership and responsibilities of maintenance of all drainage elements for the lifetime of the development. If appropriate, details of adoption of any drainage elements by Anglian Water should be included.
- Details of the overland flood flow routes and subsequent flood risk in the event of a surface water system failure

The scheme shall thereafter be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012)

- C11 Prior to the commencement of development a scheme, including phasing, for the provision of mains foul water drainage including on and off site connections shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the

works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012)

- C12 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following details of long terms design objectives, management responsibilities and maintenance schedules. The development shall thereafter take place in accordance with the approved details.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD.

- C13 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a scheme for the soft landscaping of the site has been submitted to an approved in writing by the Local Planning Authority. The scheme shall include the following details:-

- Ground levels around retained trees
- Planting plans including retained trees, species, numbers, size and density of planting
- An implementation programme (phased developments)

The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier, or in case of the open space the approved timetable.

Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping within the Public Open Space (but not contained in enclosed rear gardens to individual dwellings) that die, are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD

- C14 Notwithstanding the submitted information prior to the commencement of development an Arboricultural Method Statement (to be carried out in accordance with per BS5837-2012) in respect of works proposed with the Root Protection Area of a retained trees including construction, parking or landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to protect retained trees from harm during the development in accordance with policy PP16 of the adopted Planning Policies DPD.

- C15 Notwithstanding the submitted information no development other than ground works and foundations shall take place until details of the hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, the following elements:-

- 1) Hard landscaping finishes including details of car/road markings and pedestrian access and crossing points;

- 2) Details of bin storage areas and enclosure for plots 58-81
- 3) Details of the proposed cycle stores for plots 58-81.
- 4) Details of any additional barriers (amrco safety barriers or similar) to prevent vehicles from being able to drive onto the railway.
- 5) Details of retaining walls and fencing

The hard landscaping work shall be undertaken in accordance with the approved details prior to first occupation of the dwelling to which they relate. For the avoidance of doubt, the fencing to railway including any further safety barriers shall be installed prior to the first occupation of any dwelling and thereafter retained and maintained in perpetuity.

Plots 58- 81 shall not be occupied until the designed bin and cycles stores serving each flat block has been installed. These facilities shall thereafter be retained on site.

Reason: To ensure a satisfactory finish to the development in the interests of visual amenity in accordance with policy CS16 of the adopted Core Strategy DPD.

- C16 Prior to the commencement of any site infrastructure a detailed contoured plan with existing and proposed spot heights and cross sections (including retaining structures) shall be submitted to and approved in writing by the Local Planning Authority. These shall indicate the slab level of the ground floor of all of the dwellings. The development shall thereafter be carried out in accordance with the approved detail.

Reason: In order to protect and safeguard the amenities of the adjoining and future occupiers, in accordance with Policy CS16 of the adopted Core Strategy DPD.

- C17 Prior to the occupation of any dwelling the pedestrian to vehicle and vehicle to vehicle visibility splays associated with that dwelling as shown on drawing number 7249/004 Rev W shall be provided. These splays shall thereafter be maintained free from any obstruction over a height of 600mm.

Reason: In the interests of the safety of all users of the public highway in accordance with policy CS14 of the Core Strategy DPD and policy PP12 of the Planning Policies DPD.

- C18 The roads and footways linking each dwelling with the public highway shall be constructed to a minimum of base course level prior to the occupation of that dwelling. The parking areas showing on drawing number 7249/004W shall also be provided before the first occupation of the dwelling which they would serve.

Reason: In the interests of the safety of all users of the public highway in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

- C19 Notwithstanding the submitted information prior to the commencement of development a detailed scheme of works to Midland Road, based upon the build outs shown on drawing number 7249/004 Rev W, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to the occupation of any dwellings.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

- C20 Notwithstanding the details shown on drawing number 7249/004 W prior to the commencement of development details showing a ramp on the access road into the site set back 2m from the end of the southernmost footway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any dwellings.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.



- C21 Prior to the commencement of any development or demolition a Demolition/Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction Management Plan shall include (but not exclusively the following):-
- Haul Routes to and from the site
  - Hours of working
  - Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles
  - Site compounds/storage areas
  - Temporary Access points
  - Wheel cleansing facilities capable of cleaning the underside of the chassis and wheels of all vehicles entering and leaving the site during the period of construction.
  - A noise management plan including a scheme for the monitoring of construction noise;
  - A scheme for the control of dust arising from building and site works
  - Details of remedial measures to be taken if complaints arise during the construction period.
  - Details of demolition works to ensure that the safe operation of the railway is not endangered.
  - Details of and excavations and earthworks to be carried out near the railway undertakers fence including a method statement.
  - Details of fencing to prevent trespass onto the railway
  - Details of any temporary lighting during the construction period

The development shall thereafter take place in accordance with the approved Demolition/Construction Management Plan.

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with policy CS16 of the adopted Core Strategy DPD and policies PP3 and PP12 of the adopted Planning Policies DPD.

- C22 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the design of the lighting columns, their locations and LUX levels. The lighting scheme shall thereafter be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity and to protect the integrity of the railway in accordance with policy CS16 of the Peterborough Core Strategy DPD (2011).

- C23 The removal of the office roof tiles shall be carried out by hand as recommended by the approved Report of Ecology and Protected Species Survey dated September 2012 Ref 2012/08/132. If the tiles have not been removed by April 2013 then an updated emergence survey will be undertaken. The results of the updated survey shall be submitted to and approved in writing by the Local Planning Authority before any works to the office building commence. Thereafter, any mitigation and or requirements of the updated survey shall be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: In the interest of protecting biodiversity and protected species, in accordance with policy C21 of the Peterborough Core Strategy DPD (2011) and NPPF (2012).

- C24 Prior to the first occupation of any dwelling a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the Local

Planning Authority. The development shall therefore be carried out in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

- C25 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.

Reason: To be in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011)

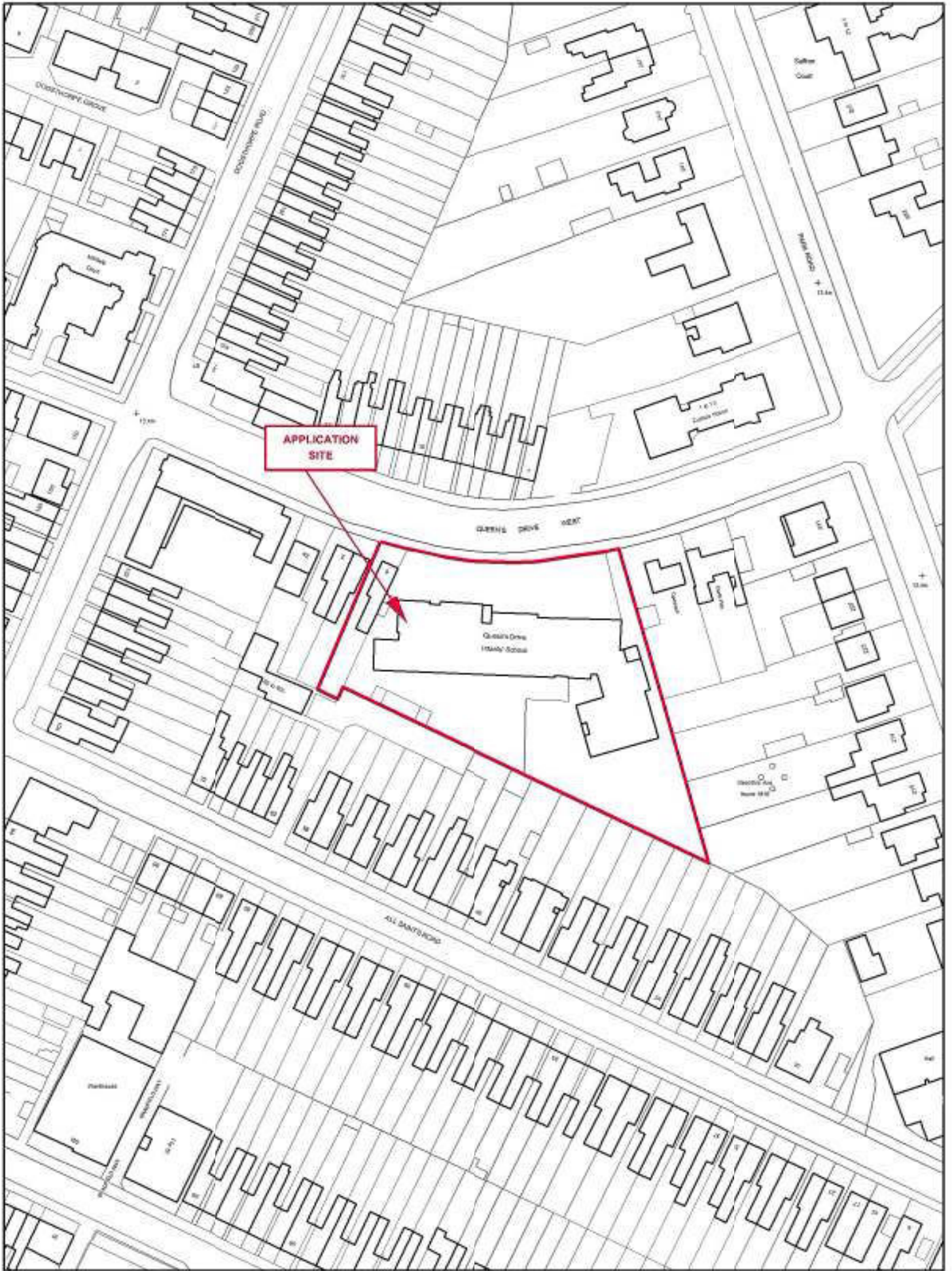
- C26 Notwithstanding the details hereby approved the "approach" to the principal entrance to the dwellings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

### **Informatives.**

1. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licensed under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering - Street Works Co-Coordinator on 01733 453578.
2. The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421 or email [HighwaysDevelopmentTeam@peterborough.gov.uk](mailto:HighwaysDevelopmentTeam@peterborough.gov.uk).
3. The development involves works to the public highway. Such works must be the subject to an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works adequate time is allowed in the development programme for approval by the Council of the designer, main contractor and sub contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport and Engineering- Development Team on 01733 453421.
4. Public Health Act 1925 S17-18  
The development will result in the creation of new street(s) and dwellings. It will be necessary for the Council as Street Naming Authority to allocated appropriate street names and property numbers. Before development is commenced you should contact the Technical Support Team Manager- Highway Infrastructure Group on 01733 453461 for details of the procedure to be followed and information required.

Copied to Councillors Arculus, Dalton and Maqbool



**LOCATION PLAN 12/01694/R3FUL**  
 Queens Drive Infant School, Queens Drive West, Peterborough  
**Scale** NTS **Date** 19/12/2012 **Name** AA **Department** Planning Services



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**Application Ref:** 12/01694/R3FUL

**Proposal:** New single storey classroom extension to front of school, new single storey toilet extension to side of school, demolition of house at no.6 Queens Drive West, associated landscaping works; soft and hard landscaping to front, side and rear of school, removal of trees as per Arboricultural Assessment recommendation, reconfiguration of external doors and windows, creation of additional parking and associated access

**Site:** Queens Drive Infant School, Queens Drive West, Peterborough, PE1 2UU  
**Applicant:** Carillion Plc

**Agent:** TPS Consult

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** Local Authority Application

**Site visit:** 05.12.2012

**Case officer:** Mrs J MacLennan

**Telephone No.** 01733 454438

**E-Mail:** janet.maclennan@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

## **1 Description of the site and surroundings and Summary of the proposal**

The application site is approximately 0.4 hectares and is located on the south side of Queens Drive West. The site contains a single storey primary school building of the Victorian era built in buff brick under a slate roof. The building has been extended over the years with more modern elements including a school hall to the rear. The site is compact in nature. To the front of the site there is provision for the parking of 12 vehicles; 5 spaces are within an area which is accessed from the eastern side of the site frontage and 7 spaces within an area accessed from the western side of the site frontage (there is currently a mobile unit located within this parking area providing temporary classrooms). The frontage is bounded by a brick wall approx 0.6m in height and there is a large grassed area with a number of mature trees. To the rear of the site there is a playground area and a small grassed/wildlife area to the south east which also contains mature trees. The site is enclosed by a brick wall of 2m in height to the side and rear boundaries. The surrounding character is predominantly residential. Queens Drive West has on street parking restrictions; resident permits to the west, limited time parking for 30 minutes on the opposite side of the road, yellow lines to the east and there are 'School Keep Clear' zig zag lines directly to the front of the site. Queens Drive West is subject to a 30mph speed limit with traffic calming in the form of speed cushions.

### **Proposal**

The application seeks permission for:

a) a single storey extension to the front of the site to provide 2 classrooms, a library area and group room. The extension would be irregular in shape and would be to the eastern side of the school building and would project 13.4m from the front elevation at its most eastern point reducing to a projection of 9m at its western point and would have a width of 22.4m where it would abut the school building reducing to a width of 20.4m at the site frontage. The height would be 4.3m. The extension would be located 3m from the eastern shared boundary. Windows would be positioned within the north, east and west elevations;

b) a single storey extension to the west of the site to provide a toilet block; the dimensions would

be 5.4m x 4.4m. The extension would have a flat roof and would be 3.5m in height;

c) alterations to the windows/doors within the existing building including substitution of window for door in the west elevation serving and existing classroom and the addition of a door to three classrooms to the rear of the building. 11 no. car parking spaces would be provided including one disabled parking bay.

d) the demolition of the dwelling at 6 Queens Drive West to facilitate the development.

e) the works would also provide an increase in outdoor space for play and teaching and a reconfiguration of the internal floor area for additional ancillary support.

The development would result in an additional 60 pupils at the school from September 2013. Staff numbers will increase by one additional teacher and one teaching assistant.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
12/00723/R3FUL	Installation of temporary mobile unit	Application Permitted	05/07/2012

## **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### **National Planning Policy Framework (2012)**

#### **Section 8 - School Development**

Great weight should be given to the need to create, expand or alter schools.

### **Peterborough Core Strategy DPD (2011)**

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

**PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

**PP05 - Prestigious Homes**

Permission will not be granted for development involving the loss of prestigious, top-of-the market housing unless there is clear evidence of appropriate marketing or new prestigious homes would be created.

**PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

**PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

**PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

**4 Consultations/Representations**

**Travel Choice** – No objection - No additional comments to make regarding the Travel Plan that has been submitted. We are happy with what has been included and worked with the school to put the document together. We will also be actively engaged with the school over the next couple of years to monitor and support the travel plan and associated activities.

**Councillor P Kreling** - No comments received

**Councillor J Peach** - No comments received

**Councillor J Shearman** - No comments received

**Archaeological Officer** – No objection - There is insufficient evidence to suggest the presence of archaeological remains within the site. No action recommended.

**Wildlife Officer** – No objection - The site is within 600m of County Wildlife Site Broadway Cemetery, however, the proposal is unlikely to have an impact upon the features for which this site has been designated. Although buildings were deemed unsuitable to support roosting bats, the site has the potential to support foraging bats. Recommends a lighting plan is submitted specifying how lighting will be designed so as to not adversely affect bats. Additional biodiversity enhancements to achieve a net gain of biodiversity; for example the inclusion of bat and/or bird boxes located at suitable should be provided. Native species of a local provenance should be used in planting schemes. No objection to the granting of permission subject to the conditions as described above.

**Landscape Officer** - The Arboricultural detail has been carried out in accordance with BS5837:2012 and I agree with the Categories given to the trees on site. It is disappointing that trees would be lost and no mitigation has been put forward. This can be remedied by replacement planting in the landscaping strip at the front of the site. Also further information is required regarding the arboricultural method surrounding trees 4 & 5 which are to be retained. There appears to be substantial works within the RPA of these two trees in terms of landscaping and paving - no detail has been provided as to how this will be achieved without potentially

compromising either tree and so this should be subject to a condition.

**Transport and Engineering Services** – No objection -The application has been subject to intensive pre-application discussions and the Transport Statements submitted in support of the application is generally acceptable. It is agreed that Travel Planning is a way forward to reduce existing problems within the immediate vicinity of the school and to ensure these are not exacerbated by the increase in pupils. A Parking Management Plan is required to include measures controlling dropping off and picking up of children to reduce congestion, extension to the 'keep clear lines' outside the school with associated signage (albeit that they be the subject of a separate legal process prior to installation) and amendment to the travel plan to increase the frequency of reviews. The Travel Plan is robust and does follow the requirements of setting SMART targets. Car parking space no. 12 should be deleted as it compromises the manoeuvring from spaces 7 to 9. The new access should be 'entrance' only. The proposal is acceptable subject to conditions.

**Police Architectural Liaison Officer** – No objections – Having viewed the application there are no objections, recommendations, or further observations.

**Building Control Surveyor** – No objection - Building regulations approval required.

### **Local Residents/Interested Parties**

Initial consultations: 70

Total number of responses: 1

Total number of objections: 0

Total number in support: 0

One email has been received querying which boundary trees would be cut back as part of the development.

## **5 Assessment of the planning issues**

### **a) Background**

The development proposal is part of Peterborough City Council Primary School Capital Programme project. There is pressure on the inner city area and insufficient school places available to meet the number of children living in the area. Peterborough City Council is working with the Thomas Deacon Academy to create a junior school within the Thomas Deacon site and create a one flow educational system in conjunction with Queens Drive. The proposal therefore forms part of the aspirations for an increase in educational capacity within the city.

A report on school place planning and early year's provision was presented to the 'Creating Opportunities and Tackling Inequalities' scrutiny committee on 12<sup>th</sup> November 2012. The report highlighted that after a period of declining pupil numbers, the last 4 years have seen a significant increase in pupil numbers within the city. This can be attributed to a number of issues including increase in birth rates, migration, economic growth as the buoyant local economy continues to retain workers and the quality of our schools continues to attract students from other local authorities. Since the 20<sup>th</sup> July, over 1,300 applications for school places (4.5% of current school population) have been received. 80% are new arrivals to the city. This growth from outside the city equates to 2 large primary schools or 1 secondary school. As a city, we are now below the 5% surplus threshold on all year groups in the city with significant pressures in Year 1 and Year 11.

### **b) The principle of Development**

The school has had a number of extensions and space within the site for further extensions is limited. A number of options have been considered, however in order to deliver the school's requirements the most appropriate option is to purchase the neighbouring property at number 6 Queens Drive West and to demolish the dwelling to allow for the school site to be extended. This would allow for the provision of an external play area and parking provision. It is considered that



the extension to the existing school would be a sustainable option given that the school primarily serves a local catchment area where a good proportion of pupils arrive at the school on foot. Reference should also be made to the planning application for the Junior Academy building on the Thomas Deacon Academy site (ref. 12/01725/FUL) and this scheme is part of a one flow system where pupils would progress to the Junior Academy at the Thomas Deacon Site at Key Stage 2.

The National Planning Policy Framework advises that there should be a presumption in favour of sustainable development where proposals would secure development that improves the economic, social and environmental conditions in the area.

It also states at para. 72 that the Government attaches great importance to ensuring a sufficient choice of school places is available to meet the needs of existing and new communities and that weight should be given to create, expand and alter schools. It is considered that the proposal would support the agenda for delivering more school places and given the existing use of the site as an infant school the extension would not alter the existing character and thus accords with policy PP1 of the Adopted Peterborough Planning Policies DPD and the NPPF.

#### Loss of dwelling

The proposal would result in the loss of a dwelling at number 6 Queens Drive West. The dwelling is of Victorian era however it is not listed, not protected under an Article 4 Direction and is not located within a Conservation Area. In addition the demolition would not result in the loss of a prestigious, top-of-the-market housing dwelling, as protected under policy PP5 of the Adopted Peterborough Planning Policies DPD. The proposal therefore does not conflict with the objectives of this policy. It is considered that the loss of the dwelling is outweighed by the extension to the school and the provision of additional classrooms and external play areas.

#### **c) Design and Visual Amenity**

The existing building has a variety of roof styles including steeply pitched roofs and flat roof elements. The extension to the front of the school would align with an existing part of the school with a flat roof. The flat roof is considered to be the most appropriate option given the scale of the extension and the bulk and mass that would result with a pitched roof design. The extension would remain a subservient element of the school site and would be of a contemporary style design which would not compete with the existing school building. The proposed finishing would be render with a brick plinth that would harmonise with the existing building.

The extension would project forward of the front elevation of the existing school building and would align with the building line to number 28 Queens Drive West 'Tavistock'. Whilst it would project beyond the footprint of existing building it would not be prominent within the street scene due to both its alignment with the building line of the neighbouring properties to the east (number 28) and with the adjacent two storey property as its backdrop. Detail has been added to the west elevation which would give relief to an otherwise blank façade.

The toilet extension would be located to the western side of the school and would be positioned on an area formed by the footprint of the existing building. Its positioning from the street frontage is such that it would not be directly visible from the street scene. The finishing materials would harmonise with those of the existing school.

The proposed extensions would make efficient use of available space within the site and can be satisfactorily accommodated on the site and would respect the architectural features of the existing building and would not detract from the existing character of the site or that of the street scene. Hence the proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

#### **d) Neighbouring Amenity**

The extension of the school site and the demolition of number 6 would bring the site closer to the property at number 4 and their amenity is an important planning consideration. It is proposed that the shared boundary would comprise a 2m high brick wall. A meeting has been held with the owners of this property whereby the plans have been fully explained and the owner is content with

the details. Having considered the original plans submitted some changes have been sought including the repositioning of a shelter to be used for parents/carers collecting children from the reception classroom located adjacent to the western boundary. The shelter would be repositioned closer to the school building and additional planting would be provided adjacent to the boundary wall with number 4. This would serve as a buffer and prevent undue noise from the conversations and general activity at school start and finishing times. It is considered that there is already a degree of noise emanating from the site due to the close proximity of number 4 to the school boundary and with appropriate boundary treatment and additional planting the level of noise would not be exacerbated by the alterations to the school to an unacceptable level.

There is a good separation distance between the school and the neighbouring property to the east at number 28 and this shared boundary comprises a 2m high brick wall. There is an existing access/service lane to the eastern side of the school which would be retained and therefore the general existing activity to this side of the school would be unaltered. Due to the height of the extension and the separation distance to this neighbour it is considered that the extension would not result in any loss of light or overbearing impact on the occupiers of this property.

It is considered that the position of the extensions and alterations to the layout of the site are acceptable and would not have a detrimental effect on the character of the immediately adjoining properties or the surrounding area or adverse impact on neighbouring amenity in terms of noise, loss of privacy or overbearing impact. Hence the proposal accords with policies PP2 and PP3 of the Adopted Peterborough Planning Policies DPD.

#### **e) Highway implications**

There has been significant discussion prior to the application being submitted regarding the highway implications resulting from the development and increase in pupil numbers. A transport statement has been submitted in support of the application in accordance with scoping agreed by the Local Highways Authority (LHA) along with a Travel Plan.

Queens Drive Infant School caters for 4-7 year olds and has 231 pupils on roll. The school employs 53 staff. From September 2013 the pupil numbers would increase to 291 and staff would increase to 55. The school travel plan has recently been reviewed and a survey was conducted in October 2012 and travel data was collected for pupils and staff. The survey showed that 66% of pupils currently walk to school and 33% travel by car. The survey identified that 74 vehicular trips are made during peak periods (pupils travelling by car) and 30 staff vehicular trips each day. The proposed development is expected to generate an additional 21 car trips (1 staff and 20 pupil trips). The transport statement concludes that the impact of additional car trips on the highway network as a result of development would be minimal and that the LHA are satisfied that there would be no significant impact on junctions in the vicinity of the site.

It is recognised that there are existing congestions issues associated with peak periods of parental pickup/drop off times. The LHA consider that Travel Planning is the way forward to reducing existing problems within the immediate vicinity of the school and to ensure that these problems are not exacerbated by the increase in pupil numbers. However, Travel Planning cannot solve all problems and therefore a parking management plan would need to be instigated. This would include measures to control drop off/pick up of children, extension of keep clear signs at the site frontage and additional signage.

In addition, the LHA considers that the new targets within the Travel Plan are robust and follow the requirements of setting SMART (specific measurable achievable realistic and time bound targets) targets. It is recommended that the reviews are carried out more frequently than every 3 years. The Travel Choice Team has been working with the school and are happy with the document submitted.

The scheme also includes the provision of cycle parking to the rear of the site for 40 spaces, however, as the survey has indicated that more pupils would like to cycle to school the LHA considers that the number of cycle parking may be insufficient. An amended drawing has been

submitted (ref. QDAL (2) 012 Rev C) which indicates an area to be made available for cycle parking should the demand increase.

Parking for 12 vehicles including one disable space has been proposed however, the positioning of parking bay 12 would compromise the manoeuvrability from spaces 7-9. The amended drawing indicates the removal of this space and the LHA do not consider that the loss of this space would not cause any additional parking problems given that a parking management plan is to be instigated.

There would be a new access to the west of the site and this is acceptable provided it serves as an entrance only and vehicles would egress from the existing access to the east of the site frontage. This would be controlled through the Management Parking Plan.

The Transport Statement and Travel Plan submitted are generally acceptable to the LHA. The LHA raises no objections to the scheme subject to conditions regarding amendments to the Travel Plan, space retained for additional cycle parking, Construction Management Plan and a scheme for signing and lining.

It is considered that the proposal makes adequate parking provision for all modes of transport and appropriate provision has been made for safe, convenient and sustainable access to the site and therefore accords with policy CS14 of the Adopted Peterborough Core Strategy DPD and policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

#### **f) Landscaping**

An Arboricultural Implications Assessment and Arboricultural Method Statement by HSP Consulting dated 16<sup>th</sup> October 2012 has been submitted in support of the application. The assessment recommends the removal of 8 trees in order for the development to be implemented. The trees are Sycamores (T1, T2, T3, T7), Horse Chestnut (T6), Cotoneaster (T8) and Cappadocian Maple (T13 and T15). The trees to the front of the site have been subject to the kind of management now outdated, namely, periodic 'topping'. All the trees have decay evident at topping points and are not trees of great stature in the local landscape. The Assessment also advises that it would be prudent to remove two trees (T6 and T7) to implement the additional parking provision as these trees are relatively poor specimens due to their past management and structural defects.

All retained trees will be protected before and during construction in accordance with the details provided within the assessment and therefore makes provision for the retention and protection of trees and incorporates new tree planting and landscaping within the site which would compensate for the loss of trees.

The Landscape Officer confirms that the Arboricultural detail provided has been carried out in line with BS5837:2012 and agrees with the categories given to the trees on site. However, the officer is disappointed that the majority of the trees to the site frontage would be lost. However, the Landscape Officer accepts that the loss of trees could be mitigated by replacement planting, in particular, the addition of trees within the landscape area. This could be secured by condition.

In addition, an Arboricultural method statement would be required for clarification surrounding the retained trees 4 and 5.

It is regrettable that mature trees to the site frontage which do contribute to the visual amenity of the street scene, would be lost through the implementation of the scheme, however the trees are not healthy specimens and the desirability of their retention is not such that would outweigh the benefits of implementing the extension and increased capacity for the school. The layout of the scheme would provide significant improvements to the landscaping including the provision of an outdoor quiet group seating area and growing area which would be of significant benefit to both the children and the biodiversity enhancements of the site. The Wildlife Officer has advised that the landscaping scheme should provide native species of local provenance. These details would be

secured by condition. The proposal therefore accords with policy PP16 of the Adopted Planning Policies Document DPD.

#### **g) Ecological implications**

The proposed development lies within 600m of County Wildlife Site Broadway Cemetery however; the proposal would not have an impact on the features for which this site has been designated. A Phase I Habitat survey had been undertaken. The survey has confirmed that the buildings within the site are deemed unsuitable to support roosting bats however the site has the potential to support foraging bats. The Wildlife Officer recommends a detailed lighting plan is provided, specifying how lighting will be designed so as to not adversely affect bats. The Wildlife Officer is supportive of the additional biodiversity enhancements to achieve a net gain of biodiversity; for example the inclusion of bat and/or bird boxes located at suitable locations across the site. The details would be secured by condition. It is considered that the proposal has considered the ecological potential for the site and would incorporate feature to enhance the biodiversity within the site. Hence the proposal accords with policy CS21 of the Adopted Peterborough Core Strategy DPD and policy PP16 of the Adopted Peterborough Planning Policies DPD.

#### **g) Public Consultations**

A public consultation evening was held at the school on 18<sup>th</sup> October 2012. The parents had been notified of the event through the school and the surrounding neighbouring properties by letter drop. Two sessions were held between 3.30pm and 4.30pm and 6.30pm and 7.30pm. Approximately 49 people attended with responses being positive and the proposed scheme being well received.

## **6 Conclusions**

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

- This is a sustainable development which would make efficient use of an existing school site which serves a local catchment;
- The loss of the dwelling would be outweighed by the increased educational capacity of the school and would support the agenda for delivering more school places;
- The layout, scale, proportions and design of the extensions would respect the architectural features of the existing building and would not detract from the existing character of the site or that of the street scene;
- The extensions would not unduly impact on the amenity of the occupiers of neighbouring properties;
- Appropriate provision has been made for safe, convenient and sustainable access to the site and the proposal would not result in a significant increase in vehicular trips to the site that would result in a detrimental impact to users of the highway;
- The Travel Plan sets out robust targets to encourage the use of more sustainable modes of transport; and
- The proposal would provide replacement planting and features to enhance the biodiversity within the site.

Hence the proposal accords with policies CS14, CS16 and CS21 of the Adopted Peterborough Core Strategy DPD, policies PP1, PP2, PP3, PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Details of the following shall be submitted:

- external surfacing materials (walls and roof)
- windows
- doors
- rainwater goods.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD and Policy PP2 of the Adopted Peterborough Planning Policies DPD.

- C 3 Prior to the first occupation of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building.

The scheme shall include the following details:

- Proposed finished ground and building slab levels
- Planting plans including retained trees, species, numbers, size and density of planting this shall include native species of a local provenance. For example, hedge planting should aim to incorporate a mosaic of species such as elder, hawthorn and dogwood. Further details outlining species to be used in the hedge/herbaceous planting should be included. The inclusion of night scented plants such as Evening primrose *Oenothera biennis* and Marjoram *Origanum majorana* to attract night flying insects should also be considered.
- Replacement tree planting
- Grounding surfacing materials

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policies PP16 of the Adopted Peterborough Planning Policies DPD and Policy CS21 of the adopted Peterborough Core Strategy DPD.

- C 4 Notwithstanding the details hereby approved an Arboricultural method statement shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The statement shall demonstrate how the works would be implemented including the removal of existing surfacing whilst protecting the root protection area of trees T4 and T5. The development shall be carried out in accordance with the approved method statement.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policies PP16 of the Adopted Peterborough Planning Policies DPD and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C 5 Prior to the first occupation of the development hereby approved, a Travel Plan and Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall contain SMART targets to reduce car borne trips to the site with measures being proposed to implement those targets. The Parking Management Plan shall contain measures that will be implemented by the School to control/manage traffic at pick up/drop off times.

Reason: In the interests of promoting the use of non-car modes to visit the school and the safety of pedestrians/cyclists travelling to the school in accordance with Policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C 6 Space shall be retained within the site for cycle parking for an additional 30 cycles to be implemented should the modal share for cycling rear the Travel Plan projections in accordance with the details shown on plan QDAL(2)012 Rev C.

Reason: In the interests of promoting the use of non-car modes to visit the school and the safety of all highway users in accordance with Policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C 7 Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include (but not exclusively):

- Details of a parking/turning and loading/unloading area for contractors and delivery vehicles
- Details of vehicle washing facilities capable of clearing the wheels and underside of the chassis
- Location of compounds and storage areas
- Haul routes to/from the site

The development shall be carried out in accordance with the approved CMP.

Reason: In the interests of the safety of all highway users in accordance with policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C8 No lighting shall be erected unless it is in accordance with a lighting plan which neither impacts on foraging bats or the amenity of neighbours, submitted to and approved by the local planning authority.

Reason: To ensure the survival and protection of important species (a feature of nature conservation importance) and those protected by legislation that could be affected adversely by the development, in accordance with Policy CS21 of the Core Strategy.

- C9 Prior to the first occupation of the development, details of bird and bat boxes shall be submitted to and approved by the local planning authority and erected on site in accordance with the approved details.

Reason: In the interests of the enhancement of biodiversity in accordance with Policy PP16 of the Adopted Peterborough Planning Policies DPD and Policy CS21 of the adopted Peterborough Core Strategy DPD.

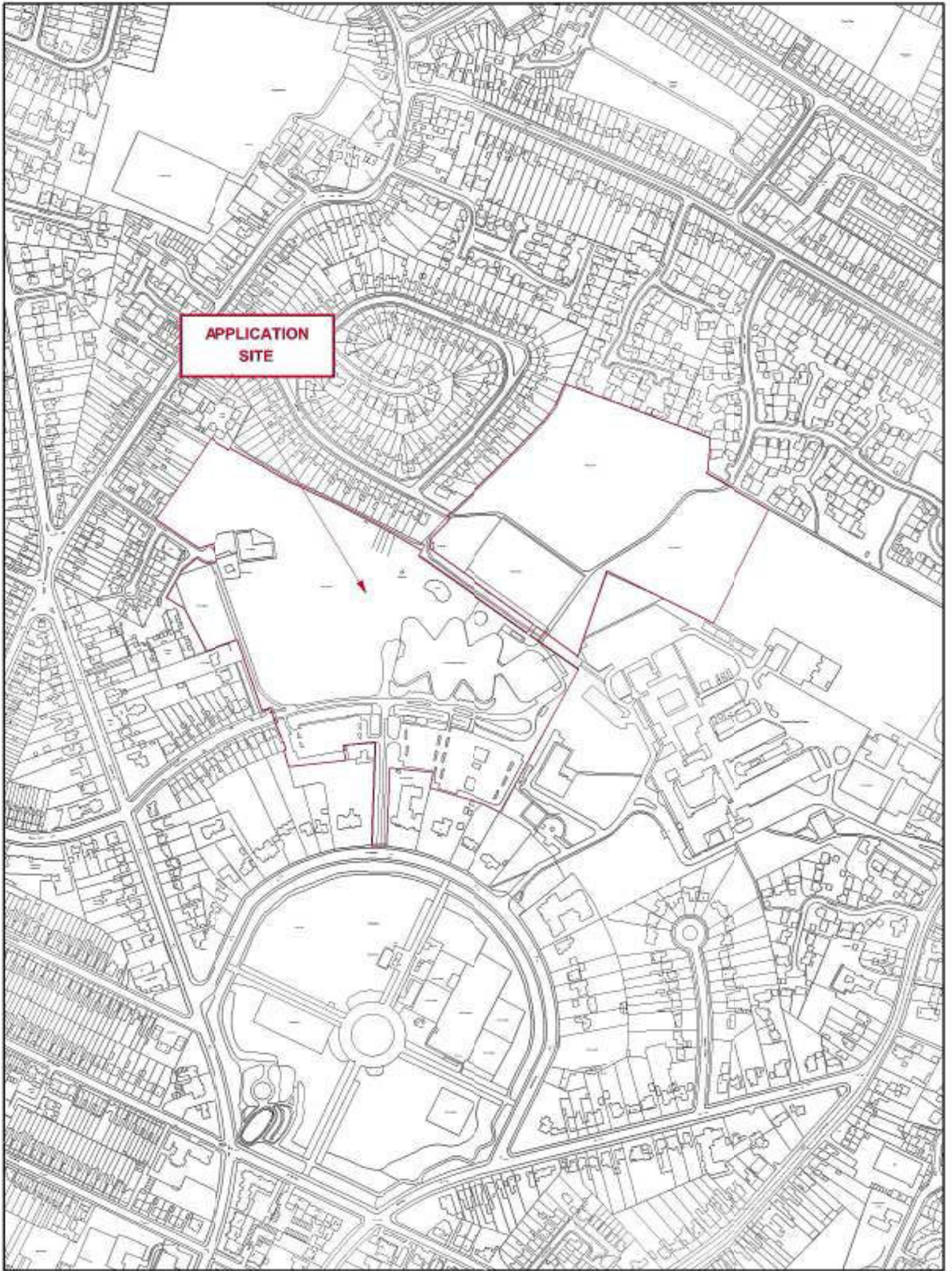
C10 Foul water shall be disposed of to the adopted foul sewer and surface water shall be disposed by way of soakaway unless percolation tests prove this would be inappropriate. In such an event, details of an alternative means of surface water disposal shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development.

Reason: To reduce the impact of flooding on the proposed development and future occupants in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

Copy to Councillors Kreling, Shearman and Peach

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**LOCATION PLAN 12/01725/FUL**

Thomas Deacon Academy, Queens Gardens, Peterborough

**Scale** NTS      **Date** 19/12/2012      **Name** AA      **Department** Planning Services



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**Application Ref:** 12/01725/FUL

**Proposal:** Construction of two storey Junior Academy, single storey exam hall and extension to existing construction centre and associated works

**Site:** Thomas Deacon Academy, Queens Gardens, Peterborough, PE1 2UW

**Applicant:** Mr John Paterson – Carillion

**Agent:** Mr Jon Humphreys - Ryder Architecture

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** The application is of wider public interest

**Site visit:** 6<sup>th</sup> December 2012

**Case officer:** Mrs J MacLennan  
**Telephone No.** 01733 454438  
**E-Mail:** janet.maclennan@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

**1 Description of the site and surroundings and Summary of the proposal**

The site is approximately 13.6 ha and is currently occupied by the Thomas Deacon Academy which opened in 2007 and was the former site of Deacons Secondary School. The site contains an academy building which opened in 2007 and accommodates up to 2200 pupils aged 11-19; a caretakers house and Buttery building to the west of the site and a construction centre to the east. There are a large number of existing sports pitches and playing fields. The site is enclosed by mature trees/shrubs to the boundaries and there are a number of mature trees within the site. The surrounding context is predominantly residential in character and there are two residential nursing homes located adjacent to the Park Crescent exit.

The current access is from Queens Gardens to the west and egress is through a single lane driveway to Park Crescent to the south of the site. Both of these access points can be used by pedestrians with additional pedestrian only access points thorough the schools playing fields on Nottingham Way to the north and on Grimshaw Road to the north east. Servicing vehicles currently access the site from Garton Street to the north.

There are two parking areas providing a total of 348 parking spaces; one area provides 238 staff parking spaces which is controlled by a barrier accessed by a key fob and one parking area provides 79 spaces and is used as a drop off area at the school start and finish times and is used for visitors during the school day. Cycle parking is also located within the site in the form of a bicycle shed providing storage for up to 75 bicycles this is located between the two car parks near the entrance to the academy. Emergency vehicle access takes place though any existing vehicular access points on Garton Street, Queens Gardens and Park Crescent if necessary.

Coach pick up for pupil travel is accommodated within the site. Coaches can access the site through the vehicular access points and load at a designated bus stop near to the Academy main entrance.

There are a number of schools located nearby including Queens Drive Infant School, All Saints Church of England Junior School on Dogsthorpe Road and Peterborough Regional College to the east of the site on Park Crescent.

## Proposal

The application seeks approval for the following:

- Junior Academy: A two storey junior academy building to be located to the west of the site and on an area currently used as tennis courts. The footprint of the building would be 58.5m in length by 23.5m in width and would have a flat roof design with edge parapets to a height of 8m. Approximately 2,765 sqm of accommodation would be provided comprising of classrooms, a double storey height dining hall/sports hall, a double storey height studio, a plant room, kitchen and changing/toilet facilities. A circulation space down the centre of the building will include a double storey height void. The roof would have a central strip rooflight over the central corridor. The external walls will be combination of window system and solid rendered in grey to match the existing academy building.

The junior school will provide a 3 form entry with four year groups with pupils aged between 7 and 11. It is intended that the school will bridge the gap between the Queens Drive Infant School and the Thomas Deacon Academy. On full occupation the school will have 360 pupils and 26 staff.

- Exam Hall: An exam hall with changing facilities to provide extra exam space for the existing Thomas Deacon Academy. The Exam hall would provide alternative use for ancillary sports facilities as well as for community use. The building would be located approximately 30m north of the Academy building. It would be single storey with a flat standing seam roof with parapets and have an overall height of 4.9m. The dimensions would be 34.4m in length x 18.9m in width. The exam hall would provide approximately a 455 sqm of accommodation. The external walls will be combination of window system and solid render in grey to match the existing academy building.
- Construction Centre: An extension to the existing construction training centre located to the north east of the Academy building. The extension is rectangular in shape and the dimensions would be 17.8m in length x 9.7m in width. The extension would have a flat roof with parapet upstands to a height of 4.2m. The proposed materials would be grey render to match the existing academy building. Entrances to the building would be within the west and south elevations and high level windows are proposed to the east elevation. There are existing trees to the south of this building which demarcates the main school building with the construction centre. The centre is close to the shared boundary to the east with Regional College which is situated some 60m to the east. The building would provide approximately 160 sqm of accommodation.
- An existing Buttery building used for exams and a caretakers house used for construction training will be demolished to make way for new external sports facilities/Multi Use Games Area (MUGA).
- The proposal includes a staff and visitor car parking area comprising 42 spaces (35 staff and 5 visitor) and 2 additional disabled spaces which would be accessed via Garton Street. Access to this car parking would be restricted.
- The proposal includes a landscaped area to the west of the academy building which incorporates external teaching areas, an allotment/growing area and a landscape buffer.
- The existing TDA drop off car park area would be used for the Junior Academy building and the existing exit/egress route on to Park Crescent would be widened to 5.5m to provide two lanes. A separate cycle/footpath would be located to the east of the exit lane.

If approved, the junior academy is expected to open in Sept 2014. Its occupation would be phased with each September intake of 90 pupils until fully operational in 2017 with 360 pupils. Staffing levels would also increase by phases.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
08/01431/FUL	Construction of two satellite classrooms	Application Permitted	16/01/2009
09/00658/FUL	Caretakers store and fire tank housing	Application Permitted	03/09/2009
09/01309/FUL	Siting of portakabin on a concrete foundation (remains of old garage) for a period of 5 years	Application Permitted	26/01/2010
10/00811/FUL	Siting of a portakabin on existing tarmac surface for a period of 2-3 years to be used as a temporary classroom	Application Permitted	30/07/2010
12/01072/FUL	New Portakabin as supplementary classroom	Application Permitted	15/08/2012

## **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### **National Planning Policy Framework (2012)**

#### **Section 8 - School Development**

Great weight should be given to the need to create, expand or alter schools.

### **Peterborough Core Strategy DPD (2011)**

#### **CS10 - Environment Capital**

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

#### **CS17 - The Historic Environment**

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

#### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

#### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable

drainage systems should be used where appropriate.

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

#### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

#### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

#### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

#### **PP14 - Open Space Standards**

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

## **4 Consultations/Representations**

**Transport and Engineering Services** – No objection - The proposal includes the widening of the exit road onto Park Crescent to 2 lanes. This is not required due to staggered start/finish times, however, they would be beneficial to aid traffic flow through the site. The Swept path analysis of the revised egress arrangements does not show the existing parking bays on Park Crescent, and has been carried out using a London Bus not a standard coach. As a result, it has not been demonstrated that the dual-lane exit proposals can be made to work safely. A revised plan showing the parking bays on Park Crescent and tracked using the correct vehicle must be submitted before the LHA can support this element of the scheme – it has been decided through discussion with the LPA that this can be conditioned. In addition full details of the proposed cycle stands and shelters and the type of gates and access control measures to be implemented at Garton Street will be required by condition.

**Pollution Team** – No objection – Suggested conditions regarding kitchen extraction equipment, potential floodlighting for the MUGA, Lighting for car parking and buildings and no practicing of music or amplification of noise in the external teaching areas.

**Landscape Officer** – No objection – The Arboricultural detail submitted has been carried out in line with BS5837:2012 and the categorisations given to the trees is agreed. The layout should not greatly impact upon the trees on site as most of them are located on the periphery of the site. The survey has identified that 2 Ash trees (49 & 50), both currently protected by TPO 5 of 2005, should be removed due to their condition and would be implicated as part of the road widening. One of them has a fungal pathogen that is a concern in terms of Health and Safety and whilst I do not agree that the other tree is a Category U tree, it is a Category C and should therefore not be seen as a constraint to development. The landscape plan appears to be indicative only, the applicant will need to provide the detail relating to the layout along with a maintenance schedule – these matters could be dealt with by way of a condition.

**Archaeological Officer** - Recommends an initial watching brief of the main groundwork operations, as a test. Should the watching brief produce negative evidence or evidence of widespread disturbance, the watching brief can stop. I would be happy to obtain a written statement whereupon the clients agree to contact me, should remains be encountered during groundwork operations.

**Travel Choice** – No objections – It was agreed that a framework travel plan would be submitted at application stage. Although the submitted Interim Travel Plan does not cover all that we would like (mainly details on initiatives that may be implemented and some guideline on targets and actions that may be included) we do not wish to hold up the approval process and therefore a condition should be appended to ensure a detailed Travel Plan for Thomas Deacon Junior Academy only (not part of the Thomas Deacon Academy Travel plan), be put in place prior to the occupation of the school. Staff cycle parking should be separate to that of cycle parking for pupils. Both sets of cycle parking staff/pupil should be in a secured and preferably covered compound. Visitor cycle parking should be located close to the main reception entrance.

**Wildlife Officer** – No objections - Pleased to note that this application is accompanied by a Phase 1 Habitat Survey. It is advised that the recommendations set out in the report are followed and in the unlikely event that bats are found during work, work should stop and further advice sought from an experienced, licensed bat ecologist. Bat roosting features (boxes/bricks) should be incorporated into the site design which may be provided via a suitably worded planning condition. I would also recommend that light spillage is minimised wherever possible, to avoid disturbance to bats and other species. It is recommended that the wildlife area is temporarily fenced off during the construction phase to prevent accidental damage to this area. A condition should be appended regarding work taking place outside the nesting season. A range of bird nesting features should be installed; the details should be submitted to and approved in writing by the Local Planning Authority. I am pleased to note that wild-flower seeding is proposed as part of the landscaping scheme. I would also recommend the use of suitable native tree and shrub species as appropriate, the detail of which may be provided via a suitably worded condition.

**Drainage Team** – No objections – The surface water drainage scheme detailed in plans 21448-D01 T1, 21448-D02 T1 and 21448-D03 T1 would appear adequate for the proposals. Prior to the commencement of any development full design details associated with any proposed changes to the entrance road from Park Crescent and adjacent parking area. Including detailed specifications of any drainage elements - Written confirmation of approval from Anglian Water to discharge surface water into their drainage systems, detailed specifications of all surface water drainage assets, including the proposed soakaway structures, any controlled overflows from those structures, permeable MUGA and car park surfaces, manholes and gullies

**Building Control Surveyor** – No objections -Building regulations approval required.

**Conservation Officer** – No objections - The work has no direct implication on the character and appearance of the Park Conservation Area.

**Police Architectural Liaison Officer** – No objections - In relation to the new building, structure,

layout and proposed child safety and security strategies, I am fully supportive of the submitted design and plans. The Police School Liaison Officer has concerns in relation to the potential increases in traffic, pedestrian volumes and their future safety. On occasions the school currently experiences problems with traffic / pedestrian safety issues on the feeder roads and adjacent to the school entrances. He can only assume that the proposal would exacerbate these problems. Clarification is sought on whether the new school and Thomas Deacon Academy would have staggered start times as reference is also made to synchronised. Would like to be consulted on conditions regarding Boundary Treatments, Landscaping, Cycle Security, Lighting, and CCTV.

**Sport England** – Supports application – Whilst the overall playing field provision will be reduced by the siting of the new school building, the removal of the existing Buttery building will make the remaining playing field a more usable space for pitch sports. There would be no reduction in available community use of the tennis courts/MUGA. The new building will result in more intensive use of all the playing/sports fields and therefore an agronomists report was undertaken to assess the existing quality of the playing fields and whether qualitative improvements were needed. The report identified that the main problem area on the existing playing field relates to the area that was reinstated as playing field following demolition of the old Deacons School building and the area suffers from compaction of top soil and drainage issues. The report recommended a two year programme of improvement works and it its recommended a condition is imposed requiring works to be carried out in line with the report's recommendations.

It is not considered that the proposal would have any overall negative impact on the community use of facilities, however it is recommended that a community use agreement is adopted. This could be secured by condition. It is also recommended that a condition is imposed to secure the restoration of the land on which the Buttery stands. The exam hall would provide alternative use for ancillary sports facilities as well as for community use. The new school building would have a hall which can be used for formal and informal sport.

It is accepted that there would be an overall loss of playing fields provision; however, the secured benefits for sport from the proposed development outweigh the small loss. The application is supported subject to conditions.

**Councillor J Shearman** - No comments received

**Councillor P Kreling** - No comments received

**Councillor J Peach** - No comments received

### **Local Residents/Interested Parties**

Initial consultations: 273

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

3 representations have been received regarding the application raising the following issues:

- Concern regarding highway safety along Park Crescent, sooner or later there will be a serious accident, probably involving children, due to vehicles travelling at high speed.
- In view of the further increase in traffic which the development will induce, I believe that it should not go ahead without the provision of speed monitoring CCTV.
- There have been no surveys undertaken on Garton St. In the mornings, at the time when staff at the junior school would be arriving, cars and work vans are usually parked along most of the street, almost up to the turning circle. Creating an entrance into the new car park will reduce



the amount of parking space available. Surveys at 8:00am – 8:30 am on a weekday should show the extent of the problem.

- The plans appear to show that the entrance to the proposed school car-park will be directly opposite the entrance to King's Gardens, turning a T junction into a cross roads.
- Drivers of cars leaving the school car-park opposite King's Gardens would be unable to see round the work vans that are usually parked there, so a one-way system with an exit at the turning circle would be safer.
- Cars leaving King's Gardens would be bottled in while 30+ staff cars arrive in the morning – this often happens at present
- Despite assurances at the consultation event that there will be no pedestrian entrance via Garton St., making that the entrance for staff and visitors will inevitably mean that some parents will drive down the road to drop their children off, adding to the traffic chaos on Garton End Road in the mornings.
- Parking on the double yellow lines at the entrance to Garton St currently incurs no sanctions – We would expect that, in the interests of road safety, traffic officers will begin to enforce the double-yellow line restrictions when increased traffic uses the road during and after the building of the Thomas Deacon Academy junior school.
- We trust that any security lighting will be sensitive to concerns about light pollution and impact on neighbouring houses.
- The access for the new school will be down Garton Street. This is the only access road for Elizabeth Court. There is already difficulty in getting in and out of Garton Street at school opening and closing time. This will become practically impossible if a few hundred vehicles start coming down this road.
- Neither the school nor the council can control the behaviour of parents dropping off and picking up students now.
- There are already two other junior schools in the vicinity and increased traffic flow will be danger to road users and pedestrians alike.
- What about access for emergency vehicles along a narrow road?
- Another school will significantly increase traffic congestion, parking difficulties and increase the current danger levels for pedestrians - particularly children, young people and the elderly using the roads round Deacon's.
- There was also no information on the approach roads - Park Road - Dogsthorpe Road - Garton End Road.
- Neighbour concern regarding future proposals for flats adjacent to the site in Elizabeth Court – (The Planning Department is not aware of any future plans).

## **5 Assessment of the planning issues**

### **a) Background**

The development proposal is part of Peterborough City Council Primary School Capital Programme project. There is pressure on the inner city area and insufficient school places available to meet the number of children living in the area. Peterborough City Council is working with the Thomas Deacon Academy to create a junior school within the Thomas Deacon site and create a one flow educational system in conjunction with Queens Drive. A separate application is under consideration for an extension to provide two classrooms at Queens Drive West Infant

School (12/01694/R3FUL). The proposal therefore forms part of the aspirations for an increase in educational capacity within the city.

A report on school place planning and early year's provision was presented to the 'Creating Opportunities and Tackling Inequalities' scrutiny committee on 12<sup>th</sup> November 2012. The report highlighted that after a period of declining pupil numbers, the last 4 years have seen a significant increase in pupil numbers within the city. This can be attributed to a number of issues including increase in birth rates, migration, economic growth as the buoyant local economy continues to retain workers and the quality of our schools continues to attract students from other local authorities. Since the 20<sup>th</sup> July, over 1,300 applications for school places (4.5% of current school population) have been received. 80% are new arrivals to the city. This growth from outside the city equates to 2 large primary schools or 1 secondary school. As a city, we are now below the 5% surplus threshold on all year groups in the city with significant pressures in Year 1 and Year 11.

b) The Principle of development

The National Planning Policy Framework (NPPF) states at para. 72 that the Government attaches great importance to ensuring a sufficient choice of school places is available to meet the needs of existing and new communities and that weight should be given to create, expand and alter schools. It is considered that the proposal is a sustainable option as this is an existing school site which serves a local catchment area and would provide a one flow system where pupils would progress from the nearby Queens Drive West Infant School (KS1) to the Junior Academy and eventually on to the main academy building. The site is equipped with car parking/drop off provision and a large expanse of sports provision. The proposal would support the agenda for delivering more school places and given the existing use of the site the junior academy would not alter the existing character and thus accords with policy PP1 of the Adopted Peterborough Planning Policies DPD.

c) Design and Visual Amenity

The building would be accommodated on the existing tennis courts and facilitated by the demolition of two existing buildings on this part of the site. Its positioning maximises the available space within the site retaining the green spaces and sport facilities. The design of the building is modern, clean and simple in form and takes reference from the existing academy building. The site approach maintains the view of the main entrance to the existing academy building and preserves the vistas across the sports fields. Whilst the two storey building is unusual for a primary school building the school would be inviting, clearly legible, would provide safe and convenient access with the drop off parking area well segregated from the building and would respond to the character of the site. The building would function well and provide a comfortable learning experience and add to the overall quality of the area. The external learning environment would create a functional space whilst enhancing the landscaping and visual amenity of the area.

The single storey exam hall would be a subservient element to the academy building and would not detract from the character of the existing building or the site as a whole.

The proposed extension to the construction centre would not be directly visible from the main circulation route within the site however, its design would harmonise with the existing academy building.

It is considered that the proposed development can be adequately accommodated within the site and would respect the architectural features of the existing academy building and its landscape setting and would not detract from the existing character of the site or that of the street scene. Hence the proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

d) Neighbouring Amenity

The junior academy building would be positioned approximately 25m from the western boundary which is formed by a 2m high weldmesh fence and tree planting. The boundary is shared with properties in Elizabeth Court which are 3 storey flatted development. The overall separation distance between the new building and the residential units would be 32m. It is proposed that additional planting along the boundary would be provided and would act as a buffer to the

development. It is acknowledged that these properties are currently afforded open views across the green space within the site and therefore the positioning of the building would interrupt the existing aspect for the occupiers of these properties. However, the positioning of the building, its separation distance and its height would not result in any loss of light, privacy or overbearing impact to the occupiers of these properties. It is possible that whilst there is an acceptable separation distance to the adjoining neighbours the large expanses of glazing would give the perception of overlooking. However, the building would not be occupied as residential accommodation and would have an institutional function which would operate during school hours. The finishing of the building and the variety of materials and textures would reduce the bulk and mass of the building and it is considered that the relationship with the neighbouring occupiers is acceptable.

The exam hall would be single storey and situated some 35m from the rear of properties in Garton End Road and the general activity likely to result from the building would not unduly impact on the amenities of the occupiers of these properties. The siting of the extension to the construction centre is set well within the site and the neighbouring property to the east is the Peterborough Regional College.

The access to the site from Garton Street would serve the staff parking, disabled parking, visitor parking and the servicing requirements for the junior academy building. It is not considered that this would result in substantially more vehicular movements to that which exists at the present time and therefore would not unduly impact on the amenity of the occupiers of properties in Garton Street. Concerns have been raised regarding likely congestion and the impact on Garton Street, however, there would be no pedestrian access to the school from Garton Street and vehicle access to the school would be controlled by a key fob entry system. This would discourage parents from using Garton Street as a drop off point.

In terms of noise implications, it is considered that the external teaching areas would not result in any additional noise emanating from these areas as the site is currently used as tennis courts where there is the potential for noise and disturbance to neighbouring properties. The external areas would not be playground areas and therefore the noise would be limited.

Although the use of external lighting has not been proposed as part of the development proposal, it is likely that the MUGA would be open to community use which would currently be restricted to weekends and summer evenings. Any subsequent lighting scheme would need to ensure that there would be no detrimental impact or light pollution to the occupiers of the nearby neighbouring properties.

It is therefore considered that the proposal would not result in an unacceptable impact on their amenity. The proposal therefore accords with policy PP3 of the Adopted Peterborough Planning Policies DPD.

#### e) Highway Implications

A transport statement and interim school travel plan has been submitted in support of the application. The transport statement includes details of a parking survey that was undertaken in October 2012 to establish parking capacity within the drop off area. The existing drop off parking area which serves the Thomas Deacon Academy would also serve the Junior Academy. The trip generation predicted for the Junior Academy suggests that an additional demand for 22 parking spaces will be generated by staff and an additional 140 vehicles are expected to access the site to drop-off and pick up pupils.

It is proposed that the start and finish times for the Thomas Deacon Academy and the Junior Academy would be staggered with the Junior Academy starting at 9.00am, 15 minutes later than the Thomas Deacon Academy and the finish time for Junior Academy would be 3.00pm, 15 minutes later than the Thomas Deacon Academy. The staggered start and finish times would avoid conflict between the operation of the Academy and reduce potential congestion arising from the increase in vehicular trips. Also a breakfast club and after school club would be introduced at

the Junior Academy which will stagger arrivals and departures outside of peak times.

The survey revealed that there is a sufficient drop off capacity on site to accommodate parent drop off for the new and existing academies, with the introduction of a staggered start time.

Staff and visitor parking to the junior school would be accessed from Garton Street. Servicing vehicles will access the site by reversing into the exiting service entrance from Garton Street. Emergency vehicles will access the site through the existing entrance on Queens Gardens

Pedestrian access would be unchanged. Pedestrians would not be permitted from Garton Street and a pass controlled gate will enforce this. Cycles will continue to access the site from the existing access from Queens Gardens, Park Crescent, Grimshaw Road and Nottingham Way. Cycles would not be permitted to access from Garton Street.

Although the junction of Park Road and Park Crescent is recognised to operate above capacity at present, the number of additional movements generated by the development is fewer than those that currently occur during peak times created by the Academy and is unlikely to have a material impact, furthermore previous studies have identified that the junction is not suitable for physical measures to increase capacity such as realignment or signalisation. It was agreed with the Local Highways Authority that detailed modelling assessments of the impact on the local highway network was not required. As the peak demand is not expected to coincide with the existing operation of the site, overall traffic volumes and footfall would be spread and therefore not increase potential for conflicts.

An additional 215 pupils and two staff are expected to access the site on foot when it is fully operational. It is expected that the additional footfall would be accommodated within the existing pedestrian provision.

Internal crossing points have been incorporated in the development proposals to assist the safe movements of pedestrians through the site and avoid conflict with vehicles. Crossing points are located within the drop off and pick up areas both for pedestrians leaving vehicles and the approaching the Junior Academy from Park Crescent to the south.

Cycle access – no changes it is expected that only one additional cycle trip will be generated by the development each day. The proposal should provide 63 cycle parking spaces however; this is considered to be excessive, additional space would be laid out if this increases in the future.

The exit/egress route on to Park Crescent has been widened to 5.5m to provide a dual lane exit. The LHA have requested tracking plans to demonstrate that a coach would be able to manoeuvre out of the site avoiding parked cars on Park Crescent to the east and west of exit. At the time of writing this report tracking details have not been provided and therefore the dual exit/egress would be conditional on appropriate and agreed tracking plans. Members will be updated by way of an update report on this issue. The existing single exit is adequate to accommodate vehicles to both the Thomas Deacon Academy and the Junior Academy as staggered start/finish times would address the highway issues.

It is considered that the School Travel Plan would in part address some of the highway issues surrounding the use of the site. An Interim Travel Plan has been submitted and whilst it does not highlight initiatives and targets these details can be secured by condition.

It is considered that the proposal makes adequate parking provision for all modes of transport and appropriate provision has been made for safe, convenient and sustainable access to the site and therefore accords with policy CS14 of the Adopted Peterborough Core Strategy DPD and policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

f) Landscape Implications

An Arboricultural Assessment has been submitted in support of the application and the Landscape Officer has confirmed that the assessment has been undertaken in line with BS5837:2012 and agrees to the categorisations given to the trees. The Officer considers that the proposal would not greatly impact upon the trees on site as most of the trees are located on the periphery. The proposal would result in the removal of nine trees (T8 & T12– Cherry, T13 Horse Chestnut, T43-46 – Limes x 4, T49 & T50 – Ash). The report states that the removal of the trees identified will not detract from the overall amenities of the area to a significant degree and that the younger trees do not yet have a great deal of visual amenity value and are easily replaced. The other trees are in a poor structural and physiological condition and should be removed in the interests of safety. The Landscape Officer advises in respect of the Ash trees proposed for removal that one of them has a fungal pathogen that is a concern in terms of health and safety and whilst he does not agree that the tree is category U but instead is category C this should not be seen as a constraint to development. An indicative landscaping plan has been submitted however, further details would be required by condition along with a maintenance schedule.

The layout of the scheme indicates a comprehensive landscaping scheme including wild-flower seeding, the provision of outdoor teaching space, and an allotment area which would be of significant benefit to both the children and the biodiversity enhancements of the site. The Wildlife Officer has advised that the landscaping scheme should provide native species of local provenance. These details would be secured by condition. The proposal makes adequate provision for the retention and protection of trees within the site and the new landscaping is an integral part of the development proposal and therefore accords with policy PP16 of the Adopted Peterborough Planning Policies DPD.

#### g) Sports/Playing Field Provision

The proposed development would require the relocation of the existing tennis courts due to the siting of the new building and the development would result in the available playing fields being reduced from 3.5 hectares to 3.1 hectares. The Sport England planning manager has been consulted during the pre-application discussion and has provided advice on the layout and design of the playing/sports areas. He considers that whilst the overall playing field provision will be reduced by the siting of the new school building, the removal of the existing Buttery building will make the remaining playing field a more usable space for pitch sports. There would be no reduction in available community use of the tennis courts/MUGA. The northern playing fields which are also available for community use are unaffected by the proposal. The new building will result in more intensive use of all the playing/sports fields and therefore an agronomists report was undertaken to assess the existing quality of the playing fields and whether qualitative improvements were needed. The report identified that the main problem area on the existing playing field relates to the area that was reinstated as playing field following demolition of the old Deacons School building and the area suffers from compaction of top soil and drainage issues. The report recommended a two year programme of improvement works and it recommended that a condition is imposed requiring works to be carried out in line with the report's recommendations.

It is not considered that the proposal would have any overall negative impact on the community use of facilities, however it is recommended that a community use agreement is adopted. This could be secured by condition. It is also recommended that a condition is imposed to secure the restoration of the land on which the Buttery stands. The Exam hall would provide alternative use for ancillary sports facilities as well as for community use. The new school building would have a hall which can be used for formal and informal sport.

It is accepted that there would be an overall loss of playing fields provision; however, the secured benefits for sport from the proposed development outweigh the small loss and the application accords with policy CS19 of the Adopted Peterborough Core Strategy DPD.

#### h) Ecological Implications

A Phase I Habitat Survey has been submitted with the application. The Wildlife Officer has advised that the recommendations as set out in the report are followed. An informative should be added to the consent regarding bats stating that in the unlikely event that bats are found during

work, work should stop and further advice sought from an experienced, licensed bat ecologist. The Officer also recommends that a number of bat roosting features (boxes/ bricks) be incorporated into the site design and that light spillage is minimised to avoid disturbance to bats and other species. A range of bird nesting features should be installed that cater for a number of different bird species such as House Sparrow, Starling & Swift as well as for Bats. The survey recorded Common Frogs within school wildlife pond/ habitat area. Due to the proximity of the exam hall to this area it is recommended that the wildlife area is temporarily fenced off during the construction phase to prevent accidental damage to this area. The removal of trees and shrubs should also avoid the bird nesting season (1st March to 31st August), as they may support nesting birds. The Wildlife Officer considers that these measures would result in biodiversity gain for the site in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD.

i) Drainage and flood risk implications

A flood risk assessment has been submitted in support of the application. The site lies within flood risk zone 1. The ground testing carried out suggests that the use of soakaways would be an appropriate method of surface water disposal in the area proposed for the MUGA, car park and exam hall however, the land surrounding the new school building may require overflow of the soakaways to discharge to the mains drainage system depending on infiltration rates. The Drainage Engineer has assessed the details submitted and considers they are acceptable subject to conditions regarding the details of the drainage design associated with any proposed changes to the entrance road from Park Crescent and adjacent parking area, and detailed specifications of any drainage elements including detailed specifications of all surface water drainage assets, including the proposed soakaway structures, any controlled overflows from those structures, permeable MUGA and car park surfaces, manholes and gullies, along with written approval from Anglian Water to discharge surface water into their drainage systems. The development would employ sustainable drainage systems to manage surface water run-off where feasible in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

j) Environmental Capital

The development incorporates a number of measures to achieve a reduction in carbon dioxide emissions by incorporating passive design measures including extensive use of natural ventilation through the building, improved thermal building performance values, improved air tightness standards and high efficient heating and hot water systems, multi zone controls on heating systems, high efficient ventilation heat recovery systems. Renewable technologies include Air sourced heat pumps to specific areas and Photovoltaic roof panels. It is considered that the proposal would achieve a greater contribution towards the Environmental Capital than that required by Building Regulations and accords with policy CS10 of the Adopted Peterborough Core Strategy DPD.

k) Archaeological Implications

The Archaeological Officer has viewed the applications and considers that there are no known archaeological remains/deposits. In addition, the surrounding area has produced little evidence for past activity. It is recommended a condition is appended to the decision requiring an initial watching brief of the main groundwork operations, as a test. Should the watching brief produce negative evidence or evidence for widespread disturbance, the watching brief work can stop.

l) Public consultation

A public consultation event was held at the Thomas Deacon Academy on 6<sup>th</sup> November 2012. The response was positive and main concerns were regarding highway implications which have been fully considered within this report.

## **6 Conclusions**

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

- the site is located within the urban area and the proposal would enhance the educational capacity for the catchment area;
- this is a sustainable development which would make efficient use of an existing school site;
- the start and finish times for the junior school and the Thomas Deacon Academy will be staggered and the proposal would not result in an unacceptable impact on the adjoining highway network;
- the site would provide safe and convenient access and is accessible by a choice of means of transport and the use of non-car modes of travel will be encouraged through the School Travel Plan;
- the layout, scale, proportions and design of the Junior Academy building, the exam hall and extension to the construction centre would respect the Thomas Deacon Academy building and would not detract from the existing character of the site or that of the street scene;
- the siting of the building provides an adequate separation distance to existing neighbouring residential properties and the proposal would not result in any adverse effects on the amenity of the occupiers of these properties;
- the proposal would enhance the sports/playing fields within the site which would be available; and
- the proposal would provide replacement planting and features to enhance the biodiversity within the site.

Hence the proposal accords with Policies CS14, CS16, CS21 and CS22 of the Peterborough Core Strategy DPD (2011), Policies PP1, PP2, PP3, PP12, PP13 and PP16 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (2012).

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C2 No development shall take place until details/samples of the materials to be used in the construction of the external surfaces of the buildings/extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Details of the following shall be submitted:

- external surfacing materials (walls and roof samples);
- windows;
- doors; and
- rainwater goods.

Development shall be carried out in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C3 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. No demolition/development shall take

place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework, particularly paragraphs 128 and 141.

- C4 Notwithstanding the details shown on the approved plans, prior to the implementation of any works to the main site egress (i.e. to Park Crescent) a revised drawing showing the parking bays on Park Crescent with swept path analysis of a coach and a car passing on the egress road and exiting the site in both directions shall be submitted to and approved in writing by the Local Planning Authority. If the revisions to the egress are found to be acceptable the amendments shall be implemented in accordance with the approved details. Should the applicant fail to demonstrate that the revisions to the egress can be implemented safely; the egress shall be retained as existing with a single vehicular lane.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C5 Lighting shall be arranged so that no danger or inconvenience is caused to users of the adjoining public highway. Details of the proposed lighting including design/lux levels shall be submitted to and approved in writing by the Local Planning Authority prior to its first use.

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C6 The new Junior Academy building shall not be occupied until the areas shown as parking and turning on the approved plans have been drained, surfaced and marked out in bays in accordance with details submitted to and approved in writing by the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the use of the Academy and Junior Academy facilities. The parking area accessed from Garton Street shall not be used by anyone other than the staff and visitors of Thomas Deacon Junior Academy.

Reason: In the interest of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C7 Notwithstanding the submitted details, prior to commencement of development full details of the measures to control pedestrian access from Garton Street shall be submitted to and approved in writing by the Local Planning Authority. These measures must be implemented in accordance with the approved details and be fully operational before the Thomas Deacon Junior Academy is brought into use.

Reason: To discourage parents from dropping-off pupils on Garton Street, in the interest of Highway safety in accordance with Policy CS14 of the Peterborough Core Strategy DPD



(2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C8 Notwithstanding the submitted information, prior to commencement of development full details of the proposed cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details should include the type and size of the stands, and the type and location of the shelters. The Junior Academy shall not be brought into use until 6 staff cycle stands, 2 visitor cycle stands and a minimum of 30 pupil cycle stands have been provided in accordance with the approved details, and space has been laid out for the future installation of 30 pupil cycle stands as required and those areas shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interests of promoting the use of non-car modes to visit the school, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C9 Prior to the commencement of the development hereby approved a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following details:

1. wheel washing facilities capable of cleaning the wheels, body and underside of vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
2. location of any compound area;
3. a scheme of working hours for construction and delivery;
4. a noise management plan including a scheme for the monitoring of construction noise;
5. a scheme for the control of dust arising from building and site works;
6. temporary parking/turning and loading/unloading areas for on site staff and construction traffic taking into account the nature and number of vehicles visiting the site; and
7. details of remedial measures to be taken if complaints arise during the construction period.

The measures agreed and contained within the CMP shall be implemented throughout the construction period.

Reason: In the interests of highway safety and neighbour amenity in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012).

- C10 Notwithstanding the submitted information and prior to commencement of development, details of the proposed vehicular accesses including the required vehicle-to-vehicle visibility splays at the Garton Street car park exit shall be submitted to and approved in writing by the Local Planning Authority. The Junior Academy shall not be brought into use until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C11 Notwithstanding the submitted details, the gates at the staff and visitor car park entrance from Garton Street shall be set back 6 metres from the edge of the carriageway.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning

Policies DPD (2012).

- C12 Notwithstanding the submitted details, the gates at the sprinkler tank shall not open outwards.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C13 Before the new or modified accesses are brought into use, vehicle-to-pedestrian visibility splays shall be provided on both sides of the accesses and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C14 Prior to first occupation of the development hereby approved, a Travel Plan and Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall contain SMART targets to reduce car borne trips to the site with measures being proposed to implement those targets. The Parking Management Plan shall contain measures that will be implemented by the School to control/manage traffic at pick up/drop off times.

Reason: In the interests of promoting the use of non-car modes to visit the school, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C15 Prior to first occupation of the development, a scheme for the closure of the site access to Garton Street to all except staff, visitors, emergency vehicles and service vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full before the development is first brought into use and retained thereafter at all times when the building is in use. The access shall not be used for any other means of access to the site or building by vehicles or pedestrians.

Reason: Garton Street is not considered suitable as a drop-off / pick-up point for pupils arriving at the site by car because of its narrowness, the level of on street parking by residents and businesses and the lack of turning facilities. The condition is imposed in the interests of highway safety and residential amenity, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C16 Prior to first occupation of the development, a scheme of staggered arrival and departure times for pupils/students shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved at all times when the site and building are in use.

Reason: To ensure the satisfactory operation of a School and Work Travel Plan. in accordance with the proposals set out in the Transport Assessment and in the interests of highway safety and residential amenity, in accordance with Policy CS14 of the

Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C17 Prior to the commencement of development, a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier. The hard landscaping works shall be carried out prior to first occupation of the building/extension to which it relates. The scheme shall include the following details:

- Proposed finished ground and building slab levels;
- Planting plans including retained trees, species, numbers, size and density of planting this shall include native species of a local provenance. For example, hedge planting should aim to incorporate a mosaic of species such as elder, hawthorn and dogwood. Further details outlining species to be used in the hedge/herbaceous planting should be included. The inclusion of night scented plants such as Evening primrose *Oenothera biennis* and Marjoram *Origanum majorana* to attract night flying insects should also be considered;
- Replacement tree planting;
- Grounding surfacing materials;
- Minor artefacts and structures; and
- Existing and proposed functional services above and below ground (e.g. drainage power, communications cables, pipelines etc.).

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

C18 No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in accordance with the approved protection scheme.

No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme. Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity and protection of existing landscaping features, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

C19 If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall

be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

C20 No development shall commence until details of existing and proposed site levels, including finished floor levels of the building has been submitted to and approved in writing by the local planning authority. These details shall also include the levels of the adjoining land and any building within 15 metres of the boundary with the application site. The development shall be carried out fully in accordance with those approved details.

Reason: In the interests of residential and visual amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012).

C21 Prior to the first occupation of the development, a scheme of hours of use for the external sports areas shall be submitted to and approved in writing by the Local Planning Authority. The external sports areas shall not be used outside the approved hours of use.

Reason: In the interests of the amenities of neighbouring residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C22 No development shall commence until a scheme of surface water and foul sewage drainage has been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- detailed specifications of any drainage elements;
- written confirmation of approval from Anglian Water to discharge surface water into their drainage systems; and
- detailed specifications of all surface water drainage assets, including the proposed soakaway structures, any controlled overflows from those structures, permeable MUGA and car park surfaces, manholes and gullies including any changes/works associated with the Park Road access.

The development shall be implemented in accordance with the approved details and prior to first occupation.

Reason: To reduce the impact of flooding on the proposed development and future occupants and in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2012).

C23 No development shall commence until a scheme for the ventilation and filtration of cooking fumes and any air handling plant and air conditioning (including Sound Power Level data) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenities of neighbouring residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C24 No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments and gates to be erected. This shall include any associated acoustic fencing to the boundary with Park Crescent. The boundary treatments shall be completed before building or extension to which they relate is brought into use or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of neighbouring residents, visual amenity and crime prevention, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2012) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012).

C25 No development shall commence until a scheme of community safety measures, including all proposed external lighting and CCTV cameras where used, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. No external lighting shall be erected unless it is in accordance with a scheme submitted to and approved by the Local Planning Authority.

Reason: In the interests of crime reduction, to safeguard the amenity of residents and to safeguard bat habitats, in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP16 of the Peterborough Planning Policies DPD (2012).

C26 No development shall commence until a scheme for the provision of fire hydrants, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of adequate water supplies for fire fighting as part of the development, in accordance with Policy CS12 of the Peterborough Core Strategy DPD (2011).

C27 The development hereby approved shall be carried out in accordance with the recommendations contained within the submitted Phase 1 Habitat Survey dated 8<sup>th</sup> October 2012).

Reason: To preserve and protect existing habitats and species of importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

C28 No demolition works or site clearance works, including tree, hedge and bush removal shall be carried out on site between the 1st March and 31st August inclusive in any year, unless the features to be disturbed have been surveyed by an appropriately qualified ecologist and found to be free from the presence of breeding birds. The works or vegetation removal shall not commence until a survey report has been submitted to and approved in writing by the local planning authority. If nesting birds are found to be present the works or vegetation removal shall not commence until the end of the bird-nesting season.

Reason: To safeguard protected birds in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

C29 Notwithstanding the details hereby approved the number of bird/bat boxes and their locations shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details and thereafter retained.

Reason: In the interest of promoting biodiversity within the site and in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011).

C30 No external Public Address system shall be installed or operated unless in accordance with a scheme submitted to and approved by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Planning Policies Document DPD (2012).

C31 Notwithstanding the submitted plans, the method of lighting the Multi-Use Games Area shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Light Pollution (Revised) (1994)". In the event of unreasonable obtrusive light as perceived by an officer of the local planning authority an assessment of lighting levels shall be conducted by a suitably competent person to demonstrate compliance with this condition. The lighting to the Multi-Use Games Area shall be switched off no later than half an hour after use of the pitch ceases.

Reason: In the interests of residential amenity and to minimise light pollution, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Planning Policies Document DPD (2012).

C32 The use of the development shall not commence until a Community Use Agreement has been submitted to and approved in writing by the local planning authority, in consultation with Sport England. The agreement shall apply to all existing and proposed indoor and outdoor sports facilities on the Thomas Deacon Academy site and shall include details of pricing policy, hours of use, management responsibilities and a mechanism for review of the agreement.

Reason: To secure well managed and safe community access to the sports facilities on the site, in the interests of the development of community sport and to accord with Policy CS19 of the Peterborough Core Strategy DPD (2011).

C33 The recommended programme of playing field improvements contained within the submitted Playing Pitch Feasibility Study dated November 2012 shall be implemented in accordance with the recommendations contain within the report and in accordance with a detailed timetable of implementation to be submitted to an approved in writing by the local planning authority, in consultation with Sport England, prior to the first occupation of the development.

Reason: To ensure that qualitative improvements to the remaining playing field are carried out to meet increased demand from pupils of the new school and to ensure continued community use can also be satisfactorily catered for, in accordance with Policy CS19 of the Peterborough Core Strategy DPD (2011).

C34 A scheme to (a) protect the existing playing field during construction, and (b) restore the playing field following the demolition of the existing Buttery building on the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the protection of the playing field during the construction period and the satisfactory restoration of the playing field following the demolition of the Buttery building, in the interests of recreational provision on site, and in accordance with Policy CS19 of the Peterborough Core Strategy DPD (2011).

C35 The development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

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**LOCATION PLAN 12/01430/R3FUL**

Heltwater School, Heltwater, Bretton

**Scale** NTS      **Date** 6/12/2012      **Name** AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL

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**PCC GIS**

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**Application Ref:** 12/01430/R3FUL

**Proposal:** Installation of security fence and gates

**Site:** Heltwate School, Heltwate, Bretton, Peterborough

**Applicant:** Mr Jason Brooks  
Heltwate School

**Agent:** Enterprise Peterborough

**Site visit:** 30.10.2012

**Case officer:** Mr M A Thomson  
**Telephone No.** 01733 453478  
**E-Mail:** matt.thomson@peterborough.gov.uk

**Recommendation:** Authority be given to the head of Planning, Transport & Engineering to grant planning permission (with conditions) subject to no objection being received which raises a material planning consideration.

**Referred by:** Head of Planning, Transport & Engineering

**Reason:** Local concern regarding the application

## **1 Description of the site and surroundings and Summary of the proposal**

### Site Description

The application site forms an area of landscaping (15m x 70m) in front of Heltwate Primary School, and is identified as such within the Peterborough Open Space Strategy (2010). The site is not suitable for play and is more of a landscaped area. To the north, east and south are high density residential and flats, with the Masonic Hall to the South-West. The site forms the centre of what is effectively a circulation route for the school, with parking and a drop off/pick up area to the west. The site is open with no boundary treatments. There are a number of healthy trees on site, none of which are protected by way of tree preservation orders.

### Proposal

The Applicant seeks consent to erect a 2m high Paladin Classic fence and two gates, finished in green (RAL6005). This would incorporate the informal amenity space and pick up/drop off area into the school grounds.

The application has been made in order to ensure the safety and security of the school and its pupils with special needs.

The application was deferred at the 18<sup>th</sup> December 2012 meeting of the PEP Committee so that the committee could gain a better understanding of why the fence was needed and why it had to be located in the position shown.

## **2 Planning History**

No relevant planning history

### **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

#### **National Planning Policy Framework (2012)**

##### **Section 7 - Good Design**

Development should add to the overall quality of the area; respond to local character; and create environments which are visually attractive. Planning permission should be refused for development of poor design.

##### **Section 8 - Safe and Accessible Environments**

Development should aim to promote mixed-use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

#### **Peterborough Core Strategy DPD (2011)**

##### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

##### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

#### **Peterborough Planning Policies DPD (Submission Version 2012)**

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making. The Development Plan Document is due to be adopted on 5<sup>th</sup> December 2012. (Members will be updated at the meeting as to its adoption).

##### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

##### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

##### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

##### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

### **Peterborough Local Plan (First Replacement) (2005)**

#### **T10 - Car and Cycle Parking Requirements (Outside of the City Centre)**

Parking should be provided in accordance with the identified standards.

#### **LNE09 - Landscaping Implications of Development Proposals**

Adequate provision should be made for the retention/protection of trees and other natural features and for new landscaping.

#### **LNE10 - Detailed Elements of Landscape Schemes**

A landscaping scheme suitable for the nature of the development should be proposed.

## **4 Consultations/Representations**

### **Transport and Engineering Services (14.11.12)**

No objection – The Local Highways Authority have requested minor amendments to the proposed gates.

### **Landscape Officer (13.11.12)**

At the time of writing this report the Landscape Officer has requested further information.

### **Police Architectural Liaison Officer (14.11.12)**

Supports the application.

### **Estates Services**

No comments received.

### **Parish Council (04.12.12)**

Objects - Request that the fence be repositioned, the green area in front should be retained as public amenity space, concerns at the loss of the footway that runs parallel with the road, the fence would not be conducive to the area and the fence as proposed would require works to trees.

### **Local Residents/Interested Parties**

Initial consultations: 22

Total number of responses: 5

Total number of objections: 4

Total number in support: 0

A petition against the proposal has been received, signed by 43 addresses, as well as three letters of representation, raising the following matters;

- Visual impact
- Displaced car parking
- Congestion during pick up/drop off times
- Loss of open space to immediate neighbours
- Loss of trees
- Area has undergone over-development in recent years
- School has sufficient playing field at the rear of the site
- Would have limited impact to improving security of the site
- Noise generated from the opening/closing of gates
- Area claims to be used as a secure fire assembly point, no dropped kerb to it for mobility impaired

Further to the petition received on 5<sup>th</sup> December 2012, which contained 43 addresses, an updated petition has been forwarded with an additional 3 addresses, which object to the proposal.

An additional letter of representation was received raising the following issues;

- Negative impact on streetscape
- The fence would isolate the school
- Intensified use
- Loss of existing local facility
- Poor access
- Traffic

## **5 Assessment of the planning issues**

### Crime & School Safety

The land is maintained by the school, and in the past year it is understood Police were called to remove a person who was camping on the site, and the hazardous materials being found on the site, such as dog mess, glass bottles and needles. Further, problems relating to some of the pupils at the school have as a result of their learning difficulties limited awareness of risks/dangers. With the area not being fenced off there is a risk of pupils running into the public highway.

The Applicant also raises that due to the pupils no sense of fear during drop off and collection, there are real issues that pupils could run out into oncoming traffic.

The Police Architectural Liaison Officer (PALO) has reviewed police records for the area and it is acknowledged that Police were called to a person camping on the site. There are no records of needles being found within the application site however, special patrols were being conducted around the former Silver Jubilee Public House with respect to street drinkers/needles. The PALO concludes that 'whilst I cannot confirm that police staff have found any needles or dog mess on this actual site, other evidence in the area indicates that this is highly likely. I would therefore support the application and have no reason to dispute the claims made in the [schools] Updated Supporting Statement'.

The proposed fence would go towards improving the safety and security of an established and growing education facility, therefore would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011), National Planning Policy Framework (NPPF) (2012) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

### Loss of Amenity Space

The amenity area does afford an amount of openness to an area of high density housing; it provides an area of play for local children, which is overlooked by surrounding residential properties, as well as an area for dog walking. The site also links into a similar sized amenity area to the immediate south.

There is a larger area of informal parkland 150 metres to the North, and playing fields and pitches 160 metres to the west. Helwtate and Ellingdon have dedicated pedestrian links to these areas as well as dedicated play and open spaces available interspersed throughout the estate, therefore given the amount of open space within a 5 minute walking distance the loss of the informal amenity space is on balance outweighed by the security issues raised and acknowledged by the Police Architectural Liaison Officer.

The proposal would not have an unacceptably adverse impact on the provision of open space available to residents in the immediate area, and therefore accords with Policy CS16 of the Peterborough Core Strategy DPD (2011)

### Design and Layout

Letters of representation have raised issue with the appearance of the proposed fencing, and it's impact on the character and appearance of the area.

It is acknowledged that by introducing a 2m high fence this would alter the visual appearance of the street scene, however the proposed fencing would stand at only 2m in height and would be visually permeable therefore affords visual depth. The fence would be set back 600mm from the eastern edge of the informal open area, which would retain an existing pedestrian footway, which would mitigate any overbearing or oppressive impact to the character or appearance of the area. The design and finished colour of the fencing would be consistent with existing boundary treatment found around Heltwate school and other education facilities within the city and is therefore accepted.

The size, scale and layout of the proposal would not result in an unacceptably adverse impact on the character or appearance of the area, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2011), NPPF (2012) and PP2 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

### Access, Parking and Highway Safety

Letters of representation has raised concern with displaced parking, increased congestion during pick up and drop off times and the fact that the school is increasingly being used outside of school hours. At the time of writing this report the Local Highways Authority have requested amended plans with respect to increasing the width of the gates (to 5 metres) and amend the position of the gates adjacent to the Highway. Highways have not raised objections to the proposal. Subject to the receipt amended plans which are acceptable to the Local Planning Authority, the proposal would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011).

### Neighbour Amenity

A resident is concerned that the opening and closing of the gates would cause noise and disturbance to residents. It is considered that if any noise did emanate from the opening or closing of gates, this would be momentary and would not be of a significant frequency which would cause an unacceptably adverse impact to the amenity of existing residents.

The proposed gates are not considered to have an unacceptably adverse impact on the living conditions of adjacent residential properties, and the proposal accords with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

### Trees

The Landscape Officer has requested further information with respect to the proposed fencing and overcoming any impact to trees. Further information will follow as part of the update report.

### Other Matters

A letter of representation highlighted that the informal amenity area would be used as a gathering point during fire alarms. If the area would be used as a muster point it would be infrequent and no harm would arise.

## **6 Conclusions**

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

- the design of the fencing and gates would not result in an unacceptable adverse impact on the appearance or character of the area;
- the fencing and gates would not result in an unacceptable adverse impact on neighbouring

- amenity;
- Highway (to be confirmed)
- the fencing and gates would not result in an unacceptably adverse reduction in informal open space for surrounding residents; and
- Trees (to be confirmed)

Hence the proposal accords with Policies CS14 and CS16 of the Peterborough Core Strategy (2011), Policies LNE9, LNE10 and T10 of the Peterborough Local Plan (First Replacement) (2005), the NPPF (2012) and Policies PP1, PP2, PP3, PP13 and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination)

## **7 Recommendation**

That the Head of Planning, Transport & Engineering be authorised to **GRANT** planning permission subject to no objections being received that raise a material planning consideration, and subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 The materials to be used in the construction of the external surfaces of the fencing and gates hereby permitted shall match those indicated on the submitted application forms and plans as listed in this decision notice.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C3 Notwithstanding the drawings hereby approved and prior to commencement of development details of the relocated gate position ( and associated sections of boundary fencing) shall be submitted to and approved in writing by the Local Planning Authority. The gates shall thereafter be positioned in accordance with the approved details.

Reason: In the interest of highway safety and to accord with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Copy to Councillors Martin S, Fitzgerald W and Sylvester A